

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 16, 2009

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, June 16, 2009 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	
Jill Remington Love	JT Martin	Luke Garrott
Søren Simonsen		

The following Councilmember was excused: Eric Jergensen

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; Mayor Ralph Becker; and Christine Meeker, City Recorder; were present.

Councilmember Christensen presided at and Councilmember Turner conducted the meeting.

OPENING CEREMONY

#1. 7:12:05 PM The Council led the Pledge of Allegiance.

#2. 7:12:30 PM Councilmember Simonsen moved and Councilmember Garrott seconded to **approve the minutes** of the Salt Lake City Council meeting held **June 9, 2009**, which motion carried, all members present voted aye. View Attachment
(M 09-3)

7:13:10 PM City Attorney Ed Rutan spoke regarding Council Members Love and Simonsen need to recuse themselves from voting on the Library's budget. Mr. Rutan said Mr. Perrin Love did not attend the Library board meeting where they voted on the Library's base budget so there was no conflict for Councilmember Love and she did not have to recuse herself. He said with regard to the base budget vote, Heather Simonsen did vote so Councilmember Simonsen needed to recuse himself. He said with respect to the proposed increases neither Library Board Members Love nor Simonsen took a position on the proposed increases so Council Members Love and Simonsen would not need to recuse themselves.

Ms. Gust-Jenson said Councilmember Jergensen was excused due to sick children. She said he would join the Council by phone.

PUBLIC HEARINGS

#1. 7:17:00 PM **RE:** Accept public comment on a **resolution providing for the holding of a special bond election** pertaining to the construction of **Public Safety Facilities** in Salt Lake City.

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The following citizens spoke in favor of evaluating the site for the Public Safety Building: **Paul Davis, Brent Marshall and Gerald McDonough.**

Councilmember Christensen moved and Councilmember Simonsen seconded to **continue the public hearing to July 7, 2009**, which motion carried, all members voted aye except Councilmember Jergensen who was absent for the vote.

(P 09-9)

#2. 7:24:56 PM RE: Accept public comment and consider adopting an ordinance **adopting the final budget** and related ordinances, excluding the budget for the Library Fund which is separately adopted, **and the employment staffing document for Salt Lake City, Utah for Fiscal Year 2009-2010.** (Note: The Council will hold a combined Public Hearing on Items C2-C26, which will address all issues associated the 2009-2010 Budget, including the Library Fund). View Attachments

The following spoke in favor of funding two new library projects: **Allen Roberts, Nancy Livingston, Cornelius O'Connor and Joann Price.**

Patrick Lambert spoke in opposition of the Special Event Permit fees.

Don Barron spoke in opposition of the Ground Transportation fees.

Councilmember Christensen moved and Councilmember Simonsen seconded to **close the public hearing**, which motion carried, all members voted aye except Councilmember Jergensen who was absent for the vote.

Councilmember Jergensen joined the Council by phone.

7:36:42 PM Councilmember Simonsen moved and Councilmember Garrott seconded to adopt **Ordinance 17 of 2009**, approving **Salt Lake City's fiscal year 2009-10 budget** according to the attached schedule with the exception of the allocation to the Legal Defenders, approving the attached employment staffing document, and approving **\$150,000** of on-going funds for establishing a **Special Events Fund** contingent upon the Administration providing criteria that defines how the funds will be used. Additionally, **\$75,000 of one-time funds will be added to the Special Events Fund to help event organization transition to a cost recovery approach.** These one-time funds are also contingent upon the Council receiving the spending criteria from the Administration, which motion carried, all members voted aye.

7:41:35 PM Councilmember Love recused her self.

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Councilmember Simonsen moved and Councilmember Christensen seconded to adopt an ordinance approving **Salt Lake City's fiscal year 2009-10 budget for Legal Defenders** according to the attached schedule for **Ordinance 17 of 2009**, which motion, carried all members voted aye except Councilmember Love who was recused.

Councilmember Love returned.

7:42:38 PM Councilmember Garrott and Councilmember Simonsen seconded to adopt the attached list of **legislative intent statements and interim study issues in conjunction with the Budget of Fiscal Year 2009-2010**, which motion carried, all member voted aye. View Attachment

7:43:53 PM Councilmember Christensen moved and Councilmember Simonsen seconded to adopt **Ordinance 41 of 2009, establishing Salt Lake City's certified property tax rate, based on the latest official numbers provided by the Salt Lake County Auditor's Office** (Dated June 9, 2009). These tax rates are applicable upon all real and personal property within Salt Lake City made taxable by law for the fiscal year commencing July 1, 2009 and ending June 30, 2010, as follows:

1. General Fund: 0.003349, which will generate \$55,003,556 in property tax revenues; and
2. General Fund: Judgment Levy: 0.000015, which will generate \$240,854 in revenue;
3. General Obligation Bonds: .000458, which will generate \$8,546,397 in revenue, which motion carried, all members voted aye.

(B 09-1)

#3. 8:14:33 PM **RE:** Accept public comment and consider adopting an ordinance **adopting the budget for the Library Fund of Salt Lake City, Utah for Fiscal Year 2009-2010.**

Beth Elder, Library Director, said the Library had two funding priorities; the first was to fund Library's operating needs at a level that maintained current service and second to explore the possibility of moving forward with new libraries in the Glendale and Marmalade areas.

Councilmember Simonsen recused himself from the Base Rate Library Budget vote.

9:51:47 PM Councilmember Garrott moved and Councilmember Love seconded to adopt the **Library Base Budget rate at 0.000690 for the desired revenue of \$11,125,968**, which motion carried all members voted aye except Councilmember Simonson who was recused.

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Councilmember Simonsen returned.

9:53:59 PM Councilmember Garrott moved and Councilmember Simonsen seconded to adopt the **Library Tax Stabilization and New Growth at the rate of 0.000020 for \$328,098**, which motion carried, all members voted aye.

9:54:47 PM Councilmember Turner moved and Councilmember Love seconded to adopt the **Judgment Levy at the rate of 0.000002 for \$39,572**, which motion carried, all members voted aye.

10:04:52 PM Councilmember Turner moved and Councilmember Garrott seconded to adopt **Proposal 3a, Build one new library with a Sales Tax Bond for an additional rate of .000055 to generate \$887,018.**

10:10:50 PM Councilmember Simonsen proposed a substitute motion and Councilmember Garrott seconded to adopt **Proposal 4, Increase Library system tax rate to produce \$1.1 million for a rate of .000130.** Councilmember Christensen called for a role call vote, which motion failed, all members voted nay except Council Members Simonsen and Garrott who voted aye.

10:14:20 PM Councilmember Love proposed a substitute motion and Councilmember Garrott seconded to adopt **Proposal 5, Increase revenue by \$560,000 for current library operations, Build one new Library with a Sales Tax bond, fund planning for Glendale Library and fund planning process for Marmalade Library at a tax rate of .000057 with the addition of a legislative intent statement indicating the Council's intention to fund, plan and build the Libraries.** Councilmember Christensen called for a role call vote, which motion carried all members voted aye except Council Members Martin and Christensen who voted nay.

(P 09-2)

7:46:25 PM Councilmember Christensen moved and Councilmember Simonsen seconded to **adopt Items C4 through C26 on the agenda** with the exception of the correction of Item C4 for the effective billing period after and including January 1, 2010, which motion carried all members voted aye.

#4. 7:46:25 PM RE: Accept public comment and consider adopting an ordinance amending Section 17.81.200, Salt Lake City Code, relating to storm water rates.

(O 09-24)

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#5. RE: Accept public comment and consider adopting an ordinance approving salaries for Salt Lake City Justice Court Judges for Fiscal Year 2009-2010.
(O 09-6)

#6. RE: Accept public comment and consider adopting an ordinance adopting Section 2.84.090, Salt Lake City Code, pertaining to plea and abeyance fees for traffic violations.
(O 09-7)

#7. RE: Accept public comment and consider adopting an ordinance amending Section 5.04.070, Salt Lake City Code, relating to business license fees, raising non-home based business license fees and per employee disproportionate costs; amending Schedule 1 of Title 5, listing regulatory fees, to add a regulatory fee for automobile towing businesses; and amending Schedule 2 of Title 5, listing fees for disproportionate costs, to add a disproportionate cost for the retail sale of tobacco products.
(O 04-22)

#8a. RE: Accept public comment regarding an ordinance amending Section 5.65.030, Salt Lake City Code, pertaining to Business License, Revocable Land Use Permit, and Fees Required for Vending Cart Operators.
(O 09-8)

#8b. RE: Accept public comment regarding an ordinance amending Section 5.71.220 and 5.71.290 setting vehicle inspection fees and vehicle operator certificate application fees and requiring City Council approval for changes.
(O 09-16)

#9. RE: Accept public comment regarding an ordinance amending Chapter 15.16, Salt Lake City Code, relating to golf course fees and group reservations.
(O 06-20)

#10. RE: Accept public comment regarding an ordinance enacting Section 12.56.580, Salt Lake City Code, relating to parking fees for the underground parking lot of Library Square.
(O 09-9)

#11. RE: Accept public comment regarding an ordinance amending Section 12.64.090, Salt Lake City Code, pertaining to Parking Permit Fees.
(O 09-10)

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#12. RE: Accept public comment regarding an ordinance amending **Section 12.56.550**, Salt Lake City Code, increasing **civil penalties** for unauthorized use of streets, parking lots and other areas.
(O 08-6)

#13. RE: Accept public comment regarding an ordinance amending **Appendix "A" of Chapter 18.98**, Salt Lake City Code, relating to Impact Fees.
(O 07-17)

#14. RE: Accept public comment regarding an ordinance adopting **Chapter 3.60**, Salt Lake City Code, providing for the City to charge a convenience fee for **on-line payment transactions**.
(O 09-11)

Note: This item was pulled from the agenda.

#15. RE: Accept public comment regarding an ordinance amending **Chapter 15.24**, Salt Lake City Code, increasing certain **Cemetery fees**.
(O 05-11)

#16. RE: Accept public comment regarding an ordinance enacting **Section 14.32.418**, Salt Lake City Code, pertaining to **Barricade Permit fees**.
(O 09-12)

#17. RE: Accept public comment regarding an ordinance amending **Chapter 2**, Salt Lake City Code, changing the Department of Management Services to the **Department of Administrative Services**.
(O 09-13)

#18. RE: Accept public comment regarding an ordinance adopting the **rate of tax levy** upon all real and personal property within Salt Lake City, made taxable by law for **Fiscal Year 2009-2010**.
(B 09-6)

#19. RE: Accept public comment regarding an ordinance amending **Chapter 9.08**, Salt Lake City Code, relating to **solid waste and recyclable items**.
(O 09-14)

#20. RE: Accept public comment regarding an ordinance amending **Section 2.54.030**, Salt Lake City Code, relating to fuel/equipment fee increase for **secondary employment**.
(O 08-12)

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#21. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME), representing the **"100, 200 and certain identified 300 Series"** City Employees, which shall become effective on proper ratification and signature.
(O 09-15)

#22. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and Local 1645 of the International Association of Firefighters (IAFF), representing the **"400 Series City Employees and Fire Captains"** which shall become effective on proper ratification and signature.
(O 09-18)

#23. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and the Salt Lake Police Association, Local 75 (SLPA), representing the **"500 Series City Employees and Police Sergeants"** which shall become effective on proper ratification and signature.
(O 09-19)

#24. RE: Accept public comment regarding an ordinance approving a **compensation plan** for all **non-represented employees** of Salt Lake City.
(O 09-20)

#25. RE: Accept public comment regarding an ordinance approving **employee overtime and other pay allowances** for all **non-represented employees** of Salt Lake City.
(O 09-21)

#26. RE: Accept public comment regarding an ordinance approving a **holiday, vacation and leave accrual plan** for all **non-represented employees** of Salt Lake City.
(O 09-22)

7:51:33 PM COMMENTS TO THE MAYOR FROM THE CITY COUNCIL

Councilmember Turner thanked the Mayor for all the help the Police and Fire Department had given his district in recovery efforts looking for a young boy in the Surplus Canal.

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UNFINISHED BUSINESS

#1. 7:53:37 PM RE: Adopting a resolution authorizing and confirming the sale of approximately \$19,000,000 Tax and Revenue Anticipation Notes, Series 2009; and providing for related matters. View Attachments

Councilmember Garrett moved and Councilmember Christensen seconded to adopt **Resolution 35 of 2009**, which motion carried, all members voted aye.

(Q 09-5)

#2. 7:55:18 PM RE: Adopting a motion at the request of Councilmember Soren Simonsen to **reconsider** the adoption of the resolution authorizing a loan from Salt Lake City's Redevelopment Agency Housing Trust Fund to Cowboy Partners, L.C/Liberty CityWalk for new construction of the Liberty CityWalk apartments located at 280 East 200 South.

Councilmember Simonsen moved to **reconsider** the adoption of the resolution authorizing a loan from Salt Lake City's Redevelopment Agency Housing Trust Fund to Cowboy Partners, L.C/Liberty CityWalk for new construction of the Liberty City Walk apartments located at 280 East 200 South, which motion failed due to no second.

(R 09-10)

#3. 7:56:37 PM RE: Reconsider adopting a **resolution** authorizing a loan from Salt Lake City's Housing Trust Fund to Cowboy Partners, K.C./Liberty City/Walk.

(R 09-10)

This item was not considered.

7:59:54 PM CONSENT AGENDA

Councilmember Garrett moved and Councilmember Simonsen seconded to **approve the Consent Agenda**, which motion carried, all members present voted aye.

#1. RE: Setting the date of **July 7, 2009 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **amending the Capitol Hill Community Master Plan** future land use map rezoning properties located at approximately 158 North 600 West and 560 West 200 North from SR-1A and SR-3 to RMF-45; and closing Phoenix Circle (560 West 200 North), a City-owned right-of-way pursuant to Petition Nos. PLNPCM2008-00466, PLNPCM-00470, PLNSUB-00615.

(P 09-7) View Attachment

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#2. RE: Setting the date of **July 14, 2009 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending a portion of Section 21A.34.050 (Zoning: Lowland Conservancy Overlay District) of the Salt Lake City Code.
(O 09-26)

#3. RE: Setting the date of **August 11, 2009 at 7:00 p.m.** to accept public comment and consider adopting and ratifying the rate of tax levy, greater than the Certified Tax Rate, upon all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2009-10.
(H 09-3)

#4. RE: Approving the appointment of **Michael Brough** to the **Housing Trust Fund Advisory Board** for a term extending through **December 26, 2011**.
(I 09-18)

#5. RE: Approving the appointment of **Rachel White** to the **Housing Advisory Board** for a term extending through **December 26, 2011**.
(I 09-12)

The meeting adjourned at 10:20 p.m.

Council Chair

City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held June 16, 2009.

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