

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, September 14, 2021

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, September 14, 2021 in an Electronic Meeting, pursuant to the Chair's determination.

The following Council Members were present:

Darin Mano, Dennis Faris, James Rogers, Amy Fowler, Ana Valdemoros, Chris Wharton, Daniel Dugan

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:

Ben Luedtke – Senior Public Policy Analyst, Cindy Lou Trishman – City Recorder, Andrew Johnston – Director of Homelessness Policy and Outreach, Allison Rowland – Public Policy Analyst II, Nick Norris – Planning Director, Taylor Hill – Council Staff, Kristin Riker – Deputy Director of Public Lands

Council Member Fowler presided at and conducted the meeting.

The meeting was called to order at 1:00 pm.

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The Council will begin with a closed session then convene as RDA. They will resume the work session items after the RDA meeting.

Work Session Items

1. Informational: Updates from the Administration ~ 5:15 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:

Council Member Fowler welcomed attendees to the meeting.

Mayor Mendenhall presented the COVID-19 updates including: current metrics, state-wide child metrics, K-12 mask requirements, countywide district cases, westside vaccination rates, county-wide vaccination demographics, Rose Park Elementary vaccine clinic, and the National League of Cities summit information.

Andrew Johnston presented homelessness updates, including: shelter occupancy, High Utilizer Court dates, and upcoming resource fairs.

Council Member Valdemoros inquired on the mask mandate for school age children and how long the mandate would be in place. Mayor Mendenhall invited Council Members to invite Dr. Dunn to present COVID-19 information, said the key factor included increasing vaccination rates, and suggested including the state health department in the conversation.

2. Informational: Updates on Racial Equity and Policing ~ 5:45 p.m.
15 min.

The Council will hold a discussion about recent efforts on various projects City staff are working on related to racial equity and policing in the City. The conversation may include

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issues of community concern about race, equity, and justice in relation to law enforcement policies, procedures, budget, and ordinances. Discussion may include:

- An update or report on the Commission on Racial Equity in Policing; and
- Other project updates or discussion.

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:

Allison Rowland stated the Council adopted the Racial Equity in Policing (REP) Ordinance in September 2020, and would vote to continue the Commission at the September 21, 2021 meeting, and the first meeting of the new REP Commission would be on September 29, 2021.

3. Ordinance: Budget Amendment No.2 for Fiscal Year 2021-22 ~ 6:00 p.m.
20 min.

The Council will receive a briefing about an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2021-22. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. This amendment includes continued funding for the Downtown Ambassador pilot programs on North Temple and the Rio Grande neighborhood, funding for a new RV/Car camping outreach & mitigation pilot program, and renovation of the City-owned Annex Building leased by Odyssey House among other items.

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

Briefing - Tuesday, September 14, 2021

Set Public Hearing Date - Tuesday, September 7, 2021

Hold hearing to accept public comment - Tuesday, September 21, 2021 at 7 p.m.

TENTATIVE Council Action - TBD

Minutes:

Ben Luedtke presented the budget amendment and stated there were 18 items for consideration, explained that the City was on track to receive no refunds for impact fees in 2022, and reviewed the following items:

- A1 - Continued Funding for Downtown Ambassador Pilot Programs: North Temple and Rio Grande

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- A2 - Change of Source for Foothill Trails Plan and Central Plant Boilers
- A3 - Car and RV Camping Pilot Program
- A4 – Return of Operation Diversion Funds
- I1 - Re-scope CIP Project - Yalecrest Historic signs to allow additional missed sign
- I2 - Reverse Recapture for Final Invoice Payments (\$150,753 of Class C Funds from FY22 CIP back to Project Budgets)
- I3 - Recapture Completed CIP Projects Funding for FY22 CIP (\$38,334 from General Fund to CIP)
- I4 - Annex Building Renovation CIP Application from Odyssey House (\$500,000 from ARPA)
- I5 - Securing Potential Contamination Site at Fairmont Park (\$250,000 from Fund Balance)
- I6 - Full-Time Minutes & Records Clerk Position in the Recorder's Office (\$52,416 from Fund Balance)
- I7 - Requested by the Administration to re-scope the \$200K for the CCC (Community Connection Center) to relocate and now include utilities

Council Member Rogers asked where the RVs and Campers would be allowed to park in the City for longer than 48 hours. **Andrew Johnston** stated it was a City-wide issue, best practices nation-wide were KOAs but that did not exist, a permanent area was needed for this type of housing, hoped to work with the County, and help with financing small repairs to get people to follow the current ordinance.

Council Member Rogers asked how far the funding would reach. Mr. Johnston reviewed the cost for tow and dismantles versus small repairs of the vehicles indicating the funding could help a number of people remain in their RVs and not push them out to the streets.

Straw poll: Unanimous support to move forward with item I7.

4. **Resolution: Sales and Excise Tax Revenue Bonds, Community Capital Improvement Projects (Series 2021A and 2021B)** ~ 6:20 p.m.
45 min.

The Council will receive a briefing about a resolution authorizing the issuance and sale of up to \$58 million for a tax exempt bond and a taxable bond that would fund several community capital improvement projects; giving authority to certain officers to approve the final terms and provisions of the sale within parameters set forth in the resolution; and providing for related matters.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)
Briefing - Tuesday, September 14, 2021
Set Public Hearing Date - n/a
Hold hearing to accept public comment - n/a
TENTATIVE Council Action - TBD

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Minutes:

Ben Luedtke presented the Sales and Excise Tax Revenue Bonds.

Council Member Rogers inquired about the timeline for RFP's for the Fisher Mansion.

Council Member Wharton inquired on what it would take to make the Warm Springs Plunge into a usable space.

Mr. Luedtke explained that there would be follow-up from the Administration on both questions from Council Members.

Council Member Fowler inquired what the next steps were for the bond. Mr. Luedtke stated there was no deadline, it was up to the Council to provide feedback to staff regarding line items; then the Council would have a public hearing and vote.

Council Member Wharton asked where the dollar amount for the bond came from. **Mayor Mendenhall** stated the reason was that the City did not want to over spend on new capitol projects, acknowledging the need that was present with CIP projects.

Council Member Valdemoros asked how accurate the numbers were to construct the proposed projects. Mr. Luedtke explained that staff worked on estimates and it was more of a moving target due to the changes in the current construction market

Council and Staff discussed how inflation was currently affecting construction.

Lisa Shaffer explained how estimates were currently created due to the changes in the market and how the City was working toward a strategy to work with the funding.

Council Member Valdemoros asked if there were written estimates from contractors that would give a base price for a project and create a history for a project. Ms. Shaffer explained that all estimates came from professional estimators contracted by the City; design was often included in the bonds, it created challenges when it came to fully actualized designs.

Council Member Valdemoros asked what happened when the estimates were not accurate and what was the process to fix those inaccuracies. Mr. Luedtke explained the Council could create a list of priorities, but it was not something future Councils would be held to.

Jorge Chamorro explained that in certain projects the budget could be adjusted to hit certain points.

5. **Informational: Initial Discussion of Legislative Intent for Fiscal Year 2021-22**

~ 7:05 p.m.
30 min.

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The Council will hold the first of three planned briefings on its Legislative Intent statements for Fiscal Year 2021-22. Legislative Intentions are formal requests the Council makes of the Administration that are adopted along with the annual budget. This briefing will consist of conversations with the Administration designed to exchange any preliminary information and feedback needed to clarify each Intent. In addition, the Council will review and consider staff recommendations for closing some previous years' intents.

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

Briefing - Tuesday, September 14, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Allison Rowland presented the Initial Discussion of Legislative Intentions for Fiscal year 2021-22.

Cindy Gust-Jenson explained the briefing would help staff and Administration know if the writing communicated what staff intended.

Council Member Valdemoros expressed support for the boarded-building fee intent.

Council Member Fowler asked for clarification regarding the Funding Our Future program and if it was complete. Ms. Rowland stated information was added and the intent was to keep the discussion going until it was all complete.

Council Member Mano asked that item F include additional language concerning clean-emitting buildings.

Council Member Fowler expressed that item G should be expanded to include all departments.

Kristin Riker expressed concern regarding item E, what did 'adequately maintain' mean; also what did Council mean when it stated 'all city's public lands'.

Council Member Faris asked if it would be appropriate for the Public Lands Department to work on a definition that was manageable for the department. Ms. Riker asked what the Council would like to achieve with the request. Council Member Fowler explained that it could mean constituents were no longer complaining about how well maintained the areas were, there were different definitions depending on the area and would like the department to help define terms in small group meetings with Council.

6. Resolution: Local Emergency Declaration Extension (COVID)

~ 7:35 p.m.

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10 min.

The Council will receive a briefing about a resolution that would extend the Mayor's August 20 proclamation that declared a local emergency related to COVID-19, rising cases, and resurgence of the Delta variant. If extended, the related emergency order for masks in K-12 schools, would also be extended.

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

Briefing - Tuesday, September 14, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Minutes:

Jennifer Bruno presented the Local Emergency Declaration Extension (COVID), explained that the initial declaration was 30 days and that the Council could extend it for the length they choose.

Council Members and Ms. Bruno discussed the time frame for the extension and how often it would need to be renewed, using trackable metrics to determine an end point for the Declaration, and Dr. Dunn (County Health Department) would be speaking to the Council at a later date regarding the pandemic.

Mayor Mendenhall explained the State's metrics were pre delta variant and suggested additional information be obtained by health care professionals.

Straw poll to extend the mandate for 30 days to allow for information to be gathered was supported by Council Members Mano, Farris, Valdemoros, Wharton, Dugan, and Fowler; Council Member Rogers was not in support.

Council Member Rogers expressed disagreement with Council dictating what should happen in schools regarding wearing masks; it should be left for the School Board to decide.

Council Member Fowler commented there was an overwhelming amount of support from constituents.

Council Member Mano commented on the amount of constituent support for the extension.

Standing Items

7. Report of the Chair and Vice Chair

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Report of Chair and Vice Chair.

Minutes:

Item not held.

8. 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 scheduling items.

Minutes:

Item not held.

9. 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;
 - (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 began at 1:08 pm

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Closed Session Attendees:

Council Members Rogers, Faris, Valdemoros, Wharton, Mano, Dugan and Fowler

City Staff Attendees: Erin Mendenhall, Andrew Johnston, Jennifer Bruno, Katie Lewis, Lehua Weaver, Rachel Otto, Allison Rowland, Ben Luedtke, Boyd Ferguson, Cindy Gust-Jenson, Dan Weist, Nick Norris, Hannah Vickery, Taylor Hill, Justin Anderson, Sam Owen, Paul Nielson, Mike Brown, Tracey Fletcher, Michelle Hoon, Hassan Abdi, Cindy Lou Trishman, Nick Tarbet, Blake Thomas, Lisa Shaffer, Russell Weeks and Lindsay Nikola.

Motion by Wharton, seconded by Faris to exit the closed session. Roll call vote was completed (Rogers, Faris, Wharton, Mano, Dugan, and Valdemoros) – motion passed; Fowler (absent)

Motion:

Moved by Councilmember Mano, seconded by Councilmember Dugan to **enter into Closed Session for the purposes of advice from Counsel.**

AYE: Darin Mano, Dennis Faris, James Rogers, Amy Fowler, Daniel Dugan

ABSENT: Ana Valdemoros, Chris Wharton

Final Result: 5 – 0 Pass

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Faris to **exit the Closed Session.**

AYE: Darin Mano, Dennis Faris, James Rogers, Ana Valdemoros, Chris Wharton, Daniel Dugan

ABSENT: Amy Fowler

Final Result: 6 – 0

Meeting adjourned at: 8:05 pm.

Minutes Approved: June 7, 2022

Dan Dugan
Dan Dugan (Nov 2, 2022 10:12 MDT)

City Council Chair

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City Recorder



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This document along with the digital recording constitutes the official minutes of the City Council Work Session meeting held Tuesday, September 14, 2021.

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Final Audit Report

2022-11-02

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