

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, March 8, 2022

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, March 8, 2022.

The following Council Members were present:

Ana Valdemoros, Amy Fowler, Darin Mano, Chris Wharton, Daniel Dugan, Victoria Petro-Eschler, Alejandro Puy

Present Legislative leadership:

Cindy Gust-Jenson, Executive Director; Jennifer Bruno, Deputy Director; Lehua Weaver, Associate Deputy Director

Present Administrative leadership:

Mayor Erin Mendenhall; Rachel Otto, Chief of Staff; Lisa Shaffer, Chief Administrative Officer

Present City Staff:

Katherine Lewis – City Attorney, Cindy Lou Trishman – Salt Lake City Recorder, Andrew Johnston – Director of Homelessness Policy and Outreach, Michelle Barney – Minutes & Records Clerk, Nick Tarbet – Senior Public Policy Analyst, Sam Owen – Public Policy Analyst, Taylor Hill – City Council Staff, Nick Norris – Planning Director, Weston Clark – Office of the Mayor Senior Advisor, Sophia Nicholas – Sustainability Deputy Director

Council Member Dan Dugan presided at and conducted the meeting.

The meeting was called to order at 4:40 pm

Work Session Items

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1. **Informational: Updates from the Administration** ~ 4:00 p.m.
30 min.

The Council will receive an update from the Administration on major items or projects, including but not limited to:

- COVID-19, the March 2020 Earthquake, and the September 2020 Windstorm;
- Updates on relieving the condition of people experiencing homelessness;
- Police Department work, projects, and staffing, etc.; and
- Other projects or updates.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Rachel Otto presented the number of COVID-19 cases and vaccinations in Salt Lake City.

Weston Clark presented Community Engagement Highlights, inviting Council to visit the www.slc.gov/feedback/ website offering ways to engage with the City; reviewed the City's active engagement efforts and the status of various projects.

Andrew Johnston reviewed:

- Statistics of those experiencing homelessness in Salt Lake City
- Scheduled cleaning and abatements focused around the Jordan River (delayed due to weather)
- Resource fair scheduled for Friday, March 11 from 9:30 to 12:30 at Day Riverside Library
- Number of beds being used at various shelters, St Vincent de Paul – 80, scattered motel rooms 24/7 referral only from HRCs, high needs temporary housing program – 150 people, and Redwood overflow – 127 people
- Timeline and funding for the Temporary Overflow shelter, ending in April 2022, relocation of residents to the resource centers starting next week, early to mid-April the night to night beds would be discontinued ending the shelter use.
- Medically Vulnerable People Housing Program (MVP) being created to address the needs of homeless individuals who were aging, medically frail, needed recuperative care, experiencing underlying health conditions, or with compromised immune systems.

Council and Mr. Johnston discussed:

- Funding, space requirements and partnerships for the MVP program
- Intentions of use of the temporary shelter to be adjusted to housing similar to the Airport Inn (suggestion to discuss with the property owner)
- Concerns with abatements, continuous movement of people an ongoing problem

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- Abatements being a collaboration between City and County Health Departments
- Allowing places for people to camp if they were not near neighborhoods, options to address individuals living in encampments
- City's no camping ordinance and its effect on the abatement process
- Struggles of helping individuals experiencing homelessness with the current services and resources
- Volunteers of America program disbursing funds for small repairs of RVs
- The need for 300 additional beds to house the homeless
- Importance of reforming the thinking of how to address homelessness, housing first works with the stability of people knowing their items were safe and would still be there when they returned
- Ideas other states were using to address homeless issues such as camps with small structures
- Concerns over homeless individuals becoming violent to protect camps along the Jordan River

2. Informational: State Legislative Briefing

~ 4:30 p.m.
30 min

The Council will be briefed about issues affecting the City that may arise during the 2022 Utah State Legislative Session.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 1, 2022; Tuesday, February 8, 2022; Tuesday, March 1, 2022; and Tuesday, March 8, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Kate Bradshaw (Legislative Lobbyist Consultant) stated during the 2022 Legislative Session - 513 bills were passed, SLC reviewed and tracked 392 bills with 600 responses from various departments. She thanked City Staff that assisted with the legislative session to make it run smoothly and track all the activities at the Capitol.

Council Members and Ms. Bradshaw discussed bills regarding:

- Transportation/UTA project
- Union Pacific Electric switchers
- Funding for the City Cemetery
- Affordable Housing
- Appropriations that were/were not granted for Salt Lake City
- Water Conservation and ties to Land Use was the theme for the 2022 Session

Council Members thanked legislators for meeting with them and listening to the Council's concerns, the lobbying team and City staff for their work, dedication and time spent at the

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session.

3. Informational: Equity Update ~ 5:00 p.m.
20 min.

The Council will hold a discussion about various initiatives led by the City's Office of Equity and Inclusion. These initiatives include, but are not limited to, improving racial equity and justice in policing. Discussion may also include updates on the City's other work to achieve equitable service delivery, decision-making, and community engagement through the Citywide Equity Plan, increased ADA resources, language access, and other topics addressed in the ongoing work of the Human Rights Commission and the Racial Equity in Policing Commission.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Item not held.

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4. **Informational: Sustainability Updates**

~ 5:20 p.m.
30 min

The Council will receive briefing on three Sustainability initiatives, each relating to customer electricity service in the City: the Community Renewable Energy Agency & program (CREA), as well as two planning documents related to the City's proposed franchise agreement renewal with Rocky Mountain Power (RMP). The focus of this briefing will be on the CREA and RMP planning documents, and not the RMP franchise agreement. The renewable energy program is expected to have ratepayer impacts to Salt Lake City electricity users. The two planning documents noted above could result in fiscal impacts to the City.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 8, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Sam Owen introduced the Clean Energy Statement and clarified the timeline for the proposals, and stated there were any Council members that had questions or wanted small group meetings to further discuss the proposals to please reach out to Staff to make arrangements.

Sophia Nicholas presented the Renewable Energy Update:

Agenda

- SLC Clean energy and climate goals
- Community Renewable energy program – timeline and Council collaboration

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- Salt Lake City and Rocky Mountain Power (RMP)
 - Clean Energy Cooperation Statement
 - Clean Energy Implementation Plan

Salt Lake City's Clean Energy and Climate Goals

- Achieve an amount equivalent to 100% of the annual electric supply for participating customers from renewable energy source by 2030
- Achieve 100% renewable energy for municipal operations by 2032
- Reduce community greenhouse gas emissions 80% by 2040 (from 2009 baseline)

Implementation of the City's Renewable Energy Goals

- The Community Renewable Energy Program (Agency Communities, RMP) – Many elements and timelines dictated by state law and code
- Salt Lake City's relationship with RMP
 - Clean Energy Cooperation Statement
 - Clean Energy Implementation Plan
- Community Renewable Energy Program consisting of
 - CREA -15 Communities collaborating with Elected Officials, Community Organizations, Industry and Business, and Residents
 - CREA Board – Utah Division of Public Utilities, Utah Office of Conservation Services
 - Rocky Mountain Power
 - All combined to create the Public Service Commission

Agency Recommended Schedule of Council /Commission Briefings or Action

- April 2022 – Briefing on required ordinance – informal feedback on ordinance language
- April 2022 – Council Members distributed Community Energy Survey – wider survey responses
- June 2022 – Present final Utility Agreement for vote and/or administrative signature (depending on municipal practice) – Utility Agreement signed by participating communities
- August 2022 – Briefing on submitted Program Application – familiarity with Program as submitted
- January 2023 – Briefing on approved Program and transmit ordinance for a vote – familiarity with program as approved
- March 2023 – Vote on Ordinance – Adopt ordinance within 90 days of Programs approval to finalize participation

Public Outreach

- “Ask me anything” – May 2021
- Low-income stakeholder meeting – August 2021
- Business stakeholder meeting – September 2021
- Scientific survey – March 2022
- Community partner engagement – March to May 2022

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- Low-Income Plan policies development
- Communications Plan development
- Community meetings
- Community survey – April to May 2022
- Publicize final program details – July to December 2022
 - Website
 - Summer tabling
 - Informational town halls
- Council ordinance public process – January to March 2023

Salt Lake City – Rocky Mountain Power Clean Energy Documents

- Clean Energy Cooperation Statement
 - Signed by Mayor and RMP CEO (non-binding)
 - Identifies City goals and general areas where the City would like RMP's collaboration to achieve the goals
- Clean Energy Implementation Plan
 - Not signed (jointly agreed to by RMP and Sustainability Staff)
 - Did not obligate City to appropriate money
 - Could identify projects that would benefit from appropriations via budget process
 - Annual updates posted to Sustainability website
- Timeline for Franchise agreement processing and approval
- There was an opt out option for the program

Council and Ms. Nicholas discussed condensing and clarifying the information for the community, the webpage and surveys that would help the community understand the programs.

5. Ordinance: Homeless Resource Center and Homeless Shelter Text Amendments ~ 5:50 p.m.
30 min.

The Council will receive a briefing about a proposal that would amend the Salt Lake City Zoning Code by removing Homeless Resource Centers and Homeless Shelters as conditional uses from the land use tables for the CG General Commercial, D-2 Downtown Support, and D-3 Downtown Warehouse/Residential Zoning Districts, modify 21A.33.010 to clarify when listed land uses are prohibited, modify the applicability section of 21A.36.350 Qualifying Provisions for Homeless Resource Centers and Homeless Shelters, and modify the definitions of homeless resource centers and homeless shelters in 21A.62.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 8, 2022

Set Public Hearing Date - Tuesday, March 1, 2022

Hold hearing to accept public comment - Tuesday, March 22, 2022 at 7 p.m.

TENTATIVE Council Action - TBD

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Minutes:

Nick Tarbet introduced the Ordinance for Homeless Resource Center (HRC) and Homeless Shelter Text Amendments. The proposal would prohibit homeless resources centers and homeless shelters in the City by removing the uses from land use tables in the CG, D-2 and D-3 zoning districts for a period of time. Planning Staff assured Council Staff the intent is not to remain as permanent prohibitions, but is the first of three planned phases to help the City establish an updated process for location shelters in HRCs. The Utah Legislature's passage of HB440 Homeless Services Amendments will require some adjustments to the consideration and plan ahead – as one component of the bill required cities in Salt Lake County, through the Conference of Mayors, to come up with a winter overflow plan by September 1, 2022.

Nick Norris presented the Homeless Resource Center and Homeless Shelter Code Changes

Goals:

- Better process for approving permanent HRCs / Shelters
- Improved regulations
- Create processes/regulations for emergency shelters

Proposal:

- Part 1 - Prohibit the uses in the City for the time being, only impacting the CG, D-2 and D-3 Zoning Districts
 - What happened to existing facilities
 - Could continue to operate
 - Did not impact temporary shelters already approved
 - Pending ordinance notice
 - Applies for 180 Days
 - April 2, 2022
 - Could pause any proposed application
 - If no changes were adopted within the 180 window the following was possible:
 - Anyone could propose a new shelter/resource center in the CG, D-2 and D-3 Zoning Districts
 - City would be required to accept and process the application
 - Would be limited to the existing regulations
- Part 2 - Update regulations and approval process
 - Process
 - Pros and cons
 - Options
 - Conditional use process
 - Overlay zone
 - Zoning map amendments to authorize new centers
 - Floating zone
 - Certain milestones met before regulations go into effect
 - Site specific and operational requirements
 - Safety

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- Impacts to nearby properties
 - Impact to City services
 - Improved reporting
- Timeline
 - Internal Evaluation: March 2022
 - Stakeholder Initial Engagement : April 2022
 - Draft proposal: April / May 2022
 - Public Input: May / June 2022
 - Planning Commission: June 2022
 - Council: after June 2022
- Part 3 - Temporary and Seasonal (and HB440)
 - City Council Legislative Intent proposed: The Council may initiate a legislative action asking the Administration to review and return with recommendations for prohibiting temporary shelters until other jurisdictions in Salt Lake County permitted them, HB440 would impact what the City did
 - Rotation of hosting
 - Plan in place before September 2022
 - Flexing of existing beds if no plan
 - City should consider consistent regulations
 - Differentiate the use from permanent to seasonal or time limited
 - Establish criteria (Pre HB440)
 - City share, bus county share
 - Impacts to City resources
 - Impacts to neighbors
 - What happened when the use was not operating
 - Timeline
 - Community input: February / March 2022
 - Update proposal: April 2022
 - Public Input: May 2022
 - Planning Commission: June 2022
 - Council: after June 2022

Council, Mr. Tarbet, and Mr. Norris discussed:

- Similarities/differences in the floating and overlay zoning
- Definition of stake holder in the proposed ordinance
- How often conditional use permits were reviewed and enforced
- Clarified the timeline and decision process
- Methods to hold the City accountable if the proposal was not approved but resulted in the conditional uses being added back into the code
- If the proposal could be approved and implemented by the end of 2022, allowing time to review the proposal and ensure the proper steps were considered
- Reviewing the zoning map for additional areas where homeless services could be located
- Propose ordinance #2 included language that conditional uses were allowed in more zones than currently allowed promoting geographical equity
 - Substantive changes to the ordinance without conversing with the Planning

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Commission might cause issues and would need further review

- City's use of ARPA funds allotted from the State to help address housing for the homeless
- Homelessness at its core was a humanitarian crisis and it was important to keeping the conversation compassionate and there needed to be parameters
- Need to be open to other options to address homelessness
- The timeline for the proposal and the option to approve two ordinances
- Ordinance needed to be intentional

6. Dinner Break

~ 6:20 p.m.
30 min.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - n/a

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

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7. **Informational: 2021 Accessory Dwelling Unit Annual Report**

~ 6:50 p.m.

30 min.

The Council will receive a briefing about the 2021 Accessory Dwelling Unit (ADU) annual report. The annual report includes the number of applications, addresses for each application submitted, and a brief explanation of reasons any applications for an ADU was denied.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 8, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Nick Norris presented the 2021 Accessory Dwelling Unit Annual Report:

- Trends throughout the city from 2019 – 2021
- Square footage of ADUs has fluctuated, due to internal ADUs
- Height has increased yearly
- 2/3 of all ADUs are providing on-site parking
- The number of conditional use ADUs in each district
- Largest concentrated area for ADUs surrounded area near Liberty Park
- Planning Commission's Initiation
 - February 2022
 - Change ADUs to permitted uses
 - Update city code to match state code for internal ADUs
 - Clarify existing regulations
- Process and Steps
 - March 2022: Internal Analysis
 - April 2022 Draft changes

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- May 2022
 - Planning Commission briefing
 - Engagement started
- July 2022 Planning Commission recommendation
- August 2022 Transmittal process starts

Council and Mr. Norris discussed:

- Comments from constituents wanting to make ADUs easier to construct
- Parking an initial concern; the report illustrated it is less of an issue
- ADUs are a way to address the Missing Middle housing needs
- Ways to accommodate ADUs where the codes are not met
- Short term rentals are a concern to residents living around or next to ADUs
- Enforcement on short term rentals
- Planning Department's back log of applications and how best to process them
- Removing the reference to primary dwelling as a limiting factor in square footage and height limits
- ADU ordinance in relation to alley ways and allowing additional square footage and height
- Use of ADU access to activate the alley way and improve the area

Council requested an additional follow up briefing on the ADU proposed ordinance.

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Standing Items

8. Report of the Chair and Vice Chair

Report of Chair and Vice Chair.

Minutes:

Item not held.

9. Report and Announcements from the Executive Director

Report of the Executive Director, including a review of Council information items and announcements. The Council may give feedback or staff direction on any item related to City Council business, including but not limited to;

- Mosquito Abatement Subcommittee;
- Residents for Watershed Conversation Group; and
- Scheduling Items.

Minutes:

Cindy Gust Jenson noted the applications for board members to serve on the Mosquito

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Abatement Board were prepared for review, and requested volunteers for the subcommittee. Council Members Dugan, Petro-Eschler, and Mano volunteered.

Ms. Gust Jenson announced that Public Utilities invited Council Members to recommend a person from each district to participate in the Watershed Management Plan update to participate in the Stakeholder Committee, and Sam Owen would be the contact person

10. Closed Session

The Council will consider a motion to enter into Closed Session. A closed meeting described under Section 52-4-205 may be held for specific purposes including, but not limited to:

- a. discussion of the character, professional competence, or physical or mental health of an individual;
- b. strategy sessions to discuss collective bargaining;
- c. strategy sessions to discuss pending or reasonably imminent litigation;
- d. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the public body from completing the transaction on the best possible terms;
- e. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the public body from completing the transaction on the best possible terms;

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- (ii) the public body previously gave public notice that the property would be offered for sale; and
- (iii) the terms of the sale are publicly disclosed before the public body approves the sale;

- f. discussion regarding deployment of security personnel, devices, or systems; and
- g. investigative proceedings regarding allegations of criminal misconduct.

A closed meeting may also be held for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137, and for other lawful purposes that satisfy the pertinent requirements of the Utah Open and Public Meetings Act.

Minutes:

Closed Session Started at 8:08 pm

Held via Webex and in the Work Session Room (location)

Council Members in Attendance: Council Members Dugan, Fowler, Petro-Eschler, Puy, Mano, Wharton and Valdemoros

City Staff in Attendance: Katherine Lewis, Mary Beth Thompson, Cindy Gust-Jenson, Jennifer Bruno, Lehua Weaver, Cindy Lou Trishman, Beatrix Sieger, Taylor Hill, Berenice Zuenguaz, Nathan Kobs, Brendan Cochrane, Aaron Bentley, Blake Thomas, Danny Walz, Jorge Chamorro, Laura Briefer, Lorena Rizzo Jenson, Sophia Nicholas, Tracey Fletcher.

Closed Session ended at 8:34 pm

Motion:

Moved by Council Member Wharton, seconded by Council Member Mano to enter into a Closed Session for discussion regarding deployment of security personnel, devices, or systems, and advice of counsel.

AYE: Ana Valdemoros, Amy Fowler, Darin Mano, Chris Wharton, Daniel Dugan, Victoria Petro-Eschler, Alejandro Puy

Final Result: 7 – 0 Pass

Motion:

Moved by Council Member Fowler, seconded by Council Member Wharton to exit the Closed Session and adjourn the meeting.

AYE: Ana Valdemoros, Amy Fowler, Darin Mano, Chris Wharton, Daniel Dugan, Victoria Petro-Eschler, Alejandro Puy

Final Result: 7 – 0 Pass

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Meeting adjourned at 8:34 pm

Minutes Approved: April 5, 2022



City Council Chair



Cindy Truhman (Apr 20, 2022 14:50 MDT)

City Recorder



This document is not intended to serve as a full transcript as other items may have been discussed; please refer to the audio or video for entire content pursuant to Utah Code §52-4-203(2)(b).

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This document along with the digital recording constitutes the official minutes of the City Council Work Session meeting held Tuesday, March 8, 2022.

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Final Audit Report

2022-04-20

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