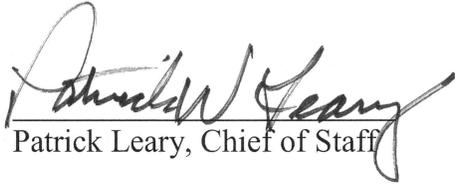




CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff

Date Received: 9/3/2019
Date sent to Council: 9/4/2019

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: August 26, 2019

FROM: Dr. Jennifer Seelig, Director of Community Empowerment

SUBJECT: Ordinance to Close a Portion of 2100 South

STAFF CONTACT: Dr. Jennifer Seelig, Director of Community Empowerment, 801-535-7117

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Consider the attachment and adopt the ordinance

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: The City Council is being asked to adopt an ordinance closing a portion of 2100 South on _____ until _____. The reason for this closure is due to dangerous and costly circumstances. The ordinance states that it will take effect upon passage.

- With the temporary closure of 2100 S, access to businesses on 2100 S between approximately 6100 W and 7200 W will change, but will not be eliminated
- Hard closure of 2100 S will be between approximately 6500 W and 6900 W where there are no active accesses to businesses
- Vehicles can access businesses along the section of 2100 S between 6100 W and 6500 W by getting on the frontage road at 5600 W and then turning onto 2100 S at 6100 W
- Vehicles can access businesses along the section of 2100 S between 6900 S and 7200 W from 7200 W
- Full access to Bland Recycling located at 6451 West 2100 South is provided via the frontage road from 5600 West which can accommodate all sizes of vehicles. The turning radius is limited when coming from 7200 West and using the frontage road to access 2100 South. With the closure, larger vehicles would no longer be able to use 7200 West for access but are able to use 5600 West.

2100 South. With the closure, larger vehicles would no longer be able to use 7200 West for access but are able to use 5600 West.

PUBLIC PROCESS:

Before authorizing a temporary closure under Utah Code 872-5-105, the City must:

- Hold a hearing on the proposed temporary or indefinite closure;
- Provide notice of the hearing by mailing a notice to UDOT and all of the owners abutting the highway; and then adopting an ordinance authorizing the temporary closure.

In addition:

- Any temporary closure may not impair the rights-of-way or easements of any property owner and the franchise rights of any public utility;
- All property owners must still have reasonable access to their property.

EXHIBITS:

- A) Map of 2100 S Closure Between 7200 and 6000 W
- B) Letters of Support from the State of Utah, Salt Lake County Health Department, Salt Lake City Police Department, and West Valley City Community & Economic Development Department

SALT LAKE CITY ORDINANCE

No. _____ of 2019

(Temporarily closing a portion of 2100 South Street between approximately
SR-201 and 7200 West Street)

An ordinance temporarily closing a portion of 2100 South Street as a public right-of-way, between approximately 2,400 feet west of the SR-201 frontage road and 1,500 feet east of 7200 West Street, pursuant Utah Code Section 72-5-105.

WHEREAS, a portion of 2100 South Street adjacent to vacant property and sensitive wetlands has been and is a prime location for dangerous, criminal activity including illegally dumping hazardous materials; and

WHEREAS, Utah Code Section 72-5-105(3) allows a municipality to temporarily close a class C road to mitigate unsafe conditions after following the procedures specified under Utah Code Section 72-5-105(4)-(5), which requires the city to hold a public hearing on the temporary closure and provide notice to the Utah Department of Transportation and the adjacent landowners of the public hearing; and

WHEREAS, the city has complied with the procedures under Utah Code Sections 72-5-105(4)-(5); and

WHEREAS, the city has partnered with county entities as part of coordinated clean-up efforts, the goals of which include mitigating the unsafe conditions in the 2100 South Street area;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Temporarily Closing City-Owned Right-of-Way. That, in accordance with Utah Code Section 72-5-105(3), a portion of 2100 South Street between approximately 2,400 feet west of the SR-201 frontage road and 1,500 feet east of 7200 West Street, which is more particularly described on Exhibit "A" attached hereto, hereby is closed as a public right-of-way

for the period described in Section 2 below and declared not presently necessary or available for use as a public right-of-way during that period.

SECTION 2. Temporary Closure Period; Reopening. In accordance with planned coordinated clean-ups and criminal detection and prevention activities, the portion of 2100 South Street described herein shall be closed as a public right-of-way for one year from the effective date of this ordinance or until the mitigation of the unsafe conditions is completed, whichever occurs first. Upon the conclusion of the temporary closure period or within a reasonable timeframe after successful mitigation of the unsafe conditions, the mayor shall direct that the portion of 2100 South Street described in Exhibit "A" hereto shall be reopened and all obstructions to vehicular traffic be removed.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its passage.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2019.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.
Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: 8/30/19
By: Megan J. DePailis
Megan J. DePailis, Senior City Attorney

CITY RECORDER

(SEAL)

Bill No. _____ of 2019.

Published: _____.

EXHIBIT “A”

Legal description and map of the portion of
2100 South Street to be temporarily closed
(appears on next page)

2100 S Closure Between
7200 W and 6000 W



Materials Needed For 2100 South Temporary Closure

- *Jersey Barriers:
East End = 36'
West End = 36'
- *Type III Barricades: 6
- *ROAD CLOSED Signs: 2
- *ROAD CLOSED TO THRU TRAFFIC Signs: 2
- *XXXX FEET AHEAD Signs:
East End = 2,400'
West End = 1,500'





GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Wildlife Resources

MICHAEL D. FOWLKS
Division Director

August 2, 2019

Salt Lake City Council Members
C/O Charlie Luke, Council Chair
PO Box 145476
Salt Lake City, Utah 84114-5476

Dear Salt Lake City Council Members:

The Utah Division of Wildlife Resources (DWR) respectfully requests your support of the temporary closure of 2100 S. between the area of 6700 W and 7000 W. in Salt Lake City.

Illegal dumping of solid waste in the area causes significant damage to the perimeter fencing at our Lee Kay Public Shooting Range and Wildlife Conservation Area, and DWR personnel have to spend time on a regular basis collecting and removing illegally dumped materials that spill onto our property. Incidents of illegal dumping occur weekly. Discarded tires are particularly problematic, as they are numerous and typically roll and bounce substantial distances onto the property.

The DWR is part of the multi-jurisdictional team that has been working for well over a year on ways to address the situation. In anticipation of the temporary closure, we invested over \$12,000 to construct an access road on DWR property to ensure our customers will be able to access the hunting dog training areas in the southwest portion of the property.

The situation is a blot on the landscape and distracts from the safe recreational experience and professional atmosphere that we work to create at Lee Kay. Illegal dumping negatively affects public health and safety, the safety of those who work in the area and wildlife habitats.

Thank you for your consideration of this matter.

Sincerely,



Mike Fowlks
Director

ACTING DIRECTOR

MDF/rc



July 31, 2019

Mayor Jackie Biskupski
451 South State Street, Room 306
P.O. Box 145474
Salt Lake City, UT 84114-5474

Dear Mayor Biskupski,

During the past two years the Salt Lake County Health Department and numerous Salt Lake City agencies have spent substantial resources abating illegally dumped tires and other debris on 2100 South near the Blands recycling facility. The primary illegal dumping area is the playa on 2100 South between approximately 6700 West to 7000 West. A cleanup of dumped material last August resulted in the removal of 132 tons of solid waste and nearly 4,000 tires. This clean-up cost the partnering municipalities and agencies more than \$50,000.

This illegal dumping area is an attractive nuisance due to the proximity to the landfill. It is also extremely isolated and has no nighttime lighting. The tons of solid waste and thousands of tires dumped on this environmentally sensitive wetland have caused substantial environmental degradation. Uncontained tires and refuse also present a compelling public health concern due to this being an ideal habitat to produce and harbor mosquitos and rodents.

The Salt Lake County Health Department strongly supports the proposal of temporarily closing 2100 S in the environmentally sensitive playa area between approximately 6700 West to 7000 West. After the road closure, the Health Department will partner with the Salt Lake City Police Department to provide enhanced oversight, including electronic surveillance of the jersey barrier closed locations.

Illegal dumping has become so pervasive at this location, it is likely most of the entities doing the dumping do not consider their actions a crime. This is arguably a unique application of the Broken Window Theory. The temporary closure of this road will provide time to reset this unfortunate, but prevalent attitude.

It is an honor to work with and in Salt Lake City on this and other important issues. Please let me know if there is anything else the Health Department can do to assist with the temporary closure of this road highly prone to illegal dumping.

Sincerely,



Royal P. DeLegge, PhD, LEHS, RS
Environmental Health Director

JACQUELINE M. BISKUPSKI
Mayor

MIKE BROWN
CHIEF OF POLICE



August 8, 2019

Salt Lake City Council Members
C/O Andrew Johnston
P.O. Box 145476
Salt Lake City, UT 84114-5476

Dear Salt Lake City Council Members,

The Salt Lake City Police Department supports the actions to temporarily close the road on 2100 South between about 6700 West and 7000 West. The issues at this address are intertwined with the Salt Lake County Health Department and the Utah Division of Wildlife Resources.

The main complaint along this roadway is illegal dumping. Typically, a complaint will begin with the Health Department regarding illegal dumping. The dumping may block the roadway or be off to the side of the roadway and represents a violation of Salt Lake City Code 9.32.140 Dumping Garbage or Other Waste Prohibited. Additionally we have received calls from DWR regarding other illegal activity such as drug use, camping, and other disorderly conduct.

Due to the remote location of this address police officers do not regularly patrol this area. Equally problematic is the lack of lighting along the roadway and electricity. Light and power poles do not extend the length of this road which creates an inviting opportunity for criminals to commit illegal acts in the dark without fear of being caught. Because there is a lack of electricity law enforcement is limited in how we can deploy cameras to deter and observe criminal behavior with covert and overt cameras.

When using Crime Prevention Through Environmental Design tools one of the keys to deter crime is extra eyes in the area. While there are businesses on either side of this road there are none along this roadway, which means less opportunity for people and businesses to observe and report crime.

The crimes that have been committed and that may be committed in this remote location can be extremely dangerous for people in the area. The few people in the area may be employees of the few businesses in the area, but also people that may wander into the area.

A handwritten signature in black ink that reads "Sam Wolf".



Sam Wolf

CIU Sergeant

Salt Lake City Police Department

385.222.1510 | Samuel.Wolf@slcgov.com



**COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT**

August 7, 2019

Mayor Jackie Biskupski
451 South State Street Room 306
Salt Lake City, Utah 84114

Dear Mayor,

West Valley City supports Salt Lake City's temporary closing of 2100 South between 6700 West and 7000 West.

This area has been historically very difficult due to the lack of infrastructure and development. We have encountered everything from illegal dumping to fouling of the wetlands in the area. We have worked diligently with those other jurisdictions in the area to keep the area clean and abated of any issues. However, we believe that closing the road will allow for time to reevaluate the area and make a plan moving forward. Additionally, there are several new developments in and around the area and this closure will allow for wise and proper planning for new growth as well.

Thank you for your efforts here. We appreciate our partnership and look forward to helping facilitate a clean up of this area.

Respectfully,

Nicole Cottle
Assistant City Manager