

SOUTH JORDAN CITY
CITY COUNCIL WORK MEETING

October 15, 2013

Present: Mayor Scott Osborne, Council Member Mark Seethaler, Council Member Chuck Newton, Council Member Brian Butters, Council Member Steve Barnes, Council Member Larry Short, CM John Geilmann, ACM Gary Whatcott, Intergovernmental Affairs Chip Dawson, City Council Secretary MaryAnn Dean

Others: Dave Spatafore

4:00 P.M.
EXECUTIVE CONFERENCE ROOM

SPECIAL WORK SESSION

Mayor Osborne welcomed everyone. Council Member Newton offered the invocation. He noted that Council Members Short and Barnes would be arriving late.

I. 2014 Legislative Preview

Chip Dawson, Intergovernmental Affairs, reviewed the 2014 Legislative Preview presentation (Attachment A).

Council Member Seethaler noted that the city is progressing towards having 25% of its budget in reserves, but they are not there yet.

Regarding the Water District funding, Mayor Osborne said he feels the property tax levy authority of water conservancy districts is appropriate. That is a significant way to fund the capital expenditures that go on in water districts.

The City Council noted that in regards to the 2700 West project, that would extend to South Jordan Parkway, not 10600 South. They may bury the crossing service line from the distribution lines to the homes. The cost estimate is \$100,000. The poles will stay up next to the homes because they can't bury the underground transmission line and the east side is already improved. Burying the polls would cost millions. The goal is to get enough funding to reconstruct 2700 West from the north border of the city to the south border.

Regarding disorderly conduct amendments, the gun rights advocates are in favor the change and law enforcement can live with the change.

Mr. Dawson said changing the method of allocation for Class C road funds will be a fight. They will be enlisting support from the Wasatch Front Council of Governments and Council of Mayors. Council Member Newton expressed support for using the existing funds to make online training videos and to reduce the 1 percent licensure fee to ½ percent to go into the existing fund.

Mayor Osborne said they should watch the water right forfeiture issue closely. It allows for the opportunity for an abandoned water right to be brought forward for as much as 70 years, and claim against that. He said the water district then has to defend itself against those applications. It is expensive to defend. If some of the applications are successful, it could be catastrophic.

Council Member Newton noted a proposed tax by the Department of Environmental Quality for water and sewer connections. Will a bill be run on that issue? Mr. Dawson said the League does not feel there is a need to draft a bill right now. If the issue gains support, they may need to run a counter bill.

Council Member Newton asked if they should run a bill to get their Class C road funds for the alleys in Daybreak that did not qualify. Mr. Spatafore said they will try to get a change from UDOT administratively.

Mr. Spatafore indicated that they do not anticipate any surprises this session. Council Member Barnes indicated that they should support Representative Ivory in his federal land issue. That would eliminate education funding issues.

MISC. ITEMS

CM Geilmann indicated that there is a letter/petition that has been submitted regarding some dirt being brought in by Santorini. It is an engineering issue that the city is working through. They are not trying to go against the development agreement that is in place.

CM Geilmann said Forest City has forwarded a proposed continuation of agreement for their consultation study. The market will be changing the first of the year and they will be competing with Sandy City soon. He reviewed where the money would come from for the study. He suggested they keep the project moving forward.

Mayor Osborne said this agreement would move it forward to the point that it would produce a development plan for all 1000 acres of the property, and that would include that Forest City would do all of the town meetings and start presentations to the public about the development plan. City Commerce Director Preece said the development plan for all 1000 acres is paid for. This new agreement would be focused specifically on Mulligans. CM Geilmann said in order for the Council to have a fully vested interest on what is being presented, including Mulligans, Forest City would take the project out to the community to give input on. Mr. Preece clarified that the old agreement was for the development plan for the entire 1000 acres.

Council Member Newton made a motion to go into closed meeting to discuss the sale or purchase of real property. Council Member Barnes seconded the motion.

Council Member Seethaler said it is impossible to know what can or cannot be said publically on this deal. He opposed going into a closed meeting. CM Geilmann said the plan presents a sale of some property. If that discussion effects the value of that sale, that is the reason to discuss the

issue in a closed meeting. Council Member Newton said he has a different understanding of the concept that has been presented tonight that relates directly to a closed meeting issue.

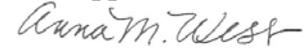
Roll call vote. The vote was unanimous in favor.

The City Council came out of closed meeting.

ADJOURNMENT

Council Member Barnes made a motion to adjourn. Council Member Butters seconded the motion. The vote was unanimous in favor.

This is a true and correct copy of the October 15, 2013 City Council Work meeting minutes, which were approved on November 19, 2013.


South Jordan City Recorder

Chip Dawson
Presentation

1  **2014 LEGISLATIVE PREVIEW**

City of South Jordan
Rob Wall, City Attorney
Chip Dawson, Intergovernmental Affairs
David Spatafore, Legislative Consultant

2  **A Word of Caution**

- Many of the issues and positions to be discussed tonight have been vetted with other cities, agencies, legislators, and other interested parties.
- This information falls within the parameters of GRAMA.
- That being said, some of the information presented here tonight has not been shared with potentially opposing parties.
- Please consider how you share this information carefully

3  **How Was 2013?**

- H.B 118S2 created a \$150,000 appropriation for an A.E.D. matching grant program to be administered by the State Bureau of Emergency Services . *STATUS: Applications were due October 1, and monies to be awarded by December 1.*
- H.B. 116 revised web based registration requirements for A.E.D's and allows emergency dispatchers to instruct callers on CPR and A.E.D. use.

4  **2013 Bills Continued**

- S.B 158 allows municipalities to place up to 25% of their general fund revenues in reserves. *STATUS: South Jordan City has placed 25% of its budget in reserves.*
- H.B 377S1 appropriated \$1 Million to the City of South Jordan for sidewalk, curb, and gutter improvements along 2700 West. *STATUS: Currently designing phase 1 to run from 11400 South to 10600 South. Seeking additional appropriation from Senator Harper for additional \$2,600,000 to finish project.*

5  **Federal Legislation**

- On August 6th, 2013 the South Jordan City Council voted to send a letter to our Congressional representative in support of the Marketplace Fairness Act (S.743/H.R. 684).
- Ultimately, other issues related to budget, government operations and the funding of the Patient Protection and Affordable Care Act prevented discussion of this issue.

6  **2014 Legislative Issues**

- Issues fall in to two general categories:
 - South Jordan City specific issues and bills we will support and sponsor.
 - Bills and positions taken in support of other entities and agencies.
 - All of these issues will be presented and discussed during the December 4, 2013 Legislative Luncheon to be held at Noah's at 11:30 AM.
 - Presenting these issues now allows for your feedback and better prepares us to take our message to our legislators.

7  **Water District Funding**

- There is a proposal advanced by Senator Howard Stephenson to remove the property tax levy authority of water conservancy districts (.004)
- Based on research done with 2011-2012 figures, the removal of the property tax levy would increase water rates in South Jordan:

- The District's own analysis indicates that it would have to raise water rates 42% to keep water rate revenue at current levels.
- The average annual SJC residential bill would increase \$87, and the average annual school water bill would increase \$2,854.
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8 **Water District Funding**

- South Jordan has arranged for meetings with our legislators (McCay and Ivory) to encourage their support to oppose these changes.
- Senator Osmond has given Richard Bay his indication that he supports the current assessment of this property tax.
- Council thoughts and feedback?

9 **2700 West Appropriation**

- Received \$1,000,000 to date for road, curb, gutter and sidewalk improvements along 2700 West.
- Primary concern is increasing walkability and pedestrian safety.
- Senator Harper made the appropriations request on behalf of the City.
- This money is being used for a section of the road that runs from 11400 South to 10600 South.

10 **2700 West Appropriation**

- An additional \$2,600,000 is needed to finish sections from 11800 South to 11400 South and from 10600 South to 9400 South.
- City plans to approach Senator Harper for an appropriation request again.
- Might be possible to bury some overhead power lines with this project as well.
- Representative Cunningham is supportive of these efforts.
- Council thoughts and feedback?

11 **Disorderly Conduct Amendemnts**

- Last year's H.B. 268S1 was unsuccessful for several reasons:
 - Some confusion with H.B. 76S1 and surrounding issues. How does this bill interact with the other?
 - Law enforcement understanding at times was not clear.
 - Sponsors of the bill ultimately objected to the original intent they had previously agreed to.
- This year's bill will be identical to H.B. 268 as originally drafted by law enforcement; it's aim is to provide guidance to police officers as to when the open carrying of a firearm rises to the level of disorderly conduct.
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12 **Disorderly Conduct Amendments**

- Senator Curt Bramble and Representative Brad Dee are running this year's bill at the request of the Utah Chief's of Police and the Utah Sherriff's Association.
- Anticipating support again from the Utah League of Cities and Towns.
- Council thoughts and feedback?
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13 **Bid Process for Class C Road Funds**

- ☐ When a municipality accepts the Class C roads funds they are obligated to abide by the regulations that accompany them.
 - The City of South Jordan currently receives approximately \$1,700,000 in Class C road funds annually from the State of Utah via the Utah Department of Transportation.
- ☐
- ☐ One of the concerns often with these funds is that they do not adequately fund all of the road maintenance activities in older cities or provide for new road growth in municipalities experiencing high growth.
- ☐
- ☐ One of the requirements for municipalities who are putting a Class C road project out to bid is that the municipality announces the bid in a newspaper of general circulation for three consecutive weeks.
 - The requirement in Utah Code 72-6-108 creates inefficiency and uses funds that could further extend the amount of road maintenance or construction municipalities could accomplish.

14  **Bid Process for Class C Road Funds**

- ☐ Many political subdivisions are paying to announce projects in the newspaper only to direct bidders to the BidSync website.
- ☐ In order to streamline this process it would be better to revise the statute to allow municipalities advertising projects for bidding to simply utilize the BidSync system.
- ☐ Will be asking G.F.O.A Utah Chapter and U.L.C.T. to support.
- ☐ Council discussion and feedback?
- ☐

15  **Licensing & Education Requirements for Plans Examiners & Building Inspectors**

- ☐ During the 2012 and 2013 Legislative sessions there was discussion of proposals related to the potential for the professional licensure of building plans examiners.
- ☐ While these proposals have yet to advance to substantive discussions about how such a proposal would be implemented, the discussion is still ongoing.
- ☐ South Jordan City believes that the precedent of having plans submitted by other licensed professionals such as civil engineers undergoing further review by the City staff is a soundly established one.
- ☐

16  **Licensing & Education Requirements for Plans Examiners & Building Inspectors**

- ☐ A proposal to being using existing funds collected related to the professional licensing of building inspectors for education and training has broad support from State and local government and the building industry.
- ☐ Legislation is being considered which would create a series of online training videos to be used throughout the State by the building industry and local government to train personnel related to building codes and other building construction and life-

safety issues.

- ☐ Council thoughts and feedback?

17 ☐ **Other Key Issues**

- ☐ Billboards:
 - Senator Steve Urquhart is running a bill at the request of the U.L.C.T. which seeks to return cities to their previous position in regards to placement of billboards and other issues.
- ☐ Referendum Process:
 - A property tax increase passed the first part of August may be referred to the voters in mid to late September but would not be placed on the ballot until the next election held in November of the following year. Of course by that time the fiscal year is completely finished, without the property tax in place.

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18 ☐ **Other Key Issues**

- ☐ Justice Courts:
 - One Senator and one representative (Thatcher and Peterson) are seeking changes to the current Justice Court structure.
 - Thatcher feels that despite overwhelming evidence to the contrary that there exists a profit motive for municipalities to operate justice courts.
 - Peterson would like to see the creation of a circuit court system to deal solely with DUI's and domestic violence.

19 ☐ **Other Key Issues**

- ☐ Water Right Forfeiture
 - If you read the entire position paper AND understood it, please explain it to the rest of us. ☺
 - In 2013 cooperation resulted in widespread support for the 4th substitute to SB109 in the 2013 legislative session. However, out of concerns unique to the lower Sevier River Basin, the bill sponsor withdrew his bill on the last day of the 2013 legislative session.
 - This year, it appears there is agreement among all sides to wait a year or two before advancing solutions to the change application process.
- ☐ One small portion of the 2013 discussion pertaining to shareholder rights in a water company may prove fruitful for both Jordan Valley and South Jordan to pursue in the 2014 session. That bill will be advanced by Representative McIff, but is still too formative to endorse at this point.

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20 ☐ **Moving Forward**

- ☐ December 4, 2013 Legislative Luncheon
- ☐ Will be meeting with Senator Osmond and Representative Knotwell in separate meetings due to scheduling conflicts.
- ☐ Currently we have excellent communication and working relationships with our State elected officials. Their support is critical.
- ☐