

MINUTES OF THE SALT LAKE CITY COUNCIL SPECIAL FORMAL MEETING

TUESDAY, NOVEMBER 10, 2020

The City Council of Salt Lake City, Utah, met in an electronic Special Formal Session on Tuesday, November 10, 2020 pursuant to the Chair determination and Salt Lake City Emergency Proclamation No. 2 of 2020 (2) (b).

The following Council Members participated electronically:

Chris Wharton	Amy Fowler	James Rogers
Andrew Johnston	Daniel Dugan	Darin Mano

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; Sylvia Richards, Council Public Policy Analyst; Nick Tarbet, Council Senior Public Policy Analyst; Russell Weeks, Council Senior Public Policy Analyst; Benjamin Luedtke, Council Public Policy Analyst; and DeeDee Robinson, Deputy City Recorder participated electronically.

The meeting was called to order at 7:15 p.m.

A. OPENING CEREMONY

#1. Council Member Chris Wharton will conduct the formal meetings.

#2. [7:16:20 PM](#) Pledge of Allegiance. (A moment of silence was held while the American Flag/Anthem was displayed on the screen)

#3. [7:17:13 PM](#) Welcome and Public Meeting rules.

#4. [7:17:26 PM](#) Councilmember Rogers moved and Councilmember Fowler seconded to approve the Work Session meeting minutes of Tuesday, September 15, 2020 as well as the Special Limited Formal meeting minutes of Wednesday, October 28, 2020, which motion carried, all members present voted aye (roll call). [View Minutes](#) (M 20-3) (M 20-4)

B. PUBLIC HEARINGS

Note: [7:21:11 PM](#) Items B1 & B2 were heard as one public hearing

#1. Grant Application: Salt Lake Rotary Foundation - Furniture and Supplies for Utah State Fairground YouthCity Site. The Council will accept public comment for a grant application request from the Division

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of Youth and Family Services to the Salt Lake Rotary Foundation. If awarded, the funding would be used for furniture and supplies to set up the new YouthCity site at the Utah State Fairgrounds. The Administration intends to open this new site in mid-November to early December 2020.
[View Attachment](#)

#2. Grant Application: Child and Adult Care Food Program Reimbursement for YouthCity Program Snacks. The Council will accept public comment for a grant application request from the Division of Youth and Family Services to the Utah State Office of Education. If awarded, the funding would be used to reimburse the YouthCity Program for snacks given to participants during the 2020-21 school year. [View Attachment](#)

Sylvia Richards, Council Public Policy Analyst, introduced the two attached grant items.

Emily Alworth expressed support for both grant items.

Councilmember Dugan moved and Councilmember Mano seconded to **close the public hearing and refer Items B-1 and B-2 to a future Consent Agenda**, which motion carried, all members present voted aye (roll call). (B 20-3)

#3. 7:24:59 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](#)

Nick Tarbet, Council Senior Public Policy Analyst, introduced the attached proposal. He said the Council had previously received comments expressing concern regarding future development negatively impacting the murals at this location and noted there were no immediate impacts/development plans at this time. He added there would be future opportunity for feedback regarding development of the property. He

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specified this was the first of two public hearings.

[7:35:25 PM](#) Councilmember Wharton noted there was nothing in the current zoning that was preserving the murals at this location and added that his statement was not intended to influence any comments made regarding the proposal.

CC Cummings, Jessy Salas, Michael Showalter, Tash, Grace Menzie, Kendee Hamilton, Shawn Wilson, Rae Duckworth, Madeline Gearheart, Beverly Hawkins, Misti Okimoto, Janet Alcalá, Mike Zee, Natalie Blanton, John Ause, Marvin Oliveros, Kay M., Mitch Poen, Nancy Johnson, Karen Crow, Julie Cordell-Seamons, Lex Scott, and Alexis Athens provided comments regarding the murals located on the Fleet Block. In summary, comments included:

- Community involvement needed regarding development of property (creation of a community advisory group);
- Artwork (murals) being therapeutic/sacred space/important place for grieving/celebrating life for families/community and promoting unity in the community;
- Rezoning the block would allow gentrification to continue;
- Transparency being important (current lack of transparency);
- Demanding the Council commit (despite any development) to keeping murals on-site/protect murals at all costs;
- Communities needing places to congregate, organize events, etc. that include public art;
- Fleet Block should not be used for high-cost housing (needing to choose people over profit;)
- Destroying the murals being a monumental mistake, causing devastating damage/impact to the community; and
- Suggested alternative uses for the property: community garden, affordable housing, farmers market, and public park.

Nigel Swaby and Alixander Court provided comments in support of the rezoning. In summary, comments included:

- Public/open space should be provided within the development
- Murals important to the community and should be preserved
- Current area was blighted
- City/Council performing due diligence regarding the property

Paul Johnson, Anne Charles, Emily Alworth, and Antonio BB provided comments in opposition to the rezoning. In summary, comments included:

- Rezoning the block would allow gentrification to continue, taller buildings, and high cost development;
- Proposing the block be converted to a park (area lacking green

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space/trees);

- Suggesting an alternative zoning designation that would provide development desired by the public; and
- More important to provide a space for the community to gather.

George Chapman suggested the Fleet Block become a park and recommended the murals be an anchor point for a Black Lives Matter plaza for public gatherings, shows, and protests.

Ashley Cleveland offered the Council alternative options for the Fleet block: keeping the block zoned for public land/use as a public park, tabling the rezone for a more appropriate time, choosing a new block for development (not located on the 900 Street corridor), and decrease scope of code change (break up the block/rezone smaller portion).

8:10:18 PM Councilmember Wharton took a moment of personal privilege to inform the public that Councilmember Valdemoros wanted her constituents to know she would have been present at the meeting but was unable to attend because she was recovering from the recent birth of her child.

Councilmember Rogers moved and Councilmember Fowler seconded to **close the public hearing and note a second public hearing has been scheduled for November 17, 2020**, which motion carried, all members present voted aye (roll call).
(P 20-23)

#4.8:46:25 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](#)*

Mr. Tarbet introduced the attached proposal and specified this was the first of two public hearings.

Anne Charles, Emily Alworth, and Alixander Court provided comments in support of the proposal. In summary, comments included:

- Additional proposed housing was needed;

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- Importance of ensuring care facilities followed all guidelines;
- Proposal allowing more access to housing for the disadvantaged; and
- Providing ability to accommodate more diverse establishments.

George Chapman spoke in opposition of the proposal and said assisted living centers did not make sense in the middle of neighborhoods, and congregate care facilities should be near commercial services (stores, restaurants, etc.)

Councilmember Rogers moved and Councilmember Fowler seconded to **close the public hearing and note a second public hearing has been scheduled for November 17, 2020**, which motion carried, all members present voted aye (roll call).

(P 19-1)

#5.8:54:40 PM Ordinance: Shared Housing Zoning Text Amendments (formerly Single Room Occupancy or SROs). *The Council will accept public comment and consider adopting an ordinance that would amend various sections of Title 21A of the Salt Lake City Code pertaining to Single Room Occupancy (SRO) uses (to be called Shared Housing uses). The proposed amendments would redefine what was previously Single Room Occupancy (SRO) housing to Shared Housing, and defines it as a residential building, or part of one, that contains smaller housing units consisting of one or more sleeping rooms and contains either a private kitchen or private bathroom, but not both. In the updated proposal, units could contain multiple sleeping rooms, rather than limiting the unit to one sleeping room. Other sections of Title 21A - Zoning may also be amended as part of this petition. Petition No. PLNPCM2018-00066. [View Attachment](#)*

Russell Weeks, Council Senior Public Policy Analyst, introduced the attached proposal and specified this was the second public hearing.

Nigel Swaby, Anne Charles, Emily Alworth, and Michael Showalter spoke in support of the proposal. In summary, comments included:

- Single occupancy housing providing an important niche for low-income population of the City;
- Proposal should be expanded to other areas of the City as well as beyond Salt Lake City; and
- Properly managed shared housing allowing for a new start/transitioning from homelessness.

Shelley Bodily, Paul Johnson, Ryan O'Mahony, Michelle Goldberg, George Chapman, and Amy Hawkins spoke in opposition of the proposal. In summary, comments included:

- Proposed housing/living style bringing more crime/negatively

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impacting the Ball Park area of the City;

- Geographic limitations of the proposal being un-fair/equitable (targeting low-income areas west of State Street and lacking east/west geographical equity);
- Shared housing should be dispersed across the State/integrated into every City;
- More beneficial to integrate shared housing into existing/newly built apartment buildings (promoting more diversity/redistributing equity of housing across the community);
- Proposed ordinance would discourage the building of high-density housing in Salt Lake City (implement inclusionary zoning instead); and
- Shared/low-cost housing causing increased loitering and encouraging/enabling criminal behavior.

Councilmember Rogers moved and Councilmember Fowler seconded to **close the public hearing and defer action to a later date**, which motion carried, all members present vote aye (roll call).

(P 19-5)

#6.9:13:23 PM Ordinance: Budget Amendment No. 4 for Fiscal Year 2020-2021. *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;*
- *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;*
- *and other items. [View Attachment](#)*

Benjamin Luedtke, Council Public Policy Analyst, introduced the attached proposal and specified a second public hearing was scheduled for November 17, 2020.

Nigel Swaby spoke regarding the downtown ambassador program expansion and said it provided expanded reach of the program to other areas of the City (assisting neighborhoods affected by crime/vagrancy).

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Emily Alworth and **Kay M.** provided comments opposing the proposal. In summary, comments included:

- Not enough funding provided for the Accelerator program;
- CARES money should not be funding homeless camp clean-up and the downtown ambassador program; and
- Provide City-permitted homeless camping zones.

Anne Charles said she was in favor of the expansion of the Accelerator program; however, she expressed concerns regarding homeless camp clean-up funding (used to push people out/take their belongings) and the downtown Ambassadors program (language regarding panhandling stigmatizing homeless).

George Chapman said he was against funding Hogle Zoo utilities and felt the proposed amendment needed more funding for additional police officers. He suggested repurposing a portion of the prison tax for more lateral police transfers to fully staff the Police Department.

Tash and **Rae Duckworth** said they opposed funding for homeless camp clean-ups and priority should be made to provide shelters/needed resources (restrooms, healthcare, mental health resources, job placement, etc.).

Councilmember Rogers moved and Councilmember Fowler seconded to **continue the public hearing to Tuesday, November 17, 2020**, which motion carried, all members present voted aye (roll call).

(B 20-11)

#7.9:28:20 PM Ordinance: Budget Amendment No. 5 for Fiscal Year 2020-2021. *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;*
- *\$20.5 million from the next issuance of the \$87 million voter-approved Streets Reconstruction Bond;*

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- and other items. [View Attachment](#)

Mr. Luedtke introduced the attached proposal and specified this was the first public hearing and a second public hearing/briefing was scheduled for November 17, 2020.

George Chapman spoke about the Animal Services Contract (including the Raccoon Abatement Program) needing to be better publicized, temporary lighting proposal should be made permanent/more extensive (near resource centers), and funding should be provided for more cop-cams/camera installations for adjacent businesses near resource centers.

Emily Alworth said more clarity/accessibility was needed regarding materials provided for the proposed amendment (for public to understand what was proposed), budget for the Vice Presidential debate being too high (tax-payers should not be footing the bill), and the description of the Refuse Packers (Compressed Natural Gas (CNG) fueled delivery systems) was confusing/disappointing coming from the Sustainability Department.

Tash said the Housing & Urban Development (HUD) funding portion of the proposal should go to legitimate community organizations (Wasatch Front, Rose Park Brown Berets, etc.) to ensure funding went directly to the community, the Glendale waterpark space should be provided to the community as a park, and requested more clarification regarding the Streets Reconstruction Bond (what it was to be used for).

Councilmember Rogers moved and Councilmember Johnston seconded to **continue the public hearing to November 17, 2020**, which motion carried, all members present voted aye (roll call).

(B 20-12)

C. POTENTIAL ACTION ITEMS

#1.9:36:15 PM Ordinance: Rezone and Master Plan Amendment at 833 South 800 East (Telegraph Exchange Lofts). The Council will consider adopting an ordinance that would amend the zoning map and future land use map for property located at 833 South 800 East. If approved, the property would be rezoned from R-2 (Single & Two-Family Residential) zoning designation to RMF-45 (Moderate/High-Density Multi-family Residential). The future land use map designation would change from "Low-Density Residential" to "Medium/High Density Residential". The applicant also owns the adjacent property at 847 East 800 South (the Telegraph Exchange Building). Under the proposal, the two properties would be consolidated into one parcel for the development of 23 residential units. Consideration may be given to another zoning district with similar characteristics. Petition No. PLNPCM2019-01110 and Petition No.

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PLNPCM2019-01111. [View Attachment](#)

[9:36:31 PM](#) Councilmember Wharton read a [statement](#) from Councilmember Valdemoros in her absence regarding negotiation with the developer to retain three new affordable housing units for the next five years.

[9:38:35 PM](#) Councilmember Mano made a [statement](#) regarding the issue of additional residential density being appropriate for this location.

Councilmember Rogers moved and Councilmember Fowler seconded to adopt Ordinance 50 of 2020, subject to the Administration entering into a development agreement with the applicant which includes the following conditions: 1) Provide three two-bedroom townhome rental units at 80% area median income for a period of not less than five years from the issuance of a certificate of occupancy, 2) Height of the townhome building will not exceed 30 feet.

Councilmember Mano proposed an amendment to the motion to include a third condition: Limiting the total number of units to 23 on this property and the adjacent property. Council Members Rogers and Fowler accepted the amendment.

Councilmember Mano proposed an additional amendment to the motion to add additional language to the second condition to include: "excluding parapets". Council Members Rogers and Fowler accepted the additional amendment, which motion carried, all members present voted aye (roll call).

(P 20-22)

D. COMMENTS

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

There were no questions.

#2. [9:44:42 PM](#) Comments to the City Council.

Councilmember Wharton re-stated the rules of decorum and public comment rules.

Rae Duckworth spoke regarding the Fleet Block murals and expressed concerns that if the block was rezoned, it would be sold to developers for the City to profit off those who were deceased at the hand of police officers. She also said the Council/police needed to stop harassing unsheltered/homeless and suggested the Council provide individual outreach to the unsheltered.

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Melinda McIlwaine and **Nancy McHugh** spoke about the Inland Port (Board). In summary, comments included:

- Concern for increased air pollution;
- Buildings in the Port were built unsustainably; and
- Suggesting the City conduct a human health risk assessment before any further development was made (in view of global warming and the intent to make a zero-emissions City).

Kelly Martensen said the United States was responsible for the killing of 62 Million un-born babies (abortion), Roe vs. Wade was being codified by the President/Vice President elect, and abortion needed to end now.

Alixander Court spoke about a large/dangerous pothole on 200 South & Edison Street, and commended the Council on their solutions for the homeless population.

Marvin Oliveros said he wanted to dedicate his two minutes for a moment of silence for police brutality victims and houseless residents who had died from lack of City support.

Nicole Taylor said the Council needed to listen to the community, and that the Fleet Block murals were meaningful to the community/families of victims.

Jeff Bair expressed concern that other speakers used the general comment period to speak on public hearing items, as well as concerns regarding speeding vehicles on 400 East (creating dangerous conditions), and suggested Councilmember Mano attend the December Liberty Wells meeting to discuss the issue.

Emily Alworth suggested more transparency/clarity and comprehensive community outreach regarding agenda items addressed by the Council during Council meetings (complex language - lack of understanding from general public).

George Chapman spoke about the addition of 10 additional Police Officers (Budget Amendment No. 5), Utah Transit Authority (UTA) implementing service decreases on bus routes and said UTA needed to use CARES Act funding and recent tax increases to implement one-dollar bus fares.

Tash spoke regarding issues surrounding homelessness (deserving basic human rights), pothole needing to be fixed (previous speaker's concern), speed limit sign needed on 400 East (previous speaker's

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concern), abortion being a woman's choice (previous speakers concern), and inquired about the legalization of marijuana in Utah.

Anne Charles spoke about the Telegraph Exchange Lofts (833 South 800 East) and said the three affordable units for five years was not long enough, and that three out of 23 units was not enough.

Michael Showalter spoke about deaths caused by police officers (24% of all gun related deaths in 2019), homeless camp clean-ups, and suggested funding for health care/affordable housing for the homeless.

Jesse Salas said more resources (social workers) should be provided for the unsheltered population, homelessness stemmed from the opioid crisis in Utah, and the legalization of marijuana would allow relief/alleviate issues of the opioid crisis.

E. NEW BUSINESS

NONE.

F. UNFINISHED BUSINESS

NONE.

G. CONSENT [10:15:07 PM](#)

Councilmember Rogers moved and Councilmember Fowler seconded to **adopt the Consent Agenda except for Item #4 (appointment of Marie Bambo to the Police Civilian Review Board)**, which motion carried, all members present voted aye (roll call).

#1. Ordinance: Dockless Shared Mobility. *The Council will set the date of Tuesday December 1, 2020 at 7:00 p.m. to accept public comment and consider adopting an ordinance that would regulate the use of electric scooters and other dockless, shared mobility devices in the City. The Council would also consider amending the Consolidated Fee Schedule as part of the dockless shared mobility device ordinance. Currently, dockless scooter companies operate under temporary operating agreements until an ordinance is passed. The latest version of a draft ordinance was sent to the Council in March 2020. The updated ordinance incorporates some feedback and concerns including additional requirements for safety features, insurance requirement changes, and language to better differentiate between scooters and devices - motorized or otherwise - used by individuals with reduced or specialized mobility, among other changes.* [View Attachment](#)
(O 20-12)

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#2. Board Appointment: Police Civilian Review Board - Perry Bankhead. *The Council will consider approving the appointment of Perry Bankhead to the Police Civilian Review Board for a term ending September 4, 2023.* [View Attachment](#)
(I 20-32)

#3. Board Appointment: Police Civilian Review Board - Tonya Allred
The Council will consider approving the appointment of Tonya Allred to the Police Civilian Review Board for a term ending September 4, 2023. [View Attachment](#)
(I 20-32)

#4. (Item Pulled) Board Appointment: Police Civilian Review Board - Marie Bambo. *The Council will consider approving the appointment of Marie Bambo to the Police Civilian Review Board for a term ending September 4, 2023.* [View Attachment](#)
(I 20-32)

#5. Board Reappointment: Police Civilian Review Board - Catalina Pilar Cardona. *The Council will consider approving the reappointment of Catalina Pilar Cardona to the Police Civilian Review Board for a term ending September 5, 2022.* [View Attachment](#)
(I 20-32)

#6. Board Reappointment: Police Civilian Review Board - Rebekah Myers. *The Council will consider approving the reappointment of Rebekah Myers to the Police Civilian Review Board for a term ending September 5, 2022.* [View Attachment](#)
(I 20-32)

#7. Board Reappointment: Human Rights Commission - Shauna Dombia
The Council will consider approving the reappointment of Shauna Dombia to the Human Rights Commission for a term ending December 30, 2024. [View Attachment](#)
(I 20-20)

#8. Board Reappointment: Historic Landmark Commission - Robert Hyde. *The Council will consider approving the reappointment of Robert Hyde to the Historic Landmark Commission for a term ending October 4, 2024.* [View Attachment](#)
(I 20-31)

The meeting adjourned at 10:16 p.m.

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Council Chair

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 10, 2020.

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