

## MINUTES OF THE SALT LAKE CITY COUNCIL FORMAL MEETING

**TUESDAY, NOVEMBER 17, 2020**

The City Council of Salt Lake City, Utah, met in an electronic Formal Session on Tuesday, November 17, 2020 pursuant to the Chair's determination and Salt Lake City Emergency Proclamation No. 2 of 2020 (2) (b).

The following Council Members were in virtual attendance:

Chris Wharton  
Daniel Dugan

James Rogers  
Darin Mano

Andrew Johnston  
Amy Fowler

The following Councilmember was absent:

Analia Valdemoros

Cindy Gust-Jenson, Council Executive Director; Jennifer Bruno, Council Executive Deputy Director; Erin Mendenhall, Mayor; Rachel Otto, Mayor's Chief of Staff; Katherine Lewis, City Attorney; Nick Tarbet, Council Senior Policy Analyst; Robert Nutzman, Council Administrative Assistant; Amanda Lau, Council Public Engagement/Communications Specialist; Cindy Lou Trishman, City Recorder; and Scott Crandall, Deputy City Recorder were also in virtual attendance.

The meeting was called to order at 7:06 p.m.

### **A. OPENING CEREMONY**

- #1. [7:06:31 PM](#) Council Member Chris Wharton will conduct the formal meetings.
- #2. [7:06:49 PM](#) Pledge of Allegiance. (A moment of silence was held while the American Flag/Anthem was displayed on the screen)
- #3. [7:08:04 PM](#) Welcome and Public Meeting rules.
- #4. [7:08:21 PM](#) The Council will approve the Work Session meeting minutes of Tuesday, July 14, 2020 and Tuesday, August 18, 2020 as well as Formal meeting minutes of Tuesday, October 6, 2020. [View Minutes](#)

Councilmember Rogers moved and Councilmember Dugan seconded to approve the minutes, which motion carried, all members present voted aye (roll call).

(M 20-4) (M 20-3)

- #5. [7:09:15 PM](#) The Council will consider adopting a joint ceremonial resolution with Mayor Mendenhall declaring November 20th as Transgender Day of Remembrance in Salt Lake City. [View Attachment](#)

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7:12:51 PM The resolution was read by Councilmember Wharton after which it was presented to Candice Metzler, Transgender Education Advocates (TEA) of Utah; Dallas Rivas, Transgender Education Advocates (TEA) of Utah; Kevin Randall, Blackbird Communication; Samantha Taylor, Utah LGBTQ+ Chamber of Commerce; and Jonathan Foulk, Utah Pride Center. The recipients commented on the importance of remembering/honoring Rita Hester and thanked the Council for the resolution.

Councilmember Mano moved and Councilmember Fowler seconded to **adopt Resolution 38 of 2020**, which motion carried, all members present voted aye (roll call).  
(R 20-1)

**#6. 7:21:30 PM The Council will consider adopting a joint ceremonial resolution with Mayor Mendenhall recognizing December 1st as World AIDS Day in Salt Lake City. View Attachment**  
(R 20-1)

The resolution was read by Councilmember Mano after which it was presented to Jared Hafen, Utah AIDS Foundation. Mr. Hafen thanked the Council for the resolution and continued support.

Councilmember Fowler moved and Councilmember Johnston seconded to **adopt Resolution 39 of 2020**, which motion carried, all members present voted aye (roll call).  
(R 20-1)

### **B. PUBLIC HEARINGS** 7:26:51 PM

**Note: Comments/materials submitted to the City Council have been attached as part of the official record. Click link to view. <https://www.slc.gov/council/virtual-meeting-comments/>**

### **#1. 7:30:04 PM Ordinance: Congregate Care Text Amendment Additional Recommendations**

*The Council will accept public comment and consider adopting an ordinance that would create a land use classification to address short-term housing for the terminally ill and seriously ill (sometimes known as eleemosynary, residential support, group home, assisted living facility, or congregate care facilities). The updated proposal includes reviewing compatibility concerns for how this land use, and others like it, would impact the adjacent residential neighborhoods, particularly the Institutional Zoning District. Related provisions of Title 21A Zoning may also be amended as part of this petition. Petition No. PLNPCM2016-00024. View Attachment*

**Councilmember Wharton** introduced the attached proposal.

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**Jared Arvanitas** said he joined the meeting just to listen.

**Emily Alworth** and **Anne Charles** said they supported the proposal and felt it would be a valuable community resource.

Councilmember Rogers moved and Councilmember Mano seconded to **close the public hearing and adopt [Ordinance 51 of 2020](#)**, which motion carried, all members present voted aye (roll call).

(P 19-1)

**#2. [7:34:32 PM](#) Ordinance: Fleet Block Zoning Amendments (300 and 400 West and between 800 and 900 South)**

*The Council will accept public comment and consider adopting an ordinance that would create a new land use zone titled Form-Based Urban Neighborhood 3 (FB- UN3) and rezone the 10-acre City block known as the Fleet Block (located between 300 and 400 West and between 800 and 900 South) from Public Land (PL) and General Commercial (CG) to FB-UN3. The area was previously used by the City for a fleet maintenance facility that has since been relocated. Form-Based code focuses on the form and appearance of buildings. It also has more regulations that control those aspects of development than traditional zones. The proposal would apply regulations to future developments such as building design, height, bulk, use, and other development standards and land uses. The regulations are intended to support the block's redevelopment. Consideration may be given to rezoning the property to another zoning district with similar characteristics. Other sections of Title 21A - Zoning may also be amended as part of this petition. Petition No. PLNPCM2019-00277. [View Attachment](#)*

**Councilmember Wharton** took a moment of personal privilege to read a [statement](#) about the proposal. Comments included Council Members listening to community members comments/requests (area being a community gathering place, wanting space to be saved/secured for future, meeting with advocates/family members of people depicted in the murals and sharing those conversations with the full Council), wanting area to be more than apartments/businesses, continued interaction with Council Members, Council's ongoing desire to ensure open space/parks as part of future block development (area continuing to be a community gathering space), and committing to work with community to ensure space was designed correctly.

**Jennifer Bruno** introduced the attached proposal and specified this was the second public hearing. She said the Administration responded to questions raised by the Council during a prior Work Session and a follow-up briefing would be scheduled to review responses and consider potential options moving forward.

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Beverly Hawkins, Mary Castellanos, Rae Duckworth, Gina Thayne, Derek Dyer, Jessy Sala, Janet Alcalá, Tim Dwyer, Kain Kutz, Tash, Kristin Knippnberg, Ashley, Nora Lang, Arturo Gamboa, Antonio BB, Marvin Oliveros (Save Murals), Ethan Shaw, Maggie Kutz, and MaryAnne Rojas spoke about the proposal. Comments included:

- out-of-control policing, racial equity, defunding police, police brutality, encampment issues/harassment;
- murals being a path to broader healing, community resource, grass roots community center, building safer communities (vital community connection);
- destruction of murals being a tremendous loss, postpone development for further analysis;
- community needing to gain trust with City officials, shirking responsibility, respecting victims, recognizing ongoing need for change;
- honoring lives/loved ones (murals providing lasting memories);
- creating a community advisory committee;
- creating green/open space around murals; community input, innovation/adaptation, downsize scope of rezone;
- fear of block being developed for profit, not allowing gentrification to continue, maintaining current zoning;
- condemning white supremacy, bringing back people of color;
- proposal lacking transparency; and
- alternative uses needed for property (community garden, affordable housing, public park/farmers market).

[8:18:31 PM](#) Councilmember Johnston moved and Councilmember Mano seconded to **close the public hearing**, which motion carried, all members present voted aye (roll call).

(P 20-23)

### **#3. [8:19:34 PM](#) Ordinance: Budget Amendment No. 4 for Fiscal Year 2020-21**

*The Council will accept public comment and consider adopting an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2020-21. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. The proposal includes:*

- *\$1.5 million as part of a proposed expansion to the Accelerator program (\$500 prepaid debit cards in direct aid to resident's ineligible for CARES Act stimulus checks);*
- *a new apprentice program pairing high school students and young adults with City employees;*

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- additional funding for the enhanced YouthCity program;
- homeless camp clean-up funding;
- a downtown ambassadors program expansion into the Rio Grande neighborhood and North Temple area;
- authorizing the third round of CARES Act funding the City may receive in the coming weeks to cover payroll expenses in the Fire Department and 911 Department;
- and other items. [View Attachment](#)

**Benjamin Luedtke** introduced the attached proposal and specified this was the second public hearing.

**Rhonda Uber, Rae Duckworth, Tash, Marvin Oliveros, and Sarah Stone** spoke about the proposal. Comments included need for restrooms/washing facilities for unsheltered community, camp cleanups, prohibiting the County Health Department from raiding camps (ban police participation), providing long-term solutions, housing/job placement, increasing harassment/loitering/property damage, and funding Downtown Ambassadors (assisting downtown businesses).

Councilmember Wharton talked about the rules for speakers to provide their full names and said those wishing to speak anonymously needed to use the phone line.

[8:32:36 PM](#) Councilmember Fowler moved and Councilmember Rogers seconded to **close the public hearing and adopt [Ordinance 52 of 2020](#), amending the FY 2020-21 final budget of Salt Lake City including the employment staffing document as requested by the Administration ([see motion](#))**, which motion carried, all members present voted aye (roll call). (B 20-11)

### **#4. [8:34:09 PM](#) Ordinance: Budget Amendment No. 5 for Fiscal Year 2020-21**

The Council will accept public comment and consider adopting an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2020-21. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. The proposal includes:

- accepting \$7.1 million in U.S. Housing and Urban Development (HUD) CARES Act grants which will be awarded to specific community organizations through a separate, open, and competitive process;
- adding temporary lighting near homeless resource centers;
- repairs to City sidewalks damaged during the September 8 windstorm;
- demolition of the Glendale water park;

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- \$20.5 million from the next issuance of the \$87 million voter-approved Streets Reconstruction Bond;
- and other items. [View Attachment](#)

**Benjamin Luedtke** introduced the attached proposal and specified this was the second public hearing. He said the Administration was preparing a revised recommendation which would be transmitted to the Council. He said action on the item was scheduled for December, 2020.

**Marvin Oliveros** said he would defer his time.

Councilmember Rogers moved and Councilmember Fowler seconded to **close the public hearing and defer action to a future date**, which motion carried, all members present voted aye (roll call).  
(B 20-12)

**#5. [8:36:53 PM](#) Ordinance: Demolition of Dangerous or Boarded Buildings**

*The Council continue to accept public comment and consider adopting changes to the City's Demolition ordinance. The proposed changes are intended to streamline the process for demolitions on commercial and residential properties, remove the requirement for a replacement use, landscape plan and bond, and provide clarity to the enforcement process for boarded buildings. Chapters 18.48, 18.64 and 2.21.030 of the Salt Lake City Code will be amended as part of this proposal.*

*\*Note, a previous agenda occurrence incorrectly listed Chapter 18.84 instead of 18.48. [View Attachment](#)*  
(O 20-16)

**Nick Tarbet** introduced the attached proposal and specified two public hearings had been held.

**Janet Hemming** spoke about how proposed regulations could potentially destroy historic/treasured homes/neighborhoods throughout the City.

**Nigel Swaby** spoke in support of the proposal but thought an alternative option would be to have a "nuisance demolition" ordinance.

**Cindy Cromer** talked about requirements being over burdensome and filling the landfill with demolished structures (being wasteful). She said it was important to achieve a balance and asked the Council to reevaluate the effects/results of proposed changes in two years.

[8:42:38 PM](#) Councilmember Mano moved and Councilmember Fowler seconded to **close the public hearing and adopt [Ordinance 53 of 2020](#) and further**

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moved to adopt the following legislative intents as outlined in the Staff Report.

Councilmember Rogers made a **friendly amendment to revisit the issue in two years to assess the status of the legislative intents (pros/cons)**. Council Members Mano and Fowler accepted the amendment. Councilmember Wharton **called for the question**, which motion carried, all members present voted aye (roll call).

(O 20-16)

**C. POTENTIAL ACTION ITEMS**

None.

**D. COMMENTS**

**#1.** Questions to the Mayor from the City Council.

There were no questions.

**#2.** [8:44:30 PM](#) Comments to the City Council.

**Rae Duckworth, Tash, Michael Showalter, and Marvin Oliveros** reiterated public comments made during Item B2 (Fleet Block) and Item B3 (Budget Amendment No. 4).

**Jessy Salas** thanked the Council for adopting the Transgender Day of Remembrance resolution and talked about how much that meant to the Transgender community.

**MaryAnne Rojas** talked about the need for additional community health centers to help underserved/vulnerable members of the community (City officials needing to listen to and address community issues).

**E. NEW BUSINESS**

**#1.** [8:58:59 PM](#) **Motion: Meeting Remotely Without an Anchor Location**

*The Council will consider a motion to ratify the determination that the Council will continue to meet remotely and without an anchor location under HB5002. [View Attachment](#)*

Councilmember Johnston moved and Councilmember Mano seconded to **adopt the motion**, which motion carried, all members present voted aye (roll call).

(G 20-9)



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**F. UNFINISHED BUSINESS**

None.

**G. CONSENT** [8:59:50 PM](#)

Councilmember Rogers moved and Councilmember Johnston seconded to **approve the Consent Agenda**, which motion carried, all members present voted aye (roll call).

**#1. Resolution: 2020 Salt Lake City Water Conservation Plan**

The Council will set the date of Tuesday, December 1, 2020 at 7:00 p.m. to accept public comment and consider adopting a resolution that would adopt the Department of Public Utilities' 2020 City Water Conservation Plan. The updated plan was developed per the State's Conservation Plan Act, in addition to other State and regional guidelines and industry best practices. Guidelines for plan development, as well as requirements in the conservation plans, include:

- Water supply;
- Historical water demand;
- Water conservation goals;
- Conservation program information; and
- Adoption or approval by each water provider's governing body.

The State Conservation Plan Act requires all water providers with more than 5,000 connections to submit a water conservation plan to the State every five years for review and approval. Implementation of the Water Conservation Program is included in the Public Utilities proposed budget each year. [View Attachment](#)

(T 20-5)

**#2. Ordinances: Creating an Appeal Hearing Officer System by Repealing Civil Service Commission and Employee Appeals Board**

The Council will set the date of Tuesday, December 1, 2020 at 7 p.m. to accept public comment and consider adopting two ordinances:

1. One would repeal City Code Chapter 2.16 (the Civil Service Commission ordinance), amend the entirety of City Code 2.24 (the Employee Appeals Board ordinance) and replace both the Civil Service Commission and the Employee Appeals Board with an appeal hearing officer system.
2. One would enact Chapter 2.98 Competitive Merit-based Recruitment and Promotion Processes in the Fire Department and the Police Department.

The numbering of City Code 2.24 would remain the same, however the entire text would be replaced with the new hearing officer system for all eligible employee appeals. [View Attachment](#)



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(O 20-18)

**#3. Board Reappointment: Planning Commission - Andres Paredes**

*The Council will consider approving the reappointment of Andres Paredes to the Planning Commission for a term ending June 16, 2023. [View Attachment](#)*

(I 20-9)

**#4. Board Appointment: Transportation Advisory Board - Paul Schulte**

*The Council will consider approving the reappointment of Paul Schulte to the Transportation Advisory Board as a representative of the School District for a term ending September 25, 2023. [View Attachment](#)*

(I 20-6)

The meeting adjourned at 9:00 p.m.

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Council Chair

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City Recorder

This document is not intended to serve as a full transcript as additional discussion may have been held; please refer to the audio or video for entire content pursuant to Utah Code §52-4-203(2) (b) .

This document along with the digital recording constitute the official minutes of the Salt Lake City Formal Session held November 17, 2020.

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