

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, February 16, 2021

PENDING MINUTES – NOT APPROVED

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, February 16, 2021 in an Electronic Meeting, pursuant to the Chair's determination and Salt Lake City Emergency Proclamation No. 2 of 2020(2)(b).

The following Council Members were present:

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

Present Legislative leadership:

Cindy Gust-Jenson, Executive Director; Jennifer Bruno, Deputy Director; Lehua Weaver, Associate Deputy Director

Present Administrative leadership:

Mayor Erin Mendenhall; Rachel Otto, Chief of Staff; Lisa Shaffer, Chief Administrative Officer

Present City Staff:

Cindy Lou Trishman – City Recorder, Lisa Shaffer – Chief Administrative Officer, Rachel Otto – Chief of Staff, Katherine Lewis – City Attorney, Amanda Lau – Public Engagement & Communication Specialist, Ben Luedtke – Senior Public Policy Analyst, Brian Fullmer – Constituent Liaison, Policy Analyst, Cindy Gust-Jenson – Executive Director, Jennifer Bruno – Deputy Director, Robert Nutzman – Administrative Assistant, Russell Weeks – Senior Advisor, DeeDee Robinson – Deputy City Recorder, Chief Mike Brown – Police Chief, Lauren Shafer – Assistant City Recorder, Orion Goff – City Building Official, Allison Rowland – Council Public Policy Analyst, Paul Nielson – Senior City Attorney, Amy Thompson – Senior Planner, Eric Daems – Senior Planner

[Full Meeting Audio](#)

[Meeting Packet Material](#)

Councilmember Amy Fowler presided at and conducted the meeting.

The meeting was called to order at 2:02 pm

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Work Session Items

1. Informational: Updates from the Administration

~ 2:00 p.m.
30 min.

The Council will receive an update from the Administration on major items or projects, including but not limited to:

- COVID-19, the March 2020 Earthquake, and the September 2020 Windstorm;
- Updates on relieving the condition of people experiencing homelessness;
- Police Department work, projects, and staffing, etc.; and
- Other projects or updates.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Mayor Mendenhall provided updates regarding: 36% of City employees having used City/Federally provided leave up to this point, City's Human Resources webpage to begin providing vaccine updates (including where and when – as they became available), updates on Raise UP SLC ("Salt Laker Card") – available to those who did not qualify for stimulus payments, in the form of a debit card in the amount of \$500, homelessness updates included: City teams worked with Salt Lake County Health Department for an environmental clean up on 700 South/Rio Grande area, service provider outreach teams continuing to connect individuals in the area with services/shelter, shelter availability dashboard being updated daily, new/growing camps in the areas of 800/900 South, 300/400 West, and a few locations along North Temple – City/County working collaboratively for outreach/resolution plans for these sites, housing updates included: a resolution before the Council this evening – allocating over \$4.5 M towards housing stability, shelter, and homeless services, City having invested just over \$64 M in affordable housing between 2016-2020 (2,539 units of housing – including new/rehabbed projects), and information regarding the disbursement of new funding for housing stability assistance through the US Treasury Emergency Rental Assistance Program (\$6+ M).

Mike Brown provided information regarding: Field Training Officer program (FTO) being a 16-week evaluation process and in conjunction with Racial Equity in Policing Commission (REP) recommendations regarding diversity; 20 new FTOs were recently sworn in with seven being of diverse backgrounds, and recruitment/hiring updates would be forthcoming.

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2. Informational: Updates on Racial Equity and Policing

~ 2:30 p.m.
20 min.

The Council will hold a discussion about recent efforts on various projects City staff are working on related to racial equity and policing in the City. The conversation may include issues of community concern about race, equity, and justice in relation to law enforcement policies, procedures, budget, and ordinances. Discussion may include:

- An update or report on the Commission on Racial Equity in Policing; and
- Other project updates or discussion.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Allison Rowland provided updates, including: subcommittee meetings would be held tomorrow February 17, 2021 (including School Safety, Policies & Practice, and Officer Training), information regarding Racial Equity in Policing (REP) Commission available at slcrepcommission.com (for agendas and links to join meetings), and next full commission meeting was scheduled for Feb 24, 2021 at 5:00 p.m.

Benjamin Luedtke provided information regarding: Matrix Auditors presented the Police Department audit to the REP Commission on February 10, 2021 (presentation and video were available on the audit page of the Council's website), REP commission's draft recommendations (three sets) were provided to the audit firm, City Finance Department having set up access for the auditors to run reports in the City's financial system (saving time for consultants/City Staff), a draft Police Department Financial Profile (created by the auditors – detailing revenues, expenses, classifications within the department, etc. – being a foundation to develop a zero-based budget process) was sent to Council Members today and would be made publicly available once completed/reviewed internally, the draft Organization Profile of the Police Department would be ready for review later this week, and the auditors would next be reviewing Internal Affairs, the discipline system, and categorizing line item costs.

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3. Informational: State Legislative Briefing

~ 2:50 p.m.
20 min.

The Council will be briefed by the Administration about issues affecting the City that may arise during the 2021 Utah State Legislative Session.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, January 12, 2021; Tuesday, February 2, 2021; Tuesday, February 9, 2021; and Tuesday, February 16, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Kate Bradshaw (Holland & Hart Law Firm, contract lobbyist) provided information/updates regarding billboard legislation (ongoing negotiations), homelessness legislation (House Bill 347 was released last week – with new second substitute to be submitted), Senate Bill (SB) 138 (progress being made), HB 98 (Building Code bill – protecting historic districts), end of session focusing on new revenue estimates (with announcements forthcoming on Thursday), most items that were cut during special sessions in the summer would be restored, compromise struck between public education on the legislature would be upheld (providing bonuses for teachers), and issues regarding modified exhaust provisions facing an uphill battle due to State's decision to do away with safety inspections.

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4. Ordinance: Rezone at approximately 706 to 740 West 900 South and 710 to 739 West Genesee Avenue ~ 3:10 p.m.

20 min.

The Council will be briefed about a proposal that would rezone properties at 706 to 740 West 900 South and 710 to 739 West Genesee Avenue, including portions of two alleys, from M-1 (Light Manufacturing) to R-MU (Residential Mixed Use). The applicant intends to develop the remaining portion of the site with multi-family residential housing that is not currently permitted under the existing zoning designation. The developer has not proposed a specific development plan as part of the rezone application. The applicant also intends to renovate two vacant commercial buildings on the site for commercial uses. 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.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - Tuesday, February 16, 2021

Hold hearing to accept public comment - Tuesday, March 2, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, March 16, 2021

Minutes:

Brian Fullmer provided an introduction and background of the proposal.

Amy Thompson provided information regarding: both petitions receiving favorable recommendations from Planning Commission, location/zoning of site and surrounding amenities/properties, comparison of existing/proposed zoning regulations (setbacks, height, open space), condition to impose design guidelines applicable to D-2 zoning district (as per Planning's recommendation to Planning Commission – supported by Master Plan policies & community feedback), letters of support received from Poplar Grove & Glendale Community Councils, and concerns received from property owner located on the north east corner regarding setbacks, height, and possible light being blocked by proposed structures.

Maximilian Coreth and **Justin Heppler** (applicants) thanked Planning Staff, Salt Lake Redevelopment Agency (RDA), and others involved with the project, provided history of the site, noted community outreach was conducted for preferences of development, project included ideas for restaurants, coffee shops, other businesses in existing buildings (west side) on the site with planned housing on vacant portion to support said businesses, and discussed preference for requesting R-MU zoning designation vs. other possible zoning designations.

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5. Ordinance: 2020 Salt Lake City Street Lighting Master Plan

~ 3:30 p.m.
30 min.

The Council will be briefed about the 2020 Salt Lake City Street Lighting Master Plan. Some major changes in the proposed plan include adjustments to how the City chooses lighting in public spaces based on pedestrian activity and transportation needs, as well as identifies new street lighting standards for retrofit and new construction.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - TBD

Hold hearing to accept public comment - TBD

TENTATIVE Council Action - TBD

Minutes:

Item pulled.

6. Tentative Break

~ 4:00 p.m.
20 min.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - n/a

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

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7. Ordinance: Zoning Text Amendments for Off-street Parking

~ 4:20 p.m.
45 min.

The Council will be briefed about a proposal that would amend various sections of the *Salt Lake City Code* pertaining to off-street parking regulations. The proposal would:

- Update parking requirements to better reflect demand;
- Simplify parking regulations;
- Address technical issues in enforcement; and
- Establish a responsive ordinance to the City's changing development patterns.

Other sections of Title 21A – Zoning may also be amended as part of this petition.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - Tuesday, February 16, 2021

Hold hearing to accept public comment - Tuesday, March 16, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, April 6, 2021

Minutes:

Russell Weeks provided an introduction to the proposed amendments, advised of policy questions, and noted there was a presentation from Planning Staff.

Eric Daems and **Nick Norris** provided information regarding background (tasked with updating off-street parking regulations, including maximum/minimum parking requirements, permitted alternatives, parking lot design/dimension standards), purpose (align parking chapter with Master Plan goals of the City, modernize for best practices, standards that reflected market demand, etc.), key chapter updates (relaxed requirements for expansion or change of use, creation of parking “contexts” (transit, urban center, neighborhood center, and general) and their locations in the City, revised strategy for minimum & maximum parking, increased bike parking, updated parking alternatives), alternatives to parking calculations (dropped transit demand management – TDM – strategies, up to 40% combined reductions for affordable/senior housing, carpool/car share, proximity to mass transit, and shared parking, parking study being conducted to reduce or increase parking), parking maximums/minimums (parking counts based on consultant recommendations, City and neighborhood goals, and input from property managers/developers, minimums generally lower, maximums now based on best practice – rather than percent of minimum, structured parking not counted against parking maximum, maximum restaurant parking in Neighborhood Center Context increased from 2.5 stalls per 1,000 s/f to 7 per 1,000 s/f.), proposed multi-family parking requirements and maximums for each context area, recent items to address (text amendment from eleemosynary facility to congregate care, pending changes to special exception chapters for front yard parking & vehicle storage w/o hard surfacing, and recommendations recently received from Transportation's parking study for Central 9th and 9th & 9th areas).

Further discussion was held regarding reasoning for the 9th Central/9th & 9th parking study, how the current proposal dovetailed with on-street parking study, recommendations from Fehr & Peers study (determining adequate off-street parking in some areas of the City), determining appropriate maximum requirements for multi-family parking, providing adequate affordable housing reductions, and the possibility of allowed parking reductions being applied/packaged/stacked to avoid no parking requirements.

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8. Ordinance: Building Inspections for Modular or Factory-Built Structures

~ 5:05 p.m.

20 min.

The Council will be briefed about a proposal to amend sections of the *Salt Lake City Code* to allow off-site inspection of “modular” or “factory-built” structures. These types of homes may be used either as accessory dwelling units (ADUs) on existing residential properties or as stand-alone units on a larger site. Modular homes are built in factories and then delivered to the site for “installation,” which can result in lower costs per unit compared to traditional, on-site construction. The proposed ordinance would provide a process for permitting, inspecting, and approving these buildings.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, February 16, 2021

Minutes:

Allison Rowland provided an introduction to the proposed ordinance, a corrected transmittal was provided to the Council an hour ago, and noted the Council would have the option to adopt/not adopt the ordinance during the Formal meeting this evening,

Orion Goff provided information regarding: increased interest/requests for modular homes, clarity provided that modular units/factory built structures were not mobile homes (regulated by the Federal government – built to HUD standards), State allowing for local jurisdictions to adopt certain standards/policies/procedures to regulate modular homes, current regulations do not allow City inspectors to inspect modular homes, ICC (International Code Council) & Modular Building Institute (MBI) having expressed support of the update to the ordinance (submitting letters of support) and both working to integrate the proposed requirements into the next code cycle (being every three years), looking for immediate adoption and be effective as soon as possible, permitting/inspection requirements (onsite inspections for footings/setbacks/connections to foundations).

Paul Nielson (City Attorney) indicated this was not a land use regulation/issue and did not require the Planning Commission process.

Jon Hannah-Spacagna (MBI) noted that modular constructed buildings were built to the same standards/code as a site built structures (built in a factory) providing more efficiency, less waste, greener, completed 30-50% faster.

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9. Informational: Ranked Choice Voting Overview and Pilot Project ~ 5:25 p.m.
30 min.

The Council will be briefed about an option to participate in the State-authorized Municipal Alternative Voting Method Pilot Program project, otherwise known as single-winner ranked-choice voting or instant runoff voting. Discussion will include how the ranked-choice voting process works, how the elections would be conducted, relevant bills in the Legislature's 2021 General Session and public education efforts.

Under ranked choice voting, voters rank the candidates in order of preference. Election equipment tabulates the preference numbers for each ballot. If none of the candidates receive more than 50% of the overall vote after the first round of tabulation, the candidate with the least number of votes is eliminated. The voters who had selected the eliminated candidate as their first choice would then have their votes tabulated for their second-choice candidate. This process of elimination continues until a candidate crosses the 50% threshold and is declared the winner.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Benjamin Luedtke provided an interim update, noting factors might change in the near future, April 14, 2021 was the deadline for the City to provide notice of participation in the Ranked Choice Voting (RCV) pilot program, a primary election would be optional under the pilot program, three bills in legislature related to RCV (House Bills (HB) 75, 127, 174), and previous uncertainty in the County's ability to provide RCV (cost estimates for an election, timeline to receive/test equipment, and testing size of ballots).

Cindy Lou Trishman and **Lauren Shafer** provided information regarding: requirement to notify the Lieutenant Governor's Office before April 15, 2021 of the City's interest in participating in the RCV pilot program, should HB 75 pass, the legislative body (City Council) would be required to notify the Lieutenant Governor's Office (rather than the City Recorder's Office), should HB 174 pass, the City Council would be required to notify the Lieutenant Governor's Office of which voting method was preferred (Star, Approval, or Ranking method), should HB 75 pass, Salt Lake County would be required (by statute) to run the election – with no option to contract with another County or for the City to run its own election.

Councilmember Dugan inquired what other cities used the Star method for RCV. Ms. Shafer said most cities were utilizing the ranking method, and the Star method would be a new option if HB 174 passed.

Pamela Spencer, Vineyard City Recorder, provided information regarding Vineyard

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City's experience moving to RCV and said their Council and residents were pleased with the outcome and did not report any problems, RCV demonstrations/education was provided to the public, and was an overall good experience for the City.

Sherrie Swenson, Salt Lake County Clerk provided information regarding not originally having equipment to accommodate RCV, recently signing a contract on December 31, 2020 for new RCV equipment due to be received in separate shipments over the next several weeks, importance of testing equipment to efficiently support RCV, Utah having unlimited amount of candidates to be ranked and how they would fit on a ballot, and costs involved for having a two page ballot (additional \$194,000 – including requiring additional staff for adjudicated ballots), also noting the County having first offered vote-by-mail contracts (receiving/tabulating ballots) for cities in 1995, a 90.11% turnout of (record number) registered voters for November 2020 election (over 100,000 more registered voters in the County since 2016),

10. Board Appointment: Housing Trust Fund Advisory Board – Shelley Bodily ~ 5:55 p.m.

5 min.

The Council will interview Shelley Bodily prior to considering appointment to the Housing Trust Fund Advisory Board for a term ending December 30, 2024.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, February 16, 2021

Minutes:

Interview was held. Councilmember Fowler said Shelly Bodily's name was on the Consent Agenda for formal consideration.

11. Board Appointment: Housing Trust Fund Advisory Board – José Organista ~ 6:00 p.m.

5 min.

The Council will interview José Organista prior to considering appointment to the Housing Trust Fund Advisory Board for a term ending December 30, 2024.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, February 16, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, February 16, 2021

Minutes:

Interview was held. Councilmember Fowler said Jose Organista's name was on the Consent Agenda for formal consideration.

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Standing Items

12. Report of the Chair and Vice Chair

Report of Chair and Vice Chair.

Minutes:

Item not held.

13. Report and Announcements from the Executive Director

Report of the Executive Director, including a review of Council information items and announcements. The Council may give feedback or staff direction on any item related to City Council business, including but not limited to scheduling items.

Minutes:

Item not held.

14. Tentative Closed Session

The Council will consider a motion to enter into Closed Session. A closed meeting described under Section 52-4-205 may be held for specific purposes including, but not limited to:

- a. discussion of the character, professional competence, or physical or mental health of an individual;
- b. strategy sessions to discuss collective bargaining;
- c. strategy sessions to discuss pending or reasonably imminent litigation;
- d. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the public body from completing the transaction on the best possible terms;
- e. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the public body from completing the transaction on the best possible terms;
 - (ii) the public body previously gave public notice that the property would be offered for sale; and
 - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
- f. discussion regarding deployment of security personnel, devices, or systems; and

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g. investigative proceedings regarding allegations of criminal misconduct. A closed meeting may also be held for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137, and for other lawful purposes that satisfy the pertinent requirements of the Utah Open and Public Meetings Act.

Minutes:

Item not held.

Meeting adjourned at 5:44 p.m.

Minutes Approved:

City Council Chair

City Recorder

This document is not intended to serve as a full transcript as other items may have been discussed; 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 City Council Work Session meeting held 16 February 2021.