

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, FEBRUARY 21, 2006

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, February 21, 2006 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Jill Remington Love
Eric Jergensen	Dave Buhler	Nancy Saxton
Søren Simonsen		

Cindy Gust-Jenson, Executive Council Director; Acting Mayor Rocky Fluhart; Edwin Rutan, City Attorney; and Beverly Jones, Deputy City Recorder, were present.

Councilmember Buhler presided at and Councilmember Jergensen conducted the meeting.

#1. The Council led the Pledge of Allegiance.

#2. Councilmember Love moved and Councilmember Sorensen seconded to **approve the minutes** of the Salt Lake City Council meeting held **February 14, 2006**, which motion carried, all members voted aye except Councilmember Jergensen who was absent for the vote.

(M 06-3)

PUBLIC HEARINGS

#1. 7:13:41 PM **RE:** Accept public comment and consider adopting a resolution authorizing the **extension of the Light Rail System and the addition of two new stations** at 525 West 200 South and 125 South 400 West pursuant to Petition No. 400-04-52.

The following people spoke or submitted hearing cards on the Light Rail Extension: **Bill Davis, Seth Jarvis, Tracy James, Brad Wick, Tom Boner, Chamonix Larsen, and Donna Gunn.**

Councilmember Buhler moved and Councilmember Turner seconded to **close the public hearing and refer to a future Council meeting**, which motion carried, all members voted aye.

Councilmember Buhler said he wanted to discuss the issue in the Work Session after the formal meeting. He said tentative conclusions needed to be established so they could take action on Thursday, February 23, 2006. He said if there were not four votes from the Council then more time was needed to come to a decision.

(P 06-4)

7:23:24 PM #2. **RE:** Accept public comment and consider adopting an

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ordinance amending Table 21A.21.140, Salt Lake City Code, **pertaining to permitted and conditional uses for Special Purpose Districts** pursuant to Petition No. 400-04-46. (Moto-cross)

Councilmember Christensen moved and Councilmember Turner seconded to **close the public hearing**, which motion carried, all members voted aye.

Councilmember Christensen moved and Councilmember Turner seconded to adopt **Ordinance 10 of 2006**, which motion carried, all members voted aye.

(P 06-2)

7:24:48 PM CONSENT AGENDA

Councilmember Buhler moved and Councilmember Saxton seconded to **approve the Consent Agenda**, which motion carried, all members voted aye.

#1. RE: Adopting Ordinance 11 of 2006 amending Subsection B2 of Section 12.56.205, Salt Lake City Code, **pertaining to free metered parking for alternative fuel, fuel efficient and low polluting vehicles.** (Green Vehicles)

(O 05-31)

#2. RE: Approving the appointment of Jennifer Eshelman to the **Mayor's Records Appeals Board** for a term extending through February 17, 2008.

(I 06-9)

#3. RE: Requesting that the Administration NOT hold a hearing at 5:00 p.m. on March 7, 2006 regarding a lease agreement to **facilitate the installation of a GPS monument near the Big Mountain cell site in Parley's Canyon.** The system will be used to gather information for monitoring and understanding earthquakes and land movements. Compensation will be tendered.

(W 06-4)

#4. RE: Approving the appointment of Siliveinusi M. Niu to the **Human Rights Commission.** As outlined in the ordinance, term ending dates will be drawn by lot to expire on a staggered basis of two, three or four years each.

(I 06-8)

The meeting adjourned at 7:25 p.m.

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Council Chair

Chief Deputy City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held February 21, 2006.

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THURSDAY, FEBRUARY 23, 2006

The City Council of Salt Lake City, Utah, met in Regular Session on Thursday, February 23, 2006, at 7:00 p.m. in Room 326, Committee Room, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Nancy Saxton
Søren Simonsen	Eric Jergensen	Dave Buhler
Jill Remington Love		

Rocky Fluhart, Deputy Mayor; Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Buhler presided at and conducted the meeting.

UNFINISHED BUSINESS:

#1. 5:37:46 PM RE: Adopting a resolution authorizing the extension of the **Light Rail System** and the addition of **two new stations** at **525 West 200 South and 125 South 400 West** pursuant to Petition No. 400-04-52.

5:40:50 PM A discussion was held with representatives from UTA, the Boyer Company, and City staff prior to formal motions. View Attachments

6:15:12 PM Councilmember Jergensen moved and Councilmember Buhler seconded to **adopt a resolution authorizing the extension of the light rail system and the addition of one new station at 460 West 200 South and authorizing the Administration to negotiate and draft an agreement with the Utah Transit Authority that is consistent with this resolution and that the Council supports constructing a left turn lane on 400 West, across the TRAX system, into the Summer Parking Garage of the Gateway Development.**

Councilmember Jergensen said even though this was a controversial issue he felt solutions could be found that would benefit the City, the Boyer Company and the neighborhood. He said the two station proposal would affect north/south traffic entering the City. He said people might perceive the only real east/west connection into downtown was 400 West 200 South. He said he was concerned that if people felt they could not efficiently access 200 South, they would start cutting through the neighborhood. He said streets in the Capital Hill neighborhood were not designed for multiple vehicles traveling through the neighborhood. He said that would create problems for local residents and would damage roads. He said adopting one station could mitigate a lot of potential problems. He said if consensus could not

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be reached on one station, other compromises could be considered.

Councilmember Simonsen said the track extension itself would create the biggest challenge for moving traffic on 400 West. He said he felt the station itself would have virtually no impact on north/south travel. He said the potential existed to eliminate some turn movements which currently created an impact. He said adding an additional signal on 400 West would have a greater impact on north/south movement than other improvements in the area.

Councilmember Simonsen said a vast amount of public infrastructure had been invested in this neighborhood to create a public transit system to accommodate local and regional traffic. He said as a regular transit user, having an efficient convenient transit system was vital to the success of this neighborhood and additional stations were essential. He said people would be more inclined to use the transit system if they only had to walk one block instead of two. He said he felt two stations were important and the Council needed to look at long-term implications of this decision.

Councilmember Buhler said downtown was the Council's number one issue and the City needed to recognize Gateway was an important part of that. He said this decision would have a significant impact on downtown and the vitality of retail in the City. He said he felt it was important to listen to the experts on this issue. He said TRAX was operated by UTA and their engineers had studied this issue and determined one stop located on 200 South was the best choice. He said he did not think it was too far to walk to the Delta Center stop or from 500 West to the Rio Grande stop.

Councilmember Buhler said he felt future development would not be inhibited because the intermodal hub and another trax stop was located close by. He said several turns in the line would already slow the train down and adding an additional stop did not make sense. He said he was concerned about where the City would obtain funding needed for the second stop. He said he was concerned about the Administration's suggestion to build a second stop and then wrap it up to keep people out. He said there was an endless list of needs and the City needed to be responsible in how funding was spent.

Councilmember Buhler called for the question, which motion failed, all members voted nay, except Council Members Jergensen and Buhler, who voted aye.

Councilmember Simonsen moved and Councilmember Saxton seconded to authorize the extension of the Light Rail System to the Intermodal Hub and the addition of two new stations at 525 West 200 South and 125 South 400 West pursuant to provisions that extension of the light rail line from its current terminus to the intermodal hub was approved; that

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the Council approve the construction of two additional light rail stations; City Council approval was contingent upon the Administration negotiating an equitable and reasonable cost to the City, in partnership with UTA and the federal government; and authorizing Salt Lake City Administration to negotiate and draft an agreement with the Utah Transit Authority.

Councilmember Buhler asked for clarification on the motion to ensure Council Members understood what was being voted on. Councilmember Christensen said wording for the motion was read from the two-station resolution found in the staffing documents.

Councilmember Simonsen said he understood the Boyer Company's concern regarding the 400 West station but was confident the Gateway would not be harmed in any way. He said Gateway had become a region and international destination. He said he supported two stations because he was confident other successful developments would come to that area. He said the City needed to consider long-term impacts from the types of development which had been envisioned and master planned for this neighborhood.

Councilmember Simonsen said he felt it was essential to supply the neighborhood with enough transit stations to support pedestrian activity and provide effortless access by a variety of users. He said he did not think anyone would stay away from this area because of minor traffic impediments. He said he thought people would make adjustments and find a way to access the parking garage. He said he felt the proposal would enhance the Gateway Center and provide support for other development activities.

Councilmember Christensen said the left-hand turn would be shut down for a period of time during construction and he was concerned about disadvantaging one property owner over another. He said if Councilmember Simonsen was agreeable, he wanted to make a motion **that the Administration ask UTA to investigate internal elements which could be added to the parking garage to help the Boyer Company manage the traffic flow better.** He said the construction period could be used to help people find more effective ways to access the parking structure. He said in the long-term, he felt there was value for two stations. He said the decision regarding the left-hand turn was a short-term answer to a long-term challenge and would be unfair to abutting property owners.

Councilmember Buhler asked which property owner would be disadvantaged. Councilmember Christensen said Dakota Lofts which was located to the east.

Councilmember Love asked for clarification on Councilmember Christensen's amendment. Councilmember Christensen said the amendment

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was to ask the Administration and UTA to find some additional solutions which would help facilitate internal and external opportunities for the Gateway parking structure as part of the construction of the light rail line. Councilmember Buhler asked if there was a second. Councilmember Love seconded the motion.

Councilmember Saxton said she was concerned that no matter which decision was made, the City's long-range transportation design could be sacrificed or businesses which had invested a lot of money to build this area up, would be disadvantaged. She said she did not want to be shortsighted concerning transportation options even though she supported two stations. She said she was concerned about how far people would have to walk and felt everyone needed to be sensitive to the needs and limitations of transit riders.

Councilmember Saxton said many business owners who came to the Council were convinced light rail would benefit them. She said she felt this would be positive for businesses around 500 West that had been struggling. She said she hoped new development would be a catalyst for the entire area and attract more people to help Gateway continue to be successful.

Councilmember Buhler said there had been an oversight and the Council needed to vote on Councilmember Christensen's amendment. Councilmember Buhler asked Councilmember Christensen to restate the motion. Councilmember Christensen said he moved **that the Council ask the Administration and UTA to work with Gateway owners to facilitate changes within their parking both internally and externally that would enhance the ability to accommodate traffic.**

Councilmember Buhler called for the question on the amendment, which motion carried, all members voted aye, except Councilmember Buhler, who voted nay.

Councilmember Buhler said discussion would continue on the main motion.

Councilmember Turner said when he elected to the Council the Gateway and surrounding area was in his district. He said the Redevelopment Agency (RDA) worked hard to bring development into the Gateway depot and other downtown areas. He said he supported the two station proposal and felt the extra station would be a catalyst for housing and encourage people to come downtown. He said he felt a large number of people would be attracted to the area and hoped future growth would enhance Gateway and create a strong retail area. He said the Council's commitment to the proposal would show people the City was serious about providing convenience and attracting people to downtown.

Councilmember Buhler said there was confusion about the motion due

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to conflicting paperwork and asked Councilmember Simonsen to restate the motion.

Councilmember Sorensen said the motion was for the Council to adopt Resolution 13 of 2006 authorizing the extension of the light rail system and the addition of two new stations at 525 West 200 South and 125 South 400 West and authorizing the Administration to negotiate and draft an agreement with the Utah Transit Authority that was consistent with the resolution.

Councilmember Buhler asked if the motion was No. 4 from the motion sheet excluding Items 4a-4d. Councilmember Simonsen said that was correct.

Councilmember Buhler asked for clarification about the corresponding resolution. Councilmember Simonsen said the motion included all paragraphs contained in the Two-Station resolution including Paragraph F which was shaded.

Councilmember Jergensen said he felt a compromise could be reached and wanted to make a substitute motion. Councilmember Jergensen moved and Councilmember Love seconded that the Council generally approve the two station proposal without approving specific locations for now and that the Administration work with UTA, Boyer, and the Council TRAX subcommittee to review all two station options which had been presented thus far including a possible station immediately north of 100 South on 400 West and return to the Council a proposal by March 7, 2006 that as much as possible included the following: 1) station location options that allow for a left turn into the Gateway Summer Parking; 2) that a traffic management plan be prepared to implement mitigation steps to curtail cut-through traffic; and 3) that the parking and sidewalk on the east side of 400 West be preserved.

Councilmember Jergensen said he understood the Administration had looked at a number of options which the Council had not had an opportunity to review. He said the Council could vote on the number of stations but he wanted to take some additional time to review other scenarios/options.

Councilmember Buhler called for the question, which motion carried, all members voted aye, except Council Members Buhler, Christensen and Simonsen, who voted nay.

Due to confusion about which motion was being voted on, Councilmember Buhler called for a revote on the substitute motion, which motion failed, all members voted nay, except Council Members Jergensen and Love, who voted aye.

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Councilmember Buhler called for the question on Councilmember Simonsen's motion as amended, which motion carried, all members voted aye, except Council Members Buhler and Jergensen, who voted nay.
(P 06-4)

#2. 5:31:55 PM RE: Adopting a motion **overriding the Mayor's veto** of Salt Lake City Ordinance Nos. 4, 5, 6, 7, 8 and 9 of 2006 pertaining to the City's **benefits packages** and bereavement and dependent leave to employees' **"Adult Designees"** and their dependents.

Councilmember Love moved and Councilmember Jergensen seconded to **adopt a motion overriding the Mayor's veto of Ordinances 4, 5, 6, 7, 8 and 9 of 2006.**

Councilmember Love said she wanted to address the Mayor's "Statement of Objections" and misinformation which had been circulated. She said the Mayor claimed the Council's legislation was blatantly discriminatory because a person could add a roommate or housemate. She said while that might be true, if a person was in a long-term relationship with a housemate or roommate it was also true under the Mayor's plan. She said the Council's plan required a longer demonstration of that relationship (12-months versus six-months).

Councilmember Love said the Council's criteria of mutual financial interdependence were similar to the Mayor's but the Council added a couple of new options and increased the number of criteria necessary to meet the guidelines. She said she believed the Council's plan was better and did not ignore employees who lived in a mutually caring situation with family members. She said true equality was achieved when every employee's needs and living situations were recognized.

Councilmember Love said the Mayor claimed the Council's plan could cost as much as \$447,000 in claims. She said that was not true. She said the true cost of the Council's plan was \$224,862 at the high end and \$139,000 at the low end. She said the Mayor's claim regarding opposition to the Council's plan by employee groups was true. She said the Council took time to request feedback and found employee groups opposed both plans. She said the Mayor had not done that.

Councilmember Love said she believed the Council's approach was the fairest way to address inequity in insurance benefits. She said it allowed single employees living in committed, mutually caring situations to provide for what they considered their primary family in whatever form that was. She said she understood how important a court decision was to both the Mayor and many in the gay community. She said the Council's actions did not in any way make the need for that decision mute. She said the Council worked for six-months to draft legislation it believed would stand court tests and legislative agendas. She said the Council did not organize campaigns to generate

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support for this issue and believed this important benefit would be available to employees when the legislative session was complete.

Councilmember Jergensen said he served on the Council subcommittee and appreciated Councilmember Love's remarks. He said he did not think this was about making a point or statement but was about making a difference in the day-to-day lives of employees and families. He said it was unfortunate the Mayor had not been willing to work with the Council. He said he felt the proposal would survive legal and legislative challenges and it was important for the Council to override the veto.

Councilmember Buhler said he agreed with Council Members Love and Jergensen. He said he felt this issue was about solutions not symbols. He said he believed adopting these ordinances and overriding the veto would provide real help to people. He said the process started and finished with the basic question of how to treat every employee as fairly and equitably as possible.

Councilmember Buhler called for the question, which motion carried, all members voted aye.

(O 06-5)

The meeting adjourned at 6:47 p.m.

Council Chair

Chief Deputy City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held February 23, 2006.

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