

SALT LAKE CITY COUNCIL STAFF REPORT

BUDGET ANALYSIS – FISCAL YEAR 2010-11

DATE: June 1, 2010
SUBJECT: **LEGISLATIVE INTENT STATEMENTS &
INTERIM STUDY ITEMS**
FROM: Jennifer Bruno, Karen Halladay, Lehua Weaver, Sylvia Richards
cc: David Everitt, Gordon Hoskins, Gina Chamness, Kay Christensen, Randy Hillier

This report will address two things: 1. possible new Legislative Intent Statements and Interim Study items that the Council may wish to adopt with this year's budget, and 2. A report on previously adopted items.

POSSIBLE NEW ITEMS:

Legislative Intent Statements - tentative:

1. Public Utilities Land & Water Rights acquisitions – in the event that the Council does not change the way the \$1 million is appropriated in the Public Utilities budget, the Council may consider adopting a Legislative Intent Statement confirming the expectation that the Administration would coordinate more regularly with the Council on acquisition projects.
2. Streets Response Team time study – if the funding for the Streets Response Team is restored, the Council may wish to consider adopting a Legislative Intent Statement requesting that the Administration conduct a time study over the course of a year on the Team's duties and efforts attributable to other Enterprise Funds.

Interim Study Items - tentative:

3. Golf Capital Improvement Projects – policies, priorities, use of land sales, etc.
4. Cost Recovery for Dog Off-Leash Parks – permit / tags or donations – explore options
5. Ways to encourage employees to use transit passes
6. Permit Counter service improvements
7. Northwest Quadrant follow-up – scope, funding, etc.

Conditional Appropriations - tentative:

1. Restoration of the Office Facilitator / Technical Planner position in Public Services – if this item is restored, the Council may wish to make this appropriation conditioned upon coordination of volunteers by administrative support staff.
2. Sugar House Park Authority funding restoration – if this item is restored, the Council may wish to make this appropriation conditioned upon the Park Authority raising matching funds through sponsorship and/or fundraising at park events.
3. Public Utilities staff person scheduled at the Permit Counter – if the Council supports adding a staff person to the Department of Public Utilities for permitting, the Council may wish to make the appropriation contingent upon having that employee stationed at the Permit Counter in the City & County Building.

PREVIOUSLY ADOPTED ITEMS:

The Administration has provided a status report on the Legislative Intent Statements and Interim Study items that were adopted by the Council last year during the budget process (FY 2009-10 items).

Below is a list of the topics. Some of the items could be considered 'closed' or 'satisfied'. Unless the Council indicates otherwise, staff can remove these from the list. This would help the Administration know which items to continue providing reports. (Most items will continue to be implemented or have been incorporated into the Administration's practices. This alleviates the need for time spent on reporting back to the Council.)

LEGISLATIVE INTENT STATEMENTS

2009-10 Adopted:

- A. **Collection Strategies**: "In addition to focusing on collection strategies as an interim study issue, it is the intent of the Council that in the short-term the Administration would make every reasonable effort to turn over collectibles to an outside agency for more immediate follow-up and to provide a quarterly report on the status of the collection efforts."
 - 1. RECOMMENDATION: Ongoing
 - 2. NOTES: The Administration will be presenting information to the Council on June 1st. Following the discussion, the Council may wish to update the Legislative Intent statement for 2010-11.
- B. **Street Rehab / Bike Lane Preference**: "It is the intent of the Council that when the Administration evaluates streets for rehabilitation projects, preference would be given to streets with bike lanes."
 - 1. STATUS: Close, with the understanding that this would continue to be a priority.
 - 2. NOTES: Based on the Administration's response, there is an established review of streets based on seven zones around the City. The primary focus is on need for rehab. The Administration indicates that of those streets most in need, the ones with bike lanes are given priority.
- C. **Closed Captioning**: "It is the intent of the Council that the Administration research potential sponsorship opportunities for closed captioning of City meetings."
 - 1. STATUS: Close and possibly reconsider in future budget years when funding is available.
 - 2. NOTES: Based on the Administration's transmittal, they have done work to find a sponsor to no avail. It is adding the service 'live' to broadcasts that is the most expensive, and there is not funding identified in this year's budget.

Pre-2009 Adopted:

(For a more complete description of each item, please refer to the Administration's transmittal)

- D. **CLOSE ITEMS** - Unless the Council would prefer otherwise, the following items could be closed:
 - 1. Storm Water Education (the Department of Public Utilities continues their education efforts)
 - 2. Fleet Fueling Stations Evaluation
 - 3. Staffing Document Information - close, but with the understanding that the Administration would continue to provide the information as they have been doing.
 - 4. Public Art Maintenance
 - 5. Nuisance Cases - the Council may consider closing this item which requested periodic reports. The latest report is provided in the Administration's attached transmittal. The Council may wish to consider closing this item, with the understanding that a request for update could always be made if necessary.
 - 6. Irrigation Systems - since the Department of Public Services has inventoried their systems and are requesting funding as it becomes available, the Council may wish to consider closing this item with the understanding that as funding is available progress will continue.

7. City policy coordination – the Council may wish to consider closing this item with the understanding that the coordination between the City staff and RDA staff would continue.
- E. ONGOING – Unless the Council prefers otherwise, the following items could continue to be monitored and reports issued to the Council:
 1. Parking Meter Upgrades – the Administration is actively working on this
 2. Fuel Usage Reduction
 3. Fire Vehicles - using more fuel efficient vehicles on medical calls: the Administration has made some progress in collaboration with Gold Cross, and continues to explore other options.
 4. Youth Programs – quality of services: the Council may wish to consider any necessary updates to this item after some budget decisions are made.
 5. Youth Program Pricing & Fee Schedule – although this item was marked by the Administration as being satisfied, the Council may wish to keep this item open (pending other budget decisions) so that a more comprehensive discussion can be held regarding fee schedules for all City programs for youth.
 6. Cemetery Budget & Master Plan
 7. Open Space Maintenance
 8. City Master Plans
 9. Golf Update – capital project needs: although this item was marked by the Administration to be closed, the Council may wish to hold it open until the future policy discussion and decision on a plan of action to meet Golf Fund capital needs.
 10. Fund Balance
 11. Citywide Emergency Preparedness Plan
 12. Fitness for Duty – the Council may wish to update this statement based on budget decisions
 13. Take-home Vehicles
 14. Deployment of Speed Boards – the Council may wish to update this statement based on budget decisions.
 15. Overtime within the Fire Department
 16. Semiannual Reports on the Status of Legislative Intent Statements and Action Items

INTERIM STUDY ITEMS:

The Administration has made considerable progress on most of the Interim Study items and has provided an update on items, found in the attached transmittal. The Council may wish to keep these items open **(except for the Special Events item, see note below)** pending further conversations with the Administration, or final steps and closure.

1. Facilities charge on Spring Mobile Ticket sales
2. City-wide collections strategy
3. Refuse/Recycling/Green Waste & Environmental Initiatives Strategy
4. Fleet Usage/Replacement
5. Special Events – “grant” program criteria and administration **** *The Council may wish to either close this item or convert it to a Legislative Intent Statement requesting a report on how the first round of grants and sponsorships went, and a report on the revenue collections in 2010-11.***
6. Ground Transportation – additional enforcement, fees evaluation, ordinance updates, RFP
7. Transaction Fees – Encourage environmentally-friendly payment options for City-related transactions.
8. Business License Fees – Research business license fees in order to develop a methodology that is equitable for both large and small businesses.



RALPH BECKER
MAYOR

SALT LAKE CITY CORPORATION

OFFICE OF THE MAYOR

CITY COUNCIL TRANSMITTAL


David Everitt, Chief of Staff

Date Received: 05/06/2010
Date sent to Council: 05/06/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: May 6, 2010

FROM: David Everitt, Chief of Staff
Office of the Mayor

SUBJECT: Semiannual Report on Legislative Intent

STAFF CONTACT: Kay Christensen
Office of Policy and Budget
801-535-7677

DOCUMENT TYPE: Briefing

BACKGROUND/DISCUSSION:

The Administration is forwarding to the City Council the semiannual response to the City Council's Adopted Legislative Intent Statements for Fiscal Year 2009-10. The transmittal also includes the Administration's response to open Legislative Intent Statements from previous years.

This response is due to the Council by the first Tuesday in May 2010.

The Administration welcomes further discussion on any of the responses offered in this transmittal.

RECEIVED

MAY 05 2010

OK HLE

Salt Lake City Mayor

SCANNED TO: Mayor David P.
SCANNED BY: Yolanda, Holly
DATE: 5/6/10
Pauline

Salt Lake City Council Legislative Intent Statements

Semiannual Report

April 30, 2010

Fiscal Year 2009-10 Legislative Intent

2010-1: In addition to focusing on collection strategies as an interim study issue, it is the intent of the Council that in the short-term the Administration would make every reasonable effort to turn over collectibles to an outside agency for more immediate follow-up and to provide a quarterly report on the status of the collection efforts.

Administration Response

The Justice Court shortened the time frame for sending cases with judgments to collections from six years to ten days after judgment is entered. We are now sending criminal cases to the State Office of Debt Collections, but that Office does not have jurisdiction over civil judgment cases and those will continue to be sent to an outside collection agency with the expedited time frame in place. The OSDC will take only outstanding debt that has been reduced to a judgment. The State has contracted with 11 different collection agencies that they use along with their own in-house agents to collect on their accounts. The OSDC also has higher priority for intercepting state tax (and soon federal tax) returns, greatly increasing their chance of collecting. The OSDC adds a State allowed percentage to the bill and takes that amount as their fee, paying the City the entire face value of the judgment. Since February 7, 2010, the City has sent 426 criminal and traffic cases, totaling \$174,000 to OSDC. In the short time OSDC has been working these cases; they have collected \$13,628. Since OSDC can garnish income tax refunds, we should see a sharp increase in the amount collected next spring as well as a gradual increase as the number of cases sent increases.

Business Licensing: Business Licensing has been aggressively working to collect on or clean up their outstanding receivables totaling \$926,575. A strongly worded collection letter was sent to all past due businesses and has received excellent response. Respondents either made a payment or communicated that the business had been terminated, allowing uncollectable amounts to be written off. Business owners that do not respond will be taken to small claims court. Once a small claims judgment has been received, a garnishment or other collections effort will be pursued.

2010-2: It is the intent of the Council that when the Administration evaluates streets for rehabilitation projects, preference would be given to streets with bike lanes.

Administration Response

The City addresses street rehabilitation using the 'zone concept', rotating attention annually between seven zones, and treating the streets with the most need within the particular zone. Of those streets most in need, streets with bike lanes are given priority.

2010-3: It is the intent of the Council that the Administration research potential sponsorship opportunities for closed captioning of City meetings.

Administration Response

The Administration has sought to find a vendor/ad agency that could help us find a sponsor,

but that effort has not yet been successful. At this point, closed captioning can be added in post production, but not live, and it is live production that is the costly process. Funds for this effort are not included in the FY 2010-11 Mayor's Recommended Budget.

Ongoing Legislative Intent Statements

2009-1: Storm Water Education*

It is the intent of the City Council that the Department of Public Utilities propose additional education efforts to inform the public about illegal dumping in storm drains. Additional efforts could include, but are not limited to, increasing signage in neighborhoods and recommendations to adjust fines.

Administration Response

Stormwater educational outreach during the winter months concentrated on planning. The May 12 and 13, 2010 Water Quality Fair at Hogle Zoo is coming close and preparations are being made for that event. Salt Lake City schools were sent a flyer on October 23, 2009 to make them aware of the limited availability of time slots and to give them the opportunity to register their classrooms for the event. The school district will be well represented at the fair, with over 531 Salt Lake 4th grade students registered to attend.

The City's stormwater web page is being upgraded. Information on the page will provide additional insight on the storm drainage system for the community.

2009-2: Parking Meter Upgrade to Accept Credit Cards

It is the intent of the City Council that the Administration move toward replacing coin parking meters with units that accept credit card payments as soon as possible.

Administration Response

This is an issue that affects the Treasurer, Police, City Courts, Public Services Parking Enforcement and Maintenance, Transportation, Downtown Alliance Token Program and other organizations. A steering committee of City staff and representatives of the Downtown Alliance worked with a pay station consultant over the last few months. A final report containing recommendations and options has been submitted. The steering committee reviewed the report, considers it to be complete, and has agreed upon an option to pursue. A meeting is being scheduled with the Mayor to present the report findings and staff recommendations with the intent that a recommendation will be sent to the City Council with a request to provide a briefing.

2009-3: Fleet Fueling Stations Evaluation

It is the intent of the City Council that the Administration review the possibility of closing one or more of the Fleet Fund's fueling stations, as a potential cost saving measure. The analysis should consider cost/savings implications, operational efficiency opportunities, and emergency preparedness strategies and implications.

Administration Response*

The Administration believes that operational efficiencies and emergency preparedness aspects from retaining each fuel site justifies the minimal, direct maintenance costs for each site. However, one fuel site has been identified for elimination when the new facility is operational. This is the Parks Division fuel site. The scope of the audit did not include a fuel site review as

anticipated but we are confident that closure of any other sites would result in additional mileage and fuel usage. In fact, in order to eliminate travel for fueling the City is considering adding a fueling site at a Public Utility yard located in Murray. Opportunities to find other ways to fuel are being explored and the Administration will brief the Council if any of these come to fruition.

2009-4: Fuel Usage Reduction

It is the intent of the City Council that the Administration develop a plan for reducing fuel usage in city-owned vehicles and explore the use of alternative fuel vehicles, so that if fuel prices continue to rise, increases to the fuel budgets can be minimized or even reduced. This may include establishing an incentive program with the \$15,000 in one-time funds approved by the Council.

Administration Response

City Fleet is working with departments to explore every possibility to use alternative fuel vehicles. Refuse packers using CNG are in the purchasing process and the Streets Division has obtained three battery-operated vehicles for their use. The Police Department has purchased some hybrid vehicles for detectives and the Chief. Additional opportunities in other departments are being explored and are imminent but details and analysis are not ready for us to publicly announce at this point. The Administration and City Council will be briefed soon on the Fleet audit that includes information on this topic.

2009-5: Fire Vehicles

It is the intent of the City Council that the Administration report to the Council regarding how a more fuel efficient vehicle could be used on medical calls with the current staffing and operational models.

Administration Response

The Department successfully negotiated a response plan with Gold Cross Ambulance that allows for an ambulance only response on the Alpha medical calls. This change in response has reduced the Fire Department response by more than 2,000 calls per year, greatly reducing fuel consumption and carbon exhaust.

The Medical Division is developing its alternative response types for all medical calls, which will most likely include smaller vehicles responding. This will result in fewer instances when larger vehicles (engines and trucks) respond. The smaller vehicles will have a significantly better fuel economy than the engines and trucks.

2009-6: Youth Programs

It is the intent of the City Council to encourage the Administration to maintain the high quality of current Youth Programs, and to continue the types of programming currently available.

Administration Response

YouthCity continues to provide quality out of school time programming at four community-based and two school sites. The Mayor's Education Partnership Coordinator is in the process of conducting an assessment to determine if there are more cost-effective methods to provide the same level and types of programming.

The Mayor is proposing to eliminate the Youth City Artways program in FT2011. This would not, however, mean that after-school and summer programs are cut, but that other arrangements would need to be made by the instructors to fill the time previously used by Artways.

2009-7: Youth Program Pricing & Fee Schedule*

It is the intent of the City Council that the Administration continue in their efforts to develop a fee schedule for the City's Youth Programs. Non-city resident fees should be reflective of full operating costs. City resident fees should consider full operating costs, and also allow for an opportunity to apply for fee reductions based a "defined" financial need.

Administration Response

A fee scale that reflects full fees for families living outside City boundaries and provides fee reductions for families with financial need has been adopted.

2009-8: Cemetery Budget

It is the intent of the City Council that the cemetery master plan and financial report include an evaluation of appropriate fees (taking into account inflation). In addition, the Administration and the City Council should evaluate and discuss on-going cemetery needs and how to fund them.

Administration Response

Phase I of the Cemetery Master Plan is complete and gives recommendations for decisions at the cemetery. The Public Services Department has submitted a funding application for Phase II of the study in the FY10-11 CIP.

2009-9: Staffing Document Information*

It is the intent of the City Council that the Administration continue to refine its approach to providing information to the City Council regarding the City's staffing document, including:

- a) An annual itemization of trust or grant-funded positions, seasonal, part-time, and vacant positions in a format workable for the Administration. For example, an attachment or chart included with the staffing document.
- b) Additional detail added to the staffing document summary, including consolidated information listing the various types of positions from the staffing document and attachments. It is also the Council's intent that the Administration provide a quarterly update to the Council, including reclassifications or staffing changes with a budget impact, as well as bonuses.

Further, the staffing document is understood to be a snap-shot in time of current position levels as a benchmark with the understanding that the Administration has the authority under ordinance to adjust positions.

As in the past, the Council would request a list of the vacant positions.

Administration Response

The Administration will provide quarterly updates to the staffing document approximately 15 days after the end of each quarter. The Administration has included information on grant funded, seasonal, part-time and vacant positions as part of staffing document prepared for the FY 2010-11 budget.

2009-10: Public Art Maintenance*

It is the intent of the City Council to have the Administration develop a financial plan to handle the on-going repair and maintenance of the City's Public Art Collection.

Administration Response

Inspections and condition reports for 52 artworks in the City's public art collection have been completed. Based on this work, a priority list for maintenance and repairs was developed, determined by both the urgency of the need and the budget available. To date, twelve projects have been addressed with a combination of cleaning, repair, surface treatment and other work as dictated by condition. Six additional projects are slated for maintenance and restoration in the spring/summer of 2010. Inspection and condition reports have been conducted for the artwork in International Peace Gardens in Jordan Park and thanks to a CIP appropriation of \$20,000 specifically for that location, the repair and restoration for this work will begin in the summer of 2010.

2008-11: Open Space Maintenance

It is the intent of the Council that the Administration hire (through attrition) a parks maintenance employee or supervisor that has expertise in the maintenance and care of natural open space and vegetative areas, and identify any opportunity to coordinate with Public Utilities.

Administration Response

Currently the Parks Division, the Open Space Program, Property Management and the Public Utilities Department are collaboratively working to address current open space management/maintenance issue in the interim of developing a plan for how City natural lands will be stewarded. The Public Utilities Department has a plan in place and the Open Space Program is currently working on an Open Space Strategy Plan for acquisition and will collaborate in the future with the Planning Department and Planning Commission to update the Open Space Master Plan and related City Policy. Additionally in the future the Open Space Program will develop individual site plans for open space areas to address long-term priorities for management, maintenance and monitoring.

2008-12: City Master Plans

It is the intent of the Council that the Administration brief the Council regarding the status of the City's Master Plans, as well as options for a city-wide general plan (CD).

Administration Response

The Downtown Master Plan update – The Administration is developing a revised approach to the Downtown Master Plan and a new timetable for plan development. This plan has been placed on hold as efforts have been transferred to preparing a draft of the North Temple Master Plan by the end of 2010.

Northwest Quadrant Master Plan – The Planning Commission has transmitted a favorable recommendation to the City Council to adopt the plan. The Mayor proposes an additional process to address technical questions and issues of implementation.

Historic Preservation Master Plan – The Historic Landmarks Commission has taken action to recommend adoption of the Preservation Plan to the Planning Commission and City Council. The Planning Commission took action to recommend adoption to the Plan and forwarded the

petition to the City Council. The City Council held a public hearing on the Historic Preservation Plan on March 30, 2010 and tabled the hearing until a future date.

The West Salt Lake Plan – As a result of planner workload and other priorities on plans and zoning amendments, this plan is still on hold until the North Temple Plan and ordinance are completed.

Euclid Small Area Plan – Due to its unique relationship with the North Temple Corridor and specifically the proximity to the 800 West and Fairpark stations, the work completed on the Euclid Plan will be folded into the Station Area plans for the North Temple Corridor Plan.

Westminster Small Area Plan – Discussions of the City staff with Westminster College have resumed and we are awaiting a final campus plan from them before resuming this plan.

Zoning Amendments – Although not a master plan, the Planning Division has committed a great deal of time rewriting major sections of the ordinance. As part of that process, the staff worked with a task force comprised of community council, businesses, and other representatives that had been suggested by the City Council. The Task Force's work is complete, and the Planning Commission has acted on all but the use tables and definitions. The Planning Commission recommendations have been or will be shortly transmitted to the City Council.

City-wide General Plan. The City does have a General Plan, though we do not call it that, but refer to 42 plans individually.

2008-13: Golf Update*

It is the intent of the City Council that the Golf Fund Manager provide a mid-year update on the status of deferred capital project needs.

Administrative Response

The Golf Division presented its CIP plan to the City Council on May 4, 2010. As a result, further discussions on the issue and policy relating to the sale of open space will continue after the budget period has concluded.

2008-14: 15% Fund Balance

It is the intent of the City Council that the Administration identify a process to restore fund balance to 15% of general fund revenue as reserves for unforeseen events or emergencies, and establish 15% of fund balance as a target for the minimum amount allowable (rather than the previous 10%).

Administration Response

Given current economic conditions, the Administration is committed to maintaining a fund balance of no less than 10%. As economic conditions improve, a revised target of 15% will be considered. The Mayor's Recommended Budget for FY2011 anticipates a fund balance of around 12%.

2008-15: Citywide Emergency Preparedness Plan

It is the intent of the City Council that the Administration submit quarterly written briefings regarding the status of the City's emergency preparedness efforts and plan, including a

description of the trainings being conducted, coordination with other entities, and updates regarding key issues that the emergency management group is addressing.

Administration Response

The Council has set up an Emergency Response Subcommittee and that Committee has been briefed on emergency preparedness. The Administration will continue to brief the Council on a regular basis. Each department in the City has accountabilities and responsibilities in times of disaster. The emergency management program facilitates the coordination of emergency preparation, response and recovery efforts of all City departments.

The emergency management program is near completion on the 18 month plan to update training, disaster management framework, public information, facilities and community preparedness. The new community preparedness coordinator has been welcomed by our citizen partners. CERT training registration for the first half of 2010 is approaching our prior year total, exceeding the capacity to fund equipment and instructors. The program is excited to continue its involvement with the design and construction of the Public Safety Building project. The program director participates in the project manager's stakeholder team and assists throughout the project.

The City is a major partner in a collaborative planning, training, and exercise effort including agencies from the entire county. The effort is funded by State Homeland Security grants and facilitated by a contracted consulting firm. The "Base Plan" revisions will be completed by August of this year with the support and hazard annexes completed by December. In 2011, Salt Lake City along with Salt Lake County and the other municipalities will begin exercises and drills to test the new plans. At the conclusion of 2012, the City will have revised or implemented planning, training and exercise in emergency response, continuity of operations and government, and community recovery. This city-county effort is occurring in collaboration with planning and exercise efforts at the state and federal (FEMA Region VIII) levels. To date, Salt Lake City has participated in two national level exercises involving emergency support functions (ESFs) and emergency communications and communication's system restoration. These efforts will culminate in a national through local full scale earthquake exercise in March of 2012 followed in May by a Wasatch Front-wide recovery/restoration exercise. It is the program's intention to seek accreditation through the Emergency Management Accreditation Program (EMAP) at the conclusion of these efforts.

2008-16: Fitness for Duty

It is the intent of the City Council that the Administration provides the Council with a progress report on implementation of the physical fitness requirement for City Fire and Police positions.

Administration Response

The Fire Department's Task Performance Test (TPT) is now a multi-year program that is well established. The Department continues to have a 95% pass rate. This year, the Department is partnering with the University of Utah to implement the *Get Fit* program. This program will assist firefighters in developing an individualized personal fitness program. There is no cost to the City or the firefighter or this program.

The Police Department obtained a validated test which was administered to recruit candidates in October 2008. Every candidate regardless of their physical condition passed the test. As a

result, the validity and practicality of the test was called into question. The Department is currently working with the contracted vendor to redesign the test. As changes to the test are recommended, the Department is awaiting the hiring of a new recruit class to determine the validity of the recommendations.

2008-17: Take-home vehicles

It is the intent of the City Council that the Administration provide analysis of fleet costs related to take-home vehicles in conjunction with each year's annual budget presentation. This should include information about potential savings from reduced or more reasonable personal use limits so that the Council can include this information in consideration of the fees and program structure.

Administration Response

Take-home vehicles were specifically evaluated in the audit and recommendations will be part of the conclusions.

The final draft of the audit will be received in the next few weeks. Once received and reviewed, it will be passed to the Mayor for review, then along to the City Council, with the intent that a briefing can take no later than June.

2008-18: Nuisance Cases

It is the intent of the City Council that the Administration provide the Council with periodic reports on the development of nuisance cases.

Administration Response

The Attorney's Office (Civil and Prosecutor) handles cases that seek to resolve "quality of life" issues; these cases are often referred to as nuisance cases, although they do not meet the legal definition of nuisance cases. The Attorney's Office reviews and pursues cases presented to us by City clients. There are no active legal nuisance cases, and none have been presented for review. Below is a non-exhaustive overview of work on these types of issues.

For example, on the civil side Housing and Zoning Enforcement (HAZE) initiates enforcement actions, and once fines accumulate to a certain amount or it becomes clear that the property is a chronic issue, HAZE asks the Attorney's Office to pursue the matter through a demand letter and then, if necessary, in court. Currently, there are approximately a half dozen cases pending in Third District Court and several more pending filing. These cases do not include other ongoing enforcement actions, which often allow successful resolution at a lower level.

The City Prosecutor continues to make available two attorneys as code enforcement prosecutors and two attorneys who represent the Prosecutor's Office at the Super CAT meetings. Examples of "quality of life" cases that were prosecuted/processed in the last 12 months ending in calendar year 2009 include:

491	Sex Solicitation Cases
1437	Public Intoxication Cases
1129	Disturbing the Peace cases
27	Licensing related cases
85	Sexually Oriented Business Licenses cases

16	Ground Transportation Operating cases
6	Noise Prohibition cases

2008-19: Irrigation Systems

It is the intent of the City Council that the Administration inventory city-owned irrigation systems with the purpose of identifying priorities for funding upgrades to conserve water and reduce ongoing costs, and present funding options to the City Council for consideration.

Administration Response

The Public Services Department has inventoried irrigation systems based on age and has identified a priority list. One park received funding for an upgraded computerized system in FY09-10 and the Department has submitted applications for three additional replacement projects for the 10-11 fiscal year. Furthermore, this initiative has been included as a potential component of an energy-performance audit (ESCO) that may be funded in a future phase of ESCO funding.

2008-20: Deployment of Speed Boards*

It is the intent of the City Council that the Administration explore options for deployment of speed boards without taking police officers away from police patrol or regular business. It is the Council's preference that deployment not involve overtime.

Administration Response

Speed boards are now deployed by the Streets Division of the Public Services Department and activity is monitored by the Transportation Division of the Department of Community and Economic Development. All seven trailers were in operation from 9/3/09 to 12/11/09 when the program paused due to snow accumulation on the roadways making it difficult to safely place the trailers. The program resumed on 1/26/2010. The Transportation Division has become the key point for gathering information on speed trailer sites. Police and other city departments forward potential site information to Transportation which then develops a weekly list of 7 locations for deployment for the coming week, typically one trailer in each City Council district. Trailers are deployed on Monday morning and turned in the opposite direction in the same location on Wednesday morning. Trailers are picked up on Friday and the process begins again on the next Monday. The Streets Division program was originally funded \$40,000 (one-time funds), which was reduced to \$20,000 during a mid-year budget cut. In addition, there is no funding to replace any of the trailers which are now ten years old. Public Services received 5 speed computers and training in the use of them with the trailers from the Police Department, but with previous budget reduction it is not possible to carry out this type of work. Public Services has not had any requests from the Police Department to deploy the speed computers since the program started so this may not be a priority.

Weekly information on the location of the trailers is available on the city network on the SLCiComm Drive "L Drive" under the DFS folder.

The FY10-11 Mayor's Recommended Budget proposes to discontinue funding for speed board deployment on July 1, 2010.

2008-21: City Policy Coordination

It is the intent of the City Council that the policies adopted by the City Council be noted by Redevelopment Agency of Salt Lake City employees and incorporated into staff reports to the Redevelopment Agency Board of Directors as relevant so that funding decisions remain consistent between the two organizations.

Administration Response

RDA staff and City Council staff work closely together and share information as necessary.

2008-22: Overtime within the Fire Department

It is the intent of the City Council that the Fire Department continue to take measures to reduce the reliance on overtime and submit a written report to the Council outlining total amount spent for constant staffing at a straight-time rate and amount spent at an overtime rate.

Administration Response

On February 1, 2010 the Fire Department implemented a resource allocation model that changed the way it operates in the City. The HazMat Company was relocated from one to two locations and now operates as one major incident mitigation team, and as two individual companies capable of responding independently to more common hazardous materials incidents, including basic HazMat screening, air monitoring, and spill and leak control. This change reduced the daily staffing requirements by four firefighters but maintained 13 engines, 3 trucks, and all specialty teams. The City now has two HazMat teams, one on the west side and one on the east side. The first two months (March and April) have shown that the Department's use of overtime has been reduced. A detailed report on overtime use will be provided at the beginning of FY 11 after several months of tracking.

2008-23: Semiannual Reports on the Status of Legislative Intent Statements and Action Items

It is the intent of the City Council that the Administration provides reports regarding the status of all active legislative intent statements (including unresolved statements from previous years and statements adopted outside of the official budget process) and all active legislative action items. The semiannual reports are to be submitted to the Council Office by January 31 and the first Tuesday in May each year.

Administration Response

The Administration will continue to work to provide responsive and informative reports in a timely fashion.

*The Administration asks that the Council evaluate the starred items and remove them from the list of legislative intents if the Council is satisfied with the responses.



RALPH BECKER
MAYOR

SALT LAKE CITY CORPORATION

OFFICE OF THE MAYOR

SCANNED TO: Kelly, David
SCANNED BY: Mayor, Gabriela
DATE: 5-4-2010

RECEIVED

MAY 04 2010

CITY COUNCIL TRANSMITTAL

Salt Lake City Mayor

David Everitt, Chief of Staff

Date Received: 05/04/2010

Date sent to Council: 05/06/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: May 4, 2010

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SUBJECT: Quarterly Report on Interim Study Items

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The Administration is forwarding to the City Council the third quarterly response to the City Council's Adopted Interim Study Items. Each year during the Council's budget deliberations, Legislative Intent Statements are identified and adopted. This year, in addition to Intent Statements, the Council identified eight interim study items, similar to the Legislature's practice.

The Interim Study Items will be addressed in collaboration with the City Council, particularly through the sub-committee process.

This report represents work in progress. The Administration welcomes further discussion on any of the responses offered in this transmittal.

INTERIM STUDY ITEMS

1. Facilities charge on Spring Mobile Ticket sales. Utah Code Section 10-1-203(5)(a)(i)(B) permits a municipality to levy a license fee or tax to raise revenue "on a public assembly or other related facility in an amount that is no less than or equal to \$5 per ticket purchased from the public assembly or other related facility". A "public assembly or other related facility" is defined in Section 10-1-203(5)(b)(iii) as one that is:

(1) wholly or partially funded by public moneys; (2) operated by a business; and (3) requires a person to buy a ticket to attend an event.

If the City were to adopt a tax under this section, the tax would have to apply to all facilities falling under the definition. The City could not single out one such facility to be taxed and not tax any of the other facilities covered by the definition.

Whether a particular facility is covered by the definition depends on the precise facts. Each of the three elements of the definition would have to be met. For example, the facility must be operated by a “business.” If the facility is operated by a not for profit entity, it is not covered by the definition. Facilities such as Spring Mobile Ballpark and the Energy Solutions Arena would potentially be covered depending on the facts.

Adoption of such a tax by the City could have an impact on contracts that the City might have with such an entity if covered by the tax. Further analysis of any such contracts would be necessary.

2. City-wide collections strategy. In response to the City Council’s expressed interest in aggressive collection of City receivables, the Administration has been working on setting up a City-wide Accounts Receivable system to identify, invoice and monitor the wide variety of receivables currently scattered across City departments. The Administration is examining all outstanding receivables to determine the best course of action for rapid collections. Collection procedures are being reviewed and process revisions are being implemented.

Identify and quantify outstanding receivables: The Administration continues to identify areas within the City that bill customers for City services and is maintaining a master list of these receivables. The identified outstanding amount owed as of 3/31/10 is approximately \$6.3 million. This includes \$1,017,500 in parking tickets, \$1,967,158 in Justice Court fines and \$3,249,266 in other amounts owed.

The Administration has implemented several process revisions that are slowly beginning to improve collections. To date, these changes have resulted in additional revenue of \$46,074. Revenue Auditing also just recently closed a long outstanding debt of \$600,000 with a telecommunication company and, as a result, the City will also have ongoing revenue of about \$200,000.

Implement IFAS Accounts Receivable Module: The Administration continues to migrate divisions to the IFAS AR system. Innkeepers Tax and Parking Tax customers are on the system. Property Management and Public Services are in the process of entering all necessary data to the AR system. The Fire Department will be the next department to be moved to the system.

Collection Agency for NSF Checks: The pilot program with ePayments was not as successful as hoped, collecting only 30% of non-sufficient funds (NSF) checks submitted. The pilot program will be discontinued. The outstanding returned (NSF)

checks will instead be sent to a collection agency using the same schedule as parking tickets. In addition, the Treasurer's Office is implementing a city-wide digitized check system where all checks written to the City are converted to ACH (turned into a debit transaction instead of a paper check). This process has been tested in the Treasurer's office for the last 10 months and has resulted in far fewer returns (only 4 ACH's were returned during the test period).

Office of State Debt Collection (OSDC): The Administration is working with the Utah Office of State Debt Collection to utilize their collections services. This process relies on Judges to review and release cases to be sent to collections (the OSDC will take only outstanding debt that has been adjudicated, meaning we have a warrant or judgment against the person for the debt, and they will not take civil cases). The State has contracted with 11 different collection agencies that they use along with their own in-house agents to collect on their accounts. The OSDC also has a higher priority for intercepting state tax (and soon federal tax) returns, greatly increasing their chance of collecting. The OSDC adds a State allowed percentage to the bill and takes that amount as their fee, paying the City the entire face value of the judgment. Since February 7, 2010, the City has sent 426 criminal and traffic cases, totaling \$174,000 to OSDC. In the short time OSDC has been working these cases; they have collected \$13,628. Since OSDC can garnish income tax refunds, we should see a sharp increase in the amount collected next spring as well as a gradual increase as the number of cases sent increases. We can only send the cases once they are delinquent, and the clerk must be able to find these cases while doing case management, which is only done when time permits, and with our reduced staffing this is not done as often as it once was.

Business Licensing: Business Licensing had been aggressively working to collect on or clean up their outstanding receivables totaling \$926,575. A strongly worded collection letter was sent to all past due businesses and has received excellent response. Respondents either made a payment or communicated that the business had been terminated, allowing uncollectable amounts to be written off. Business owners that do not respond will be taken to small claims court. Once a small claims judgment has been received, a garnishment or other collections effort will be pursued.

3.Refuse/Recycling/Green Waste & Environmental Initiatives Strategy.

The Sustainability Division briefed the Council's Environmental Subcommittee on the Plan and possible ideas for the Division. There were no written comments from the Council on the Plan, except the request that the word "Business" be dropped; the Division is not a business, and should not be perceived as one.

The Sustainability Division moved ahead creating the financial portion of the Plan, and it is being presented to the Council as this year's Refuse Fund budget. The budget request summarizes policy changes and recommends enhancements to the City's Refuse collection program.

4. Fleet Usage/Replacement. The final audit should be delivered to the City by the end of May. The Mayor will then be briefed and decide the timing of submittal to the City Council for their consideration.

5.Special Events –“grant” program criteria and administration.

Cost Recovery Offset - \$150,000

As originally proposed, the City has begun to subsidize 75%, up to \$2,500, of a special events’ cost recovery fees. Event organizers receive this subsidy automatically and are informed of it through the Special Event permit. They are encouraged to meet with City staff and work to reduce the impact on City services. This program addresses many of the initial concerns raised by event and festival organizers. Specifically, the program 1) supports smaller events that may not have the resources to generate additional revenue; 2) is equitable, transparent, and content neutral; and 3) it allows for larger organizers to predict the City’s contribution so they may plan and budget accordingly.

Events started receiving this subsidy back in August and continue to receive them now, especially as we are just entering the “event season.” The amount subsidized at this point has been minimal as most events from last August until now either fell under the “grace period’ of cost recovery (if they submitted their event application before May 1, 2009) or have been smaller events (the largest portion of our larger events are late spring to early fall).

Signature Events Fund - \$75,000

As proposed earlier, a letter was sent to local event organizers inviting them to send in sponsorship proposals to the City requesting sponsorship amounts of between \$10,000 and \$25,000. They were informed that considerations for sponsorship would be made based on the following criteria: 1) public and community benefit; 2) economic impact; 3) cultural and civic contribution; 4) relationship to Salt Lake City’s mission and goals; 5) financial position and need.

A March 1st deadline was given for submissions and we received 22 sponsorship proposals (plus one more that came over a week late). A small group consisting of David Everitt, Bianca Shreeve, Bob Farrington and Tyler Curtis read and considered each proposal and created recommendations for Mayor Becker’s consideration. After Mayor Becker’s review of the proposals, and a brief review of the designated amounts by Council members, we asked the event organizers to resubmit proposals based on the new dollar amounts allocated to them. Instead of the proposed amounts, it was decided to offer a few \$15,000 sponsorships and then a number of smaller, \$1,500 to \$2,500 sponsorships. All events have sent their new proposals and the Administration is currently working with each event to coordinate the agreed upon sponsorship elements and get checks cut. The allocation of the \$75,000 is as follows:

\$15,000 sponsorships:

Salt Lake International Jazz Festival
Downtown Alliance’s Farmers Market
Utah Pride Festival

Utah Arts Festival

\$2,500 sponsorships:

Unified Bouldering Championships
People's Market
Days of '47 Youth Festival
Native American Celebration

\$2,000 sponsorships:

Brazilian Festival

\$1,500 sponsorships:

Living Traditions (SLC Arts Council)
Earth Fest (Gallivan Center)

6. Ground Transportation—additional enforcement, fees evaluation, ordinance updates, RFP

Enforcement: A time and motion study of the Ground Transportation function was requested by the City Council. The study included the time period between June 29, 2009 and September 30, 2009. Based on the available study information, 458.5 hours were spent on enforcement, with an additional 50 hours spent on investigations. During the same time period, 79 citations and 30 warnings were issued for a total of 109. Between October 1, 2009 and the end of the year, 16 more citations were issued and one warning. Citations and warnings continue to be issued as required. There are planned and ongoing stings involving both the ground transportation industry and hotel doormen. The age of taxicab vehicles has been the latest enforcement effort which requires such vehicles to be no older than 6 model years or 8 model years if an approved alternative fueled engine (note: there is a grandfather clause also). These actions have generated a significant response from the taxi industry resulting in a current ongoing review of City Council's intent for this age limitation. There is ongoing enforcement involving both the ground transportation industry and hotel doormen. On a recent weekend evening 12 citations were issued and forwarded to the City Attorney for screening. A grace period on the age limit of taxi's was granted until Council takes further action on the ordinance changes.

Fee Evaluation: The Council asked for an evaluation of the fees and potential fees to be considered for Ground Transportation. Fees are based on cost recovery and staff salaries and time are all part of that cost recovery. Finance has completed a time study and calculated a fully loaded hourly rate which has been applied to the processes of the background history check/ID Badge and vehicle inspections. The fully loaded hourly rate equals \$67.70.

Background History Check/ID Badge: When the hourly rate is applied to the background history check/ID Badge process the fee for that service could be

increased to \$121 from the current \$112 which includes the \$47.25 for the BCI background check and a separate \$3 for TSA fee.

Vehicle Inspections: When the hourly rate is applied to the vehicle inspection process the current fee of \$90 per inspection is justified. This fee includes time allocated for missed inspections, rejected vehicle re-inspections, meter recalibrations and special vehicle types.

Ordinance Updates: The City Council requested a re-write of City Ordinance 5.71, Ground Transportation Requirements, with the intent to “level the playing field” in the industry. This will be done primarily by eliminating pre-arranged requirements, establishing minimum fares, and establishing an age and mileage restriction for all vehicles. This is similar to the recent taxicab ordinance change and will make the penalty sections more manageable. A draft amended ordinance has been sent to the City Council for their approval and it has also been sent out to the industry/stakeholders for comment.

Taxicab RFP: The City Council initiated a Taxicab RFP to provide contracted taxicab service in Salt Lake City. The RFP is ready to be made public after many months of study, preparation, and drafting. The City Council recently received a briefing by the Airport on their plans to address the ground transportation issue at the airport proper and in the City. A straw poll indicated that a majority of Council members would like the Airport to continue their efforts to prepare a specific proposal for ground transportation under the direction of the Airport, including a draft RFP (not the same RFP already drafted and in the Council members hands).

7.Transaction Fees – Encourage environmentally-friendly payment options for City-related transactions. In response to the City Council’s expressed interest in assuring environmentally-friendly payment options for all City-related transactions, the Administration has been working to identify areas that currently do not offer online or paperless transactions.

We have been doing some work and identified several areas where electronic invoicing could be effective. We are working with the departments to determine the feasibility for creating electronic invoices for the Public Utilities Billing system, the Police Office Secondary Employment System, and the new Special Assessment Areas system.

The new version of the Public Utilities Billing System has the capability to send customer’s bills via email or fax. This is being tested now and will be implemented in the near future.

8.Business License Fees – Research business license fees in order to develop a methodology that is equitable for both large and small businesses. The Administration is aware of the City Council’s interest in developing a methodology for calculating business license fees that is equitable for both large and small businesses. At this time, the Administration, along with Business License staff, is working to insure that data, following the conversion from the Legacy System to Accela, is up-to-date and correct. At this point, there is not enough accurate data to conduct an analysis. As soon

as the Business License database in Accela is error free and fully functional, the Administration will begin an analysis of the methodology for calculating fees and consider potential changes to the fee structure. The Administration will keep the Council informed as this process continues, but at this point, the Administration is still working on the data necessary to develop the methodology.