

**PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH  
WORK SESSION  
TUESDAY, APRIL 13, 2010**

The City Council met in Work Session on Tuesday, April 13, 2010, at 3:00 p.m. in Room 326, Committee Room, City County Building, 451 South State Street.

In Attendance: Council Members Carlton Christensen, Van Turner, Jill Remington Love, JT Martin, Stan Penfold, Luke Garrott and Søren Simonsen.

Also In Attendance: Cindy Gust-Jenson, Executive Council Director; Mayor Ralph Becker; Jennifer Bruno, Council Deputy Director; Russell Weeks, Council Policy Analyst; Janice Jardine, Council Land Use Policy Analyst; Lehua Weaver, Council Research and Policy Analyst; Orion Goff, Building Official; Wilford Sommerkorn, Planning Director; Edwin Rutan, City Attorney; Lynn Pace, Deputy City Attorney; Ralph Chamness, Senior City Attorney; Dan Mulé, City Treasurer; Kelly Murdock, Wells Fargo Securities; Ryan Bjerke, Chapman and Cutler; Jeffry Niermeyer, Public Utilities Director; David Hart, MOCA Systems Vice President/Regional Manager; Wayne Mills, Senior Planner; Nick Norris, Principal Planner; LuAnn Clark, Housing and Neighborhood Development Director; Joseph Sargetakis, Petitioner (Item A6); Paula Sargetakis, Petitioner (Item A6); Everett Joyce, Senior Planner; Brent Kovac, Ground Transportation Administrator; Connie Proctor, Airport Operations Superintendent; Richard Gaddis, Public Utilities Advisory Board Chair; Michael Polacek, Public Utilities Advisory Board Vice Chair; Jim Lewis, Public Utilities Finance Administrator; Tom Ward, Public Utilities Deputy Director; and Scott Crandall, Deputy City Recorder.

Councilmember Martin presided at and conducted the meeting.

The meeting was called to order at 3:05 p.m.

**AGENDA ITEMS**

**#1. [3:05:14 PM](#) RECEIVE AN UPDATE REGARDING THE PUBLIC SAFETY FACILITIES INCLUDING: 1) [3:31:16 PM](#) DAVID HART, FAIA, VICE PRESIDENT/REGIONAL MANAGER OF MOCA SYSTEMS; 2) THE PUBLIC SAFETY FACILITIES GENERAL OBLIGATION BONDS. [View Attachments](#)**

Dan Mulé, Kelly Murdock, Ryan Bjerke and David Hart briefed the Council with the attached handouts. Mr. Mulé said bonds for the first \$25 million would be sold Tuesday, April 20, 2010. He said a bond resolution needed to be adopted that evening and the Council would receive an update regarding the sale of the bonds prior to the meeting.

**#2. [3:44:18 PM](#) RECEIVE A FOLLOW-UP BRIEFING REGARDING BUDGET AMENDMENT NO. 3 OF FISCAL YEAR 2009-2010. (ITEM D1) [View Attachments](#)**

Jennifer Bruno briefed the Council with the attached handouts.

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#3. [3:50:15 PM](#) RECEIVE A BRIEFING REGARDING A RESOLUTION EXTENDING THE TIME PERIOD FOR SATISFYING THE CONDITIONS SET FORTH IN ORDINANCE 24 OF 2006. THIS RELATES TO A SETTLEMENT/ANNEXATION AGREEMENT BETWEEN SALT LAKE CITY AND ROMNEY LUMBER CO. AND ROBERT AND HONORA CARSON ANNEXING APPROXIMATELY 406 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 2982 EAST BENCHMARK DRIVE (ROMNEY LUMBER/CARSON - PARLEY'S POINTE ANNEXATION AND SUBDIVISION). [View Attachments](#)

Wayne Mills and Lynn Pace briefed the Council with the attached handouts. Mr. Pace said the resolution was drafted with a five-year extension but the Council had the ability to change that figure.

#4. [4:04:02 PM](#) RECEIVE A BRIEFING REGARDING AN ORDINANCE AMENDING THE CITY'S ZONING MAP TO ADJUST THE BOUNDARIES AND ZONING CLASSIFICATION OF CERTAIN HISTORIC DISTRICTS. THE BOUNDARY ADJUSTMENT WOULD FOLLOW PROPERTY LINES INSTEAD OF A SPECIFIC DISTANCE FROM THE CENTER OF A STREET. THE INTENT IS TO CLARIFY THAT CERTAIN LOTS IN OR ADJACENT TO HISTORIC OVERLAY ZONING DISTRICTS ARE WITHIN A HISTORIC DISTRICT AND ZONED ACCORDINGLY. THIS ACTION WOULD ALSO ADJUST THE BOUNDARY OF THE SOUTH TEMPLE HISTORIC DISTRICT TO INCLUDE PROPERTIES LOCATED AT 31, 32, 33, AND 34 HAXTON PLACE (940 EAST SOUTH TEMPLE ST.) AND APPLY THE HISTORIC DISTRICT OVERLAY ZONING CLASSIFICATION, PURSUANT TO PETITION NO. PLNPCM2009-00021. (ITEM H3) [View Attachments](#)

Nick Norris and Wilford Sommerkorn briefed the Council with the attached handouts.

#5. [4:08:14 PM](#) RECEIVE A BRIEFING REGARDING A RESOLUTION AUTHORIZING A LOAN FROM SALT LAKE CITY'S REDEVELOPMENT AGENCY (RDA) HOUSING TRUST FUND TO WASATCH ADVANTAGE GROUP LLC, FOR THE PROVIDENCE PLACE APARTMENT PROJECT (PROPERTY LOCATED AT 309 EAST 100 SOUTH). [View Attachments](#)

Janice Jardine and LuAnn Clark briefed the Council with the attached handouts. Ms. Clark said this would be scheduled for formal consideration on April 20, 2010.

#6. [4:35:21 PM](#) RECEIVE A BRIEFING REGARDING ORDINANCES TO REZONE PROPERTY LOCATED AT 1794 SOUTH TEXAS STREET FROM INSTITUTIONAL (I) TO SINGLE-FAMILY RESIDENTIAL (R-1/7,000) AND AMEND THE EAST BENCH COMMUNITY MASTER PLAN FUTURE LAND USE MAP FROM INSTITUTIONAL TO LOW-DENSITY RESIDENTIAL PURSUANT TO PETITION NO. PLNPCM2009-01358 AND PETITION NO. PLNPCM2009-01359. [View Attachments](#)

Wayne Mills, Wilford Sommerkorn, Janice Jardine, Joseph Sargetakis and Paula Sargetakis briefed the Council with the attached handouts. Councilmember Simonsen was recused. Ms. Jardine said a public hearing would be scheduled for May 4, 2010.

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#7. [4:16:25 PM](#) RECEIVE A BRIEFING REGARDING PROPOSED CHANGES TO THE CITY'S ZONING REGULATIONS RELATING TO NON-PROFIT, CHARITABLE ORGANIZATIONS OR GOVERNMENT ENTITIES THAT PROVIDE TEMPORARY HOUSING AND ASSISTANCE FOR INDIVIDUALS AND THEIR FAMILIES EXPERIENCING TRAUMA, ABUSE, INJURY OR ILLNESS PURSUANT TO PETITION NO. PLNPCM2008-00937 (ELEMOSYNARY FACILITIES). EXAMPLES OF USES INCLUDE: 1) RESIDENTIAL FACILITIES PROVIDING SHORT-TERM ROOMING FOR USE BY PERSONS VISITING PATIENTS OR PATIENTS RECEIVING MEDICAL SERVICES PROVIDED BY AREA HOSPITALS OR EXTENDED CARE FACILITIES, SUCH AS THE RONALD MCDONALD HOUSE; 2) FACILITIES THAT PROVIDE A SAFE PLACE FOR CHILDREN WHO ARE TAKEN FROM THEIR HOMES DUE TO DOMESTIC VIOLENCE, SUCH AS THE CHRISTMAS BOX HOUSE; 3) FACILITIES THAT PROVIDE A CHILD-FRIENDLY ATMOSPHERE WHERE CHILDREN RECEIVE COORDINATED SERVICES DURING THE CHILD ABUSE INVESTIGATIVE PROCESS, SUCH AS THE CHILDREN'S JUSTICE CENTER OF SALT LAKE; AND 4) OTHER SIMILAR USES. (ITEM H4) [View Attachments](#)

Wilford Sommerkorn, Everett Joyce and Janice Jardine briefed the Council with the attached handouts. Councilmember Penfold said he was concerned about how these facilities would be handled in Institutional zones. Ms. Jardine said she would work with the Administration to provide that information. She said the issue was scheduled for a public hearing on April 27, 2010.

#8. [5:25:07 PM](#) RECEIVE A BRIEFING REGARDING AN ORDINANCE ENACTING SECTION 5.71.295 ESTABLISHING A SECURITY THREAT ASSESSMENT FEE, TO BE PAID AT THE TIME OF APPLICATION FOR A VEHICLE OPERATOR'S CERTIFICATE, TO COVER THE COSTS TO THE CITY FOR OBTAINING A REQUIRED SECURITY THREAT ASSESSMENT FROM THE FEDERAL TRANSPORTATION SAFETY ADMINISTRATION (TSA). [View Attachments](#)

Brent Kovac, Russell Weeks, Orion Goff and Connie Proctor briefed the Council with the attached handouts.

#9. [5:02:19 PM](#) INTERVIEW IGOR BEST-DEVEREUX PRIOR TO CONSIDERATION OF HIS APPOINTMENT TO THE AIRPORT BOARD. (ITEM H1)

Councilmember Martin said Mr. Best-Devereux's name would be forwarded to the Consent Agenda for formal consideration.

#10. [5:17:03 PM](#) INTERVIEW MICHAEL GALLIVAN PRIOR TO CONSIDERATION OF HIS APPOINTMENT TO THE AIRPORT BOARD. (ITEM H2)

Councilmember Martin said Mr. Gallivan's name would be forwarded to the Consent Agenda for formal consideration.

#11. [5:30:09 PM](#) CONSIDER A MOTION TO ENTER INTO CLOSED SESSION, IN KEEPING WITH UTAH CODE § 52-4-204, FOR THE PURPOSE OF STRATEGY SESSIONS

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TO DISCUSS COLLECTIVE BARGAINING, PURSUANT TO UTAH CODE § 52-4-205 (1) (b); FOR THE PURPOSE OF STRATEGY SESSIONS TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY (INCLUDING ANY FORM OF WATER RIGHT OR WATER SHARES) WHEN PUBLIC DISCUSSION OF THE TRANSACTION WOULD DISCLOSE THE APPRAISAL OR ESTIMATED VALUE OF THE PROPERTY UNDER CONSIDERATION OR PREVENT THE CITY FROM COMPLETING THE TRANSACTION ON THE BEST POSSIBLE TERMS PURSUANT TO UTAH CODE § 52-4-205(1) (d); STRATEGY SESSIONS TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, PURSUANT TO UTAH CODE § 52-4-205(1) (c); FOR THE PURPOSE OF STRATEGY SESSIONS TO DISCUSS THE SALE OF REAL PROPERTY (INCLUDING ANY FORM OF WATER RIGHT OR WATER SHARES) IF (1) PUBLIC DISCUSSION OF THE TRANSACTION WOULD DISCLOSE THE APPRAISAL OR ESTIMATED VALUE OF THE PROPERTY UNDER CONSIDERATION OR PREVENT THE CITY FROM COMPLETING THE TRANSACTION ON THE BEST POSSIBLE TERMS, (2) THE CITY PREVIOUSLY GAVE NOTICE THAT THE PROPERTY WOULD BE OFFERED FOR SALE, AND (3) THE TERMS OF THE SALE ARE PUBLICLY DISCLOSED BEFORE THE CITY APPROVES THE SALE; AND FOR ATTORNEY-CLIENT MATTERS THAT ARE PRIVILEGED, PURSUANT TO UTAH CODE § 78B-1-137.

Councilmember Love moved and Councilmember Simonsen seconded to enter into Closed Session. A roll call vote was taken. Council Members Christensen, Turner, Penfold, Love, Garrott, Martin and Simonsen voted aye. See file M 10-2 for Sworn Statement and recording.

**#12. 7:42:56 PM RECEIVE A BRIEFING FROM THE PUBLIC UTILITIES ADVISORY COMMITTEE. [View Attachments](#)**

**Richard Gaddis** and **Michael Polacek** briefed the Council with the attached handouts.

**#13. 8:02:34 PM RECEIVE A BRIEFING REGARDING THE MAYOR'S RECOMMENDED BUDGET RELATING TO THE DEPARTMENT OF PUBLIC UTILITIES, INCLUDING THE WATER, STORM WATER AND SEWER UTILITY FUNDS, FOR FISCAL YEAR 2010-11. THE COUNCIL WILL ALSO REVIEW A REPORT ON THE DEPARTMENT'S WATERSHED LAND PURCHASES. [View Attachments](#)**

**Jeffrey Niermeyer, Jim Lewis, Tom Ward** and **Lehua Weaver** briefed the Council with a PowerPoint presentation and the attached handouts. Discussion was held on how to address areas in the City where "ponding" occurred due to recessed curb and gutter. Ms. Gust-Jenson asked the department to prepare a short statement/explanation that could be given to constituents.

Councilmember Christensen asked about public outreach/education on proposed rate increases/hearing process. Mr. Niermeyer said with Council approval they would contact community councils and start the process of distributing information to the public. Mr. Lewis said when

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a public hearing was scheduled an "informational flyer" would be mailed to utility users with the May billing.

A straw poll was taken on allowing the Public Utilities Department to start a public campaign to educate the public on proposed rate increases for water, sewer and stormwater utilities. A majority of the Council was in favor.

Discussion was held on the Watershed Lands and Water Rights Acquisition Fund. Ms. Gust-Jenson asked if the Council wanted to appropriate money for the entire year on this issue or just the portion that had already been discussed and tentatively approved. She said feedback could be given now or the item could be placed on a pending list. A majority of the Council was in favor of holding a future discussion.

**#14. 9:03:15 PM HOLD A FOLLOW-UP DISCUSSION REGARDING AN APPROPRIATION RESOLUTION ADOPTING THE FIVE-YEAR CONSOLIDATED PLAN FOR 2010-2015, THE CITIZEN PARTICIPATION PLAN AND THE ONE-YEAR ACTION PLAN FOR THE 36TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING, HOME INCLUDING FUNDS FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDING, EMERGENCY SHELTER GRANT (ESG) FUNDING, AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FUNDING FOR FISCAL YEAR 2010-11 AND APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE CITY AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) [View Attachments](#)**

**LuAnn Clark, Jennifer Bruno and Mayor Becker** briefed the Council with the attached handouts. Ms. Bruno said the final HUD award contained an additional \$343,000 which could be allocated within CDBG.

Discussion was held on the following categories/projects not discussed during the March 30, 2010 Work Session meeting:

**CDBG CATEGORY**

A majority of the Council was in favor of the Mayor's recommendations for all items except the following: **PLANNING: 1) Redwood Meadows Park - Planning and Community Input - \$50,000; PERCENT FOR ART: 1) SLC Percent for Art - \$25,000 (starred for future discussion); GENERAL ADMINISTRATION: 1) Salt Lake County Homeless Coordinating Council Continuum of Care - \$-0-; CITY ADMINISTRATION: 1) City Attorney's Office - \$55,432, 2) Finance Division - \$82,776, 3) Housing and Neighborhood Development - \$472,804, 4) Mayors Office - \$91,709, 5) \*New Item - Council Office (only staff eligible)- \$91,709; CONTINGENCY: 1) Contingency - \$60,000; Bad Dog Rediscovered America - \$5,000; Global Artways - Ms. Bruno said she could prepare a legislative intent for the next meeting to ask the Administration to do an**

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analysis; **ADA Accessibility Ramps** - current amount - \$270,000 (Item starred from previous meeting); **Cottonwood Park - Sprinkler System Rebuild** - \$88,000; **Children's Service Society** - \$38,136; **Community Action Program - Head Start** - \$185,000; **YWCA-Domestic Violence Shelter/Supportive Services** - \$47,350 and **Salt Lake School District - Community Learning Center** - The Council asked the Administration to meet with the School District to determine if the Sorensen Unity Center could be used to meet their needs. A majority of the Council was in favor of placing \$233,732 in a hold account until discussions were held with the School District.

**HOME CATEGORY**

A majority of the Council was in favor of the Mayor's recommendations for all items except **Item 10, Utah Nonprofit Housing Corporation, Lowell Apartments**, which would be decreased by \$3,737. (total \$132,981).

**ESG CATEGORY**

A majority of the Council was in favor of the Mayor's recommendations for all items except **Item 8, Volunteers of America - Homeless Youth Resource Center**, which would be reduced by \$1,025. (total \$23,975).

**HOPWA CATEGORY**

Councilmember Penfold was recused. A majority of the Council was in favor of the Mayor's recommendations for all items except **Item 2, Housing Authority of Salt Lake County**, which would be increased by \$30,189 (total \$112,830)

**#15. 10:06:02 PM REPORT OF THE EXECUTIVE DIRECTOR, INCLUDING A REVIEW OF COUNCIL INFORMATION ITEMS AND ANNOUNCEMENTS.**

No announcements or discussion.

The meeting adjourned at 10:07 p.m.

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COUNCIL CHAIR

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CITY RECORDER

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This document along with the digital recording constitute the official minutes of the City Council Work Session meeting held April 13, 2010.

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