

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, APRIL 8, 2008

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, April 8, 2008 at 7:10 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen  
Luke Garrott  
JT Martin

Van Turner            Eric Jergensen  
Jill Remington Love  
Søren Simonsen

Cindy Gust-Jenson, Executive Council Director; Mayor Ralph Becker; Ed Rutan, City Attorney; and Chris Meeker, Acting City Recorder; were present.

Councilmember Love presided at and Councilmember Garrott conducted the meeting.

OPENING CEREMONY

#1. 7:11:16 PM The Council led the Pledge of Allegiance.

#2. 7:11:56 PM Adopting a resolution recognizing April 2008 as Fair Housing Month in Salt Lake City, Utah. See Attachment

Councilmember Love moved and Councilmember Turner seconded to adopt Resolution 18 of 2008, which motion carried, all members voted aye.

#3. 7:15:13 PM Councilmember Christensen moved and Councilmember Turner seconded to approve the minutes for the Salt Lake City Council meeting held April 1, 2008, which motion carried, all members voted aye.

(M 08-3)

PUBLIC HEARINGS

#1. 7:15:31 PM Accept public comment and consider approving the financing by Salt Lake City, Utah (the "Issuer") of the acquisition and/or construction of a manufacturing facility including equipment and related facilities (the "Project") to be located in Salt Lake City, Utah for use by Intsel West Properties, LLC, or any related company in order to promote the general welfare of the residents of the State of Utah. See Attachments

Councilmember Turner moved and Councilmember Christensen seconded to close the public hearing and refer the item to the April 15, 2008 City Council meeting, which motion carried, all members voted aye.

(Q 08-5)

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COMMENTS

7:18:17 PM Comments to the City Council.

Douglas Cotant commented on a panhandling ordinance and skateboarders on City sidewalks. Susan Fleck commented on Council support for no more homeless pets. Glenden Brown and Todd Dietz commented on payday lending.

UNFINISHED BUSINESS

#1. 7:26:54 PM Adopting an ordinance enacting New Title 10 Human Rights and renumbering and amending *Salt Lake City Code* Chapter 2.78 relating to the Human rights Commission; (2) and ordinance amending and renumbering Chapter 2.92 *Salt Lake City Code*, relating to a Mutual Commitment Registry (formerly known as Domestic Partnership Registry). See Attachments

Councilmember Love moved and Councilmember Turner seconded to adopt Ordinance 15 of 2008, enacting New Title 10 Human Rights and renumbering and amending *Salt Lake City Code* Chapter 2.78 relating to the Human Rights Commission; and Ordinance 16 of 2008 amending and renumbering Chapter 2.92, *Salt Lake City Code*, relating to a Mutual Commitment Registry (formerly known as Domestic Partnership Registry). A roll call vote was taken. Council Members Turner, Christensen, Garrott, Simonsen, Love, Martin and Jergensen voted aye, which motion carried.

(0 08-2)

#2. 7:29:47 PM Adopting an appropriation resolution adopting the One-Year Action Plan for the 34<sup>th</sup> Year Community development Block Grant (CDBG) funding, Home Investment Partnerships Program (HOME) funding, American Dream Downpayment Initiative (ADDI) funding, Emergency Shelter Grant (ESG) funding, and Housing Opportunities for Persons with AIDS (HOPWA) funding for Fiscal Year 2008-09 and approving an Interlocal Cooperation Agreement between Salt Lake City and the U.S. Department of Housing and Urban Development (HUD). See Attachment

Councilmember Christensen moved and Councilmember Simonsen seconded to adopt Resolution 13 of 2008 adopting the one-Year Action Plan for Fiscal Year 2008 Community Development Block Grant funding, referenced in the attached resolution as "Exhibit A," with the exception of the following items: CDBG items Housing #2 & #3, Public Services #15 & #35; HOME items #2 & #3; and ESG item #11, which motions carried all members vote aye.

Councilmember Simonsen recused himself.

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Councilmember Christensen moved and Councilmember Love seconded to adopt the attached resolution adopting the one-year action plan for Fiscal Year 2008 Community Development Block Grant funding, referenced in the attached resolution as "Exhibit A," for the following items: CDBG items Housing #2 & #3, and HOME items #2 & #3, which motion carried, all members present voted aye.

Councilmember Simonsen returned and Councilmember Jergensen recused himself.

Councilmember Christensen moved and Councilmember Love seconded to adopt Resolution 13 of 20087, adopting the One-Year Action Plan for Fiscal Year 2008 Community Development Block Grant funding, referenced in the attached resolution as "Exhibit A," for the following items: CDBG item Public Services #35 and ESG item #11, which motion carried, all members present voted aye.

Councilmember Jergensen returned and Councilmember Martin recused himself.

Councilmember Turner moved and Councilmember Christensen seconded to adopt Resolution 13 of 2008, adopting the One-Year Action Plan for Fiscal Year 2008 Community Development Block Grant funding, referenced in the attached resolution as "Exhibit A," for the following item: CDBG item Public Services #15, which motion carried, all members present voted aye.

Councilmember Martin returned.  
(T 08-1)

#3. 7:36:59 PM Approving an ordinance vacating a portion of the airspace over Main Street at approximately 50 South Main Street to the extent necessary to construct a sky Bridge as part of the New City Creek Center. (Petition No. 400-06-38) See Attachments

Councilmember Jergensen moved and Councilmember Love seconded to adopt Ordinance 17 of 2008, vacating a portion of the airspace over Main Street at approximately 50 South Main Street to the extent necessary to construct a sky bridge as part of the New City Creek Center with the following amendment, Section 3 of the ordinance as drafted will be replaced with the following language reading Section 3. Conveyance of property interest. The conveyance of the property interest from the City for the vacated portion of the above-referenced Main Street airspace shall not convey the City's fee simple absolute interest in the property, but rather shall retain a future interest in the property for the City, whether it be by lease for a term of years, a deed with a right of reverter, or some other equivalent mechanism. The Mayor will consult with the City Council in negotiating the terms

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and conditions of the conveyance. Councilmember Jergensen also proposed the following Legislative Intent:

I. It is the intent of the City Council that City Creek Reserve Inc. use in designing Block 74 east of the City Creek Center urban design and architectural elements similar to those outlined in Ordinance 13 of 2007 adopted by the City Council on April 17, 2007 and that the Planning Commission take those elements into consideration in evaluating CCRI proposals for the block.

Design elements could include elements:

- o That actively enhance the project's relationship to surrounding blocks and economic development opportunities for those blocks.
- o That enhance a primary pedestrian focus, requiring components including but not limited to all of the following:
  - Maximizing permeable block faces through actions including but not limited to:
    - Landscaped project entrances on each block face that open the block with pedestrian corridors, and;
    - Maximizing visual permeability into a store or by a legitimate display window, and
    - Maximizing outward facing retail on all block faces.
    - Enhanced pedestrian amenities on all block faces such as but not limited to shading devices, signage and seating.
    - Uses on all external block faces that support pedestrian activity including but not limited to restaurants, residential, or retail uses comparable to commercial activities in the City Creek Center project.

II. It is the intent of the City Council that the City work with the developer to request that the Utah Department of Transportation place a mid-block crosswalk on State Street that will connect the City Creek Center to Social Hall Avenue on the east side of State Street and that the developer develop design concepts and renderings to illustrate how such a crossing would be incorporated.

III. It is the intent of the City Council that the City, the developer and Salt Lake County work together to find ways to create synergy on the east and west sides of West Temple Street between South Temple and 100 South streets to mirror and reinforce pedestrian activity on both sides of West Temple Street. Steps could include

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providing outdoor canopies and furniture for pedestrians, programming events on both sides of the street, and, if appropriate, providing for an outdoor vending area with water, power and other amenities in front of the planned Nordstrom store.

IV. It is the intent of the City Council that the developer continue to work with Historic Landmarks and the Administration to address the depth of the stairway leading to the entrance of the department store planned for Main Street to make the entrance more level with Main Street. A roll call vote was taken. Council Members Christensen, Turner, Jergensen, Love, Martin and Sorensen voted aye. Councilmember Garrott voted nay.

Councilmember Christensen spoke to the motion. He said he had strong feelings about this issue because he remembered how it reflected on himself and his father having worked in the ZCMI building.

Councilmember Turner said ZCMI had been part of everyone's lives growing up. He said the City Creek project would bring back good value to Salt Lake City and change the City for the better.

Councilmember Jergensen said the roll of City Council was to look at the present and the future of the City. He said the City and the LDS Church through City Creek Reserve Inc. had partnered to improve the core of the City. He said over the past year the project had evolved and he was happy to vote in favor of the project.

Councilmember Love said when she weighed all the information there was no question that she would vote to approve the sky bridge.

Councilmember Martin said the process had been important. He said the journey had been long. He said it was no secret that he was fundamentally opposed to a bridge but it was one of those things that he had to admit he did not understand. He said the petitioner had met the criteria the City Council had requested.

Councilmember Simonsen said he was opposed to the concept of the sky bridge. He said the best thing to do was to make the bridge irrelevant. He said the decision tonight was not about the bridge, it was about whether the petitioner had responded to all of the criteria and he said he did not believe that the criteria had been met.

Councilmember Garrott said the revitalization of Main Street was a public responsibility and the idea that this project would take care of Main Street could be the death of Main Street. He said asked the Council and the Administration not to abdicate the responsibility to the rest of Main Street. He said he would vote against the proposal because he was against the type of development in general.

A roll call vote was taken, Council Members Christensen, Turner, Jergensen, Love, Martin and Simonsen voted aye and Councilmember Garrott voted nay, which motion carried.

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(P 08-3)

CONSENT 8:25:30 PM

Councilmember Jergensen moved and Councilmember Christensen seconded to adopt the Consent Agenda, which motion carried, all members voted aye.

#1. Approving the appointments of Wayne Holland, Michael Zuhl and David Ibarra to the Airport Board for a term extending through January 1, 2012.

(I 08-3)

#2. Setting the date of May 6, 2008 at 7:00 p.m. to accept public comment and consider adopting an ordinance vacating the north/south portion of the alley generally located at 1000 East and Lincoln Street, and Elm Avenue and Sugarmont Drive (Petition No. 400-07-03).

(P 08-5)

The meeting adjourned at 8:25 p.m.

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Council Chair

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Acting City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held April 8, 2008.

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