

Salt Lake City Council

City & County Building
451 South State Street, Room 304
P.O. Box 145476
Salt Lake City, Utah 84114-5476
(801) 535-7600



CITY COUNCIL MEETING AGENDA ADDENDUM (Revised)

Tuesday, August 9, 2011

3:30 p.m. Work Session or immediately following the 2:00 p.m. Redevelopment Agency Meeting (*the public is invited to listen to the discussion*)

7:00 p.m. Formal Meeting (*public comment section is included*)

* Due to the volume of items on the agenda, the items that are crossed out will be scheduled for discussion at a later meeting.

A. **WORK SESSION: Approximately 3:30 p.m. in Room 326**, City & County Building, 451 South State St.

(Agenda items scheduled during the Council's formal meeting may be discussed during the work session. Items from the following list that Council is unable to complete in the work session from approximately 3:30 p.m. – 6:30 p.m. may be addressed in a work session setting following the consent agenda.)

1. **(TENTATIVE)** The Council will consider a motion to enter into Closed Session, in keeping with Utah Code § 52-4-204, for any of the following purposes:
 - a) A strategy session to discuss collective bargaining, pursuant to Utah Code § 52-4-205 (1)(b);
 - b) A strategy session to discuss the purchase, exchange, or lease of real property (including any form of water right or water shares) when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the City from completing the transaction on the best possible terms, pursuant to Utah Code § 52-4-205(1)(d);
 - c) A strategy session to discuss pending or reasonably imminent litigation, pursuant to Utah Code § 52-4-205(1)(c);
 - d) A strategy session to discuss the sale of real property (including any form of water right or water shares) if (1) public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the City from completing the transaction on the best possible terms, (2) the City previously gave notice that the property would be offered for sale, and (3) the terms of the sale are publicly disclosed before the City approves the sale;
 - e) For attorney-client matters that are privileged, pursuant to Utah Code § 78B-1-137; and
 - f) A strategy session to discuss deployment of security personnel, devices or systems pursuant to Utah Code Section 52-4-205(1)(f).
2. Report of the Executive Director, including a review of Council information items and announcements. [ATTACHMENTS](#)

CONTINUED ON NEXT PAGE

3. The Council will receive a briefing regarding a resolution authorizing the issuance and sale of not more than \$5,500,000 Facility Revenue Bonds, Series 2011 (Cookietree, Inc. Project). Pursuant to the Resolution, the City will lend the proceeds of the Bonds to Cookietree, Inc. (the "Owner") for the purpose of financing the costs of the acquisition, construction, improvement, equipping and furnishing of an approximately 95,000 square-foot manufacturing facility to be located at approximately 4010 West Advantage Circle, Salt Lake City, Utah, to be owned and used by the Owner as a manufacturing facility for the production of baked goods. (Item G1) [ATTACHMENTS](#)
4. The Council will receive a briefing regarding a request to rezone property located between 519 and 575 North 300 West from Residential Mixed Use (R-MU) to Commercial Business (CB). This action would allow office uses and a coffee shop with a drive-thru window to be located in the existing building. The uses are not permitted in the Residential Mixed Use zoning district. Related provisions of Title 21A – Zoning may also be amended as part of this petition. (Petitioner – Howa Capital, LLC, Petition PLNPCM2011-000096) (Marmalade West) [ATTACHMENTS](#)
5. The Council will receive a briefing regarding proposed changes to the City's zoning regulations for wireless telecommunications antennas, facilities and equipment. Changes include - encourage co-location, clarify screening requirements, include stealth antennas as permitted use and provide a definition, clarify electrical equipment location, refine area limits for wall/roof mounted antennas, remove conditional use requirement for certain antennas, eliminate performance bond requirement for abandoned facilities and remove utility pole height restriction. Related provisions of Title 21A – Zoning may also be amended as part of this petition. (Petitioner - Mayor Ralph Becker, Petition PLNPCM2010-0045) [ATTACHMENTS](#)
6. ~~The Council will receive a briefing regarding a resolution adopting the Restoration, Use and Management Plan for Wasatch Hollow Open Space. The goal of the plan is to protect native vegetation, water quality, and aquatic and terrestrial wildlife habitat of Emigration Creek while providing appropriate access and educational opportunities for the public.~~ [ATTACHMENTS](#)
7. The Council will receive a briefing regarding an Interlocal Agreement with Salt Lake County for a Convention Hotel Consultant to develop a Request for Proposal for a Convention Center Hotel in downtown Salt Lake City. [ATTACHMENTS](#)
8. The Council will discuss a potential redistricting map proposal that could be submitted to the State of Utah Redistricting Committee as the official recommendation from the Salt Lake City Council. At a recent public meeting, the State Redistricting Committee invited the Salt Lake City Council, along with the public, to submit map proposals for the Committee's consideration. U.S. Congressional and Utah House, Senate, and State Board of Education redistricting plans submitted are expected to be reviewed by the State's Redistricting Committee on August 19th. [ATTACHMENTS](#)
9. ~~The Council will receive a follow up briefing regarding the Mayor's recommended budget relating to the Capital Improvement Program (CIP) for Fiscal Year 2011-2012. Capital improvements involve the construction, purchase or renovation of buildings, parks, streets or other physical structures. Generally, projects have a useful life of five or more years and cost \$50,000 or more.~~ [ATTACHMENTS](#)

10. ~~(TIME APPROXIMATE 6:10 P.M.)~~ The Council will interview Stephanie Jensen prior to her appointment to the Housing Trust Fund Board. (Item H4) [ATTACHMENTS](#)
11. ~~(TIME APPROXIMATE 6:20 P.M.)~~ The Council will interview Casey O'Brien McDonough prior to his appointment to the Business Advisory Board. (Item H5) [ATTACHMENTS](#)

FORMAL MEETING

- B. **OPENING CEREMONY: 7:00 p.m. in Room 315, City & County Building, 451 South State St.**
Council Chair Jill Love will conduct the Formal Council Meeting.

1. Pledge of Allegiance.
2. The Council will approve the meeting minutes of July 19, 2011. [ATTACHMENTS](#)

C. **PUBLIC HEARINGS:**

1. Ordinances: Truth-in-Taxation Hearing to adopt and ratify the rate of tax levy, for all City funds including the Library Fund, upon all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2011-2012

Accept public comment and consider one or more ordinances adopting and ratifying the rate of tax levy, for all City funds including the Library Fund, greater than the Certified Tax Rate, upon all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2011-12. (Included are two one-time, one-year property tax increases that will not be reflected on bills for tax year 2012, and a separate proposal to enact a property tax increase to fund the construction of the new Marmalade Library Branch.) (See Items D1 – D4) [ATTACHMENTS](#)
(H 11-3)

Staff recommendation: Close and consider options.

2. Ordinance: Accessory Structure Rear Yard Setback Zoning Regulations

Accept public comment and consider adopting an ordinance amending the City's zoning regulations to remove the maximum 5 ft. rear yard setback requirement for accessory structures in Residential zoning districts. - Salt Lake City Code, Title 21A Zoning, Section 21A.40.050.A - Location Of Accessory Buildings In Required Yards - (Currently 'accessory structures' like garages, gazebos and covered patios must be placed within 5 feet of the rear property line. The ordinance change would allow these structures to be placed in other areas of the lots. For example, a gazebo or covered patio could be placed in the center of a backyard under the new ordinance.) Related provisions of Title 21A – Zoning may also be amended as part of this petition. (Petitioner - Mayor Ralph Becker, Petition PLNPCM2010-000782) [ATTACHMENTS](#)
(O 11-17)

Staff Recommendation: Close and consider options.

D. POTENTIAL ACTION ITEMS:

1. Ordinance: Adopt the final rate of tax levy to be credited to the Library Fund for Fiscal Year 2011-2012

Consider an ordinance adopting the final rate of tax levy to be credited to the Library Fund for Fiscal Year 2011-2012. [ATTACHMENTS](#)

(B 11-2)

Staff recommendation:

Consider options.

2. Ordinance: Adopt the final rate of tax levy, including the Library Fund, upon all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2011-2012

Consider an ordinance adopting the final rate of tax levy, including the levy for the Library Fund, upon all real and personal property within Salt Lake City, made taxable by law for Fiscal Year 2011-2012. [ATTACHMENTS](#)

(B 11-1)

Staff recommendation:

Consider options.

3. Ordinance: Adopt the final budget for the Library Fund of Salt Lake City for Fiscal Year 2011- 2012

Consider an ordinance adopting the final budget for the Library Fund of Salt Lake City, Utah for Fiscal Year 2011-2012. [ATTACHMENTS](#)

(B 11-2)

Staff recommendation:

Consider options.

4. Ordinance: Adopt the final City budget, excluding the budget for the Library Fund, and the employment staffing document of Salt Lake City for Fiscal Year 2011-2012

Consider an ordinance adopting the final City budget, excluding the budget for the Library Fund which is separately adopted, and the employment staffing document of Salt Lake City, Utah for Fiscal Year 2011-2012. [ATTACHMENTS](#)

(B 11-1)

Staff recommendation:

Consider options.

E. COMMENTS:

1. Questions to the Mayor from the City Council.

2. Comments to the City Council. (Comments are taken on any item not scheduled for a public hearing, as well as on any other City business. Comments are limited to two minutes.)

F. NEW BUSINESS:

(None)

G. UNFINISHED BUSINESS:

1. Approve and Set Date: Resolution: Facility Revenue Bonds, Series 2011 (Cookietree, Inc. Project)

Consider adopting a resolution (a) authorizing the issuance and sale of not more than \$5,500,000 aggregate principal amount of Facility Revenue Bonds, Series 2011 (Cookietree, Inc. Project) to finance the costs of the acquisition, construction and improvement of facilities for Cookietree, Inc.; (b) providing for the holding of a public hearing to accept public comment on the issuance of such bonds and the location and nature of the project; (c) providing for the publication of a Notice of Bonds to be Issued and a Notice of Public Hearing; (d) providing for the running of a contest period; and (e) providing for related matters. [ATTACHMENTS](#)
(Q 11-4)

Staff recommendation: Adopt inducement resolution and
set the public hearing date of
September 6, 2011 at 7:00 p.m.

H. CONSENT:

1. Set Date: Ordinance: East Bench Community Master Plan Amendment and Zoning Map Amendment (Walmart).

Set the date of Tuesday, August 23, 2011 at 7:00 p.m. to accept public comment and consider adopting an ordinance to rezone property located at 2705 East Parleys Way from Community Business (CB) to Community Shopping (CS) and change the East Bench Community Master Plan Future Land Use Map to be consistent with the proposed rezoning. This action would facilitate demolition of the existing structure on the property (a former Kmart store) and construction of a new Walmart Supercenter. Related provisions of Title 21A – Zoning may also be amended as part of this petition. Petitioner - Ballard Spahr LLP representing Walmart Stores, Inc. (Petitions PLNPCM 2010-00556 & PLNPCM 2010-00557)
(P 11-8)

Staff Recommendation: Approve.

2. Confirm Date: Ordinance: Rezoning property located between 519 and 575 North 300 West from Residential Mixed Use (R-MU) to Commercial Business (CB)

Confirm the date of Tuesday, August 23, 2011 at 7:00 p.m. to accept public comment and consider adopting a request to rezone property located between 519 and 575 North 300 West from Residential Mixed Use (R-MU) to Commercial Business (CB). This action would allow office uses and a coffee shop with a drive-thru window to be located in the existing building. These uses are not permitted in the Residential Mixed Use zoning district. Related provisions of Title 21A – Zoning may also be amended as part of this petition. (Petitioner – Howa Capital, LLC, Petition PLNPCM2011-000096) (Marmalade West)
(P 11-9)

Staff Recommendation: Approve.

3. Resolution: Grant Application, Utah Quality Growth Commission

Adopt a resolution authorizing Salt Lake City to apply for a Grant Award from the Utah Quality Growth Commission LeRay McAllister Critical Lands Conservation Fund 2011.

This resolution supports the application for the City to receive LeRay McAllister Critical Lands Conservation Funds for the purpose of designing the Wasatch Hollow Open Space Restoration Program. The Parks and Public Lands Program is seeking a grant from the LeRay McAllister Critical Lands Conservation Fund to leverage an equal amount of City Funding needed to design construction documents for riparian restoration work within the Wasatch Hollow Open Space area. [ATTACHMENTS](#)

(R 11-10)

Staff Recommendation: Adopt.

4. ~~Board Appointment: Stephanie Jensen, Housing Trust Fund Advisory Board.~~

~~Consider approving the appointment of Stephanie Jensen to the Housing Trust Fund Advisory Board for a term extending through December 30, 2012.~~

~~(I 11-5)~~

~~Staff Recommendation: Approve.~~

5. ~~Board Appointment: Casey O'Brien McDonough, Business Advisory Board~~

~~Consider approving the appointment of Casey O'Brien McDonough to the Business Advisory Board for a term extending through December 29, 2014.~~

~~(I 11-13)~~

~~Staff Recommendation: Approve.~~

6. Board Reappointment: Polly Hart, Historic Landmark Commission

Consider approving the reappointment of Polly Hart to the Historic Landmark Commission for a term extending through July 14, 2014.

(I 11-8)

Staff Recommendation: Approve.

7. Board Reappointment: Earle Bevins III, Historic Landmark Commission

Consider approving the reappointment of Earle Bevins III to the Historic Landmark Commission for a term extending through July 14, 2014.

(I 11-8)

Staff Recommendation: Approve.

I. ADJOURNMENT:

Dated: August 4, 2011

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On or before 5:00 p.m. on August 4, 2011, I also personally (1) posted a copy of the foregoing on the Utah Public Notice Website created under Utah Code Section 63F-1-701, and (2) provided a copy of the foregoing to The Salt Lake Tribune or the Deseret News and to a local media correspondent.

City Recorder

Subscribed and sworn to before me this 4th day of August, 2011.

Notary Public residing in the State of Utah

Approval:

Senior Policy Analyst

Access agendas at <http://www.slccouncil.com/agendas/default.htm>. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance of council meetings. We make every effort to honor these requests, and they should be made as early as possible. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City and County Building is an accessible facility. For questions or additional information, please contact the City Council Office at 535-7600, or TDD 535-6021. Assistive listening devices are available on Channel I; upon four hours advance notice. Please allow 72 hours advance notice for sign language interpreters; large type and #2 Braille agendas. ***Final action may be taken and/or adopted concerning any item on this agenda.** After 5:00 p.m., please enter the City & County Building through the east entrance. Accessible route is located on the east side of the building. In accordance with State Statute, City Ordinance and Council Policy, one or more Council Members may be connected via speakerphone.