

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

August 1, 2023

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Tamara Zander, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Fire Chief Chris Dawson, Director of Administrative Services Melinda Seager, Director of Public Works Raymond Garrison, Director of Recreation Janell Payne, CFO Sunil Naidu, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Police Lieutenant Rob Hansen, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior Systems Administrator Phill Brown, IT Director Jon Day, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Planning Commissioner Laurel Bevans

Absent:

Others: Ryan Leavitt, Doug Young, Cory Shupe, Kezia Wilson

4:31 P.M.
STUDY MEETING

A. Council Networking

B. Welcome, Roll Call, and Introduction: *By Mayor Dawn R. Ramsey*

Mayor Ramsey welcomed everyone present and introduced the meeting.

C. Invocation: *By Mayor Dawn Ramsey*

Mayor Ramsey offered the invocation.

Council Member Zander motioned to amend the agenda to add Ryan Leavitt's presentation to the beginning of this meeting, as well as an Executive Closed Session under Item H and a Redevelopment Agency Closed Session as Item I. Council Member Marlor seconded the motion; vote was unanimous in favor.

D. Presentation by Ryan Leavitt

Ryan Leavitt reported on the Federal engagement that the city has been doing in Washington, D.C. For about a year, the city has been investing in federal affairs consulting services, and he is here to report what they have been doing and update everyone on the projects. The city's federal advocacy has been focused on water infrastructure this year, and they have been working on

getting two buckets of federal dollars on behalf of the city. The first is through a discretionary grant program through the Bureau of Reclamation's Water Smart Grant Program. This is focused on getting federal investment for the Pure SoJo Project for engineering, design and preconstruction activities for that project. In that program there is funding for planning activities associated with water purification and other consultants, and the city has to put forward a grant application for that project. He was pleased to get the support of the congressional delegation for the application to the federal agency. When working with discretionary grant programs, you have to demonstrate support, including political and local support. The way these programs work is that they are somewhat subjective on who is awarded the grant, and they can be political, so getting the support of our congressional delegation is a huge function of that. There were visits from Senator Romney to the project, Congressman Burgess Owens and his staff, and with those visits they were asked to provide letters of support in addition to outreach to the federal agency via their senior staff. He has been told that grant awards are going to be made in the next few weeks for that Water Smart Program, so he is hopeful the city will receive a grant. Often it can take one or two cycles to get those funds due to the volume of applications and the limited amount of funding available. If the city is unsuccessful in this round, typically he would request a briefing from the federal agency to give him some feedback on the application and ways it can be improved, so if the city does apply for the program again they will be more successful.

City Attorney Ryan Loose noted that the pilot project is already up and going, this would be to expand the pilot project, with the end goal being to take most or all of the water South Jordan puts into the system into the South Valley Sewer System and reclaim what they can from that.

Mr. Leavitt noted that the other piece is the work on getting some federal funding and participation in the tank construction project. The route he has chosen to pursue with the city is a direct appropriation from Congress, otherwise known as an "earmark." It is a process that is newly reinstated in the Congress, and he worked with Congressman Burgess Owens' office to submit a Congressional Directed Spending or Community Project Funding Request. The process on earmarks has changed and they have been significantly limited to only publicly facing entities, and include a lot of scrutiny in terms of ensuring staff, members, etc., will not be benefitting financially from these kinds of opportunities. He did emphasize that the process is robust, fair, and not something that should be a dirty word. It is a really great way for members of Congress to select projects within their district that will have a massive or major impact regionally on their constituents. He was pleased that Congressman Owens came to tour the project site. Congressman Owens is able to submit 15 projects for funding every cycle and he submitted South Jordan's Project as his number one request; that is significant in many ways. What they are experiencing in Washington right now with spending is a lot of downward pressure on spending, with significant pressure to reduce deficit spending, decrease the amount of federal dollars being spent. Getting any congressional spending in this environment is difficult, so this project being ranked as the number one priority he believes is the reason why South Jordan is slated to receive money. The process started late last fall with Congressman Owens coming to tour the project, then having visits from the mayor and previous City Manager Gary Whatcott where they talked with the congressional offices about it. Later in the Spring, during the National League of Cities Conference, a contingent from the city came out and talked with those offices again to do some advocacy for the funding requests; both the grant request and

the Congressional Directed Spending Request. As the summer has led on, he has seen the appropriations committees releasing their spending bills and he was able to get a sense of what projects were included and which were not with the House Interior EPA Appropriations Committee; the bill that provides funding for the Bureau of Reclamation Projects. The city is seeking what is called a STAG or a Stated Tribal Assistance Grant for this particular tank project, and it was included in the House Bill at \$1.75 million for the City of South Jordan. It's less than what was asked for, which was closer to \$3 - \$4 million dollars.

Attorney Loose added there was a maximum amount you could ask for, and the city asked for near that, knowing that most likely it would be closer to \$2 million.

Mr. Leavitt noted that in this environment it is hard to find the money for these kinds of projects. The House and Senate have both proposed competing spending bills, with the big challenge being that the House and Senate are very far apart on their spending levels with the House being controlled by Republicans and the Senate by Democrats. This will be a compromise between the chambers and the White House. The end of the fiscal year is the end of September and Congress is now on a six week break, after which they will return to Washington. Once they return, they will be coming back to a very busy September with the spending bill not being the only priority needing to be addressed. He discussed the history of what usually happens at this time of year and how it can be handled, along with what has happened politically up to this point this year. South Jordan's money is going to get caught up in that fight, and he anticipates that ultimately there will be an agreement, but there might be some issues before getting to that point. The fight will either be pushed to the end of the year, or they will fight it out now and reach a deal that passes the spending bill. Getting into the bill is usually the biggest hurdle, and we've already done that, so now it's just a matter of getting the agreement where these types of spending requests are usually honored because they are member priorities.

Attorney Loose noted that contingencies have already been planned and from the project side the city is still able to move forward.

City Engineer Brad Klavano confirmed Attorney Loose's statement and added that the property was just acquired yesterday.

Mr. Leavitt knows and understands that the city is investing taxpayer money to do federal affairs work, engaging on the federal level to try and get federal investment in these critical infrastructure projects. The taxpayers of South Jordan pay federal taxes, just like everyone else, sending their money to Washington, and it's a best practice as a city to try to bring as much of that taxpayer money back to be used in the city. These are critical infrastructure projects for not only the residents now, but for the future growth of the city, and these projects are well supported by the city's congressional delegation. He commended the city for doing their outreach, following best practices in terms of advocacy, and his hope is that the funding will come through in the next couple of months. Congress has spent historic levels of infrastructure investment across the country, and he is pleased that Utah is doing a really good job trying to take full advantage of all these federal opportunities. The money will be spent somewhere, and if it's not spent in Utah it will be spent somewhere else. He thanked the council and mayor for their

time spent doing this advocacy, traveling to Washington, and hosting local congressional members in the city to see the projects. Those things really matter when it comes time to make these kinds of requests.

Council Member Harris asked if Congress is spending more funds on infrastructure this year than previous years.

Mr. Leavitt responded that the infrastructure bill authorized certain spending levels for the next five years, and he believes we are two years into that cycle. It includes water, transportation, broadband; basically all facets of infrastructure.

Council Member Zander asked to confirm that we are in the bill being forwarded by the House to the Senate, and if that means it is more supported by the Republican base than the Democrat base.

Mr. Leavitt responded that the reason this is in the House bill and not the Senate bill is because our senators do not participate in these congressionally directed spending requests; that is actually prohibited under the Republican Senate Caucus rules.

Mayor Ramsey wanted it known that those senators did support this, and that made a huge difference. Being listed as Congressman Owens' number one priority cannot be overstated, as that mattered so much. However, the quality of the application and letters of support from every member of our delegation in the State of Utah was a big part of Congressman Owens was able to voice his support as strongly as he did.

Mr. Leavitt added that these offices get upwards of 60-70 of these types of requests, and they are only able to submit 15 of them. Of those 15 submitted, they then have to prioritize to the committee which are their top priorities since they don't get all 15.

Council Member Zander preferred not to sound biased, but when discussing infrastructure, some states just don't plan ahead which creates infrastructure problems with regards to their roads. Utah has been better at planning ahead, and this SoJo Pure project is a proactive measure, rather than reactive. She then asked if that causes the project to be pushed down lower, since it's not an emergency, or do they reward those who are being proactive.

Mr. Leavitt responded that the federal government wants to incentivize forward looking projects. The account this grant is being sought from is meant to be for the planning of future projects. The plan is for the city to use this money for a feasibility study, which carries significant costs. The federal government also likes to invest in technology that's innovative, they want their money invested into projects that can be proven out and duplicated elsewhere; which is another reason why this is a very attractive project.

Council Member Zander was pleased to hear that this application will be seen and categorized differently than requests for reactive projects.

Council Member Marlor asked if there are other county or state funds the city can match up with, now that we have shown this is an important topic.

Attorney Loose responded that they are working on those angles at the state level. The city was awarded a grant for Pure SoJo last year of \$1 million, and they are continuing to look at other opportunities for funds at those levels.

Council Member Shelton noted that letters of support from our delegation were mentioned, and asked if those were from the congressional delegation specifically.

Mayor Ramsey responded yes, they were from both senators and all four congressmen. The Senators can't submit letters of support, but they can express them. In fact, Senator Lee doesn't write letters of support like that for spending projects like this, but we got the closest thing to a version of that he has ever written, in support of this project. She is confident this will go through, especially since it's in the bill, which was the biggest hurdle. This is the first time, to her knowledge, that South Jordan has had a direct appropriation from Congress for a project that has not gone through the state or someone else in order to benefit us.

Mr. Leavitt noted that if congress appropriates this money, and he anticipates they will, afterwards the city will then execute a grant agreement directly with the federal agency; that process takes some time. The city would have a fully funded grant agreement with the EPA before they would disperse those funds directly to the city. There will be some work needed from the city to get the check written, but the congress will have directed the EPA to give the money to the city at that point.

Mayor Ramsey noted that we are very well represented, with the right person helping navigate this. Mr. Leavitt is incredibly respected back in Washington, and has strong relationships that are greatly appreciated by every member of our delegation who knows him. They have all worked with him, trust him, as well as knowing and liking our city; they are well aware of what this city is doing, even if they are not our representatives. City staff put together excellent applications, even the congressional staff members expressed their thanks for the ease of submission due to that work. She thanked Mr. Leavitt for his help in navigating this and coming to share this update.

Mr. Leavitt stated it is a true honor to represent South Jordan, it is a premier community in the state and a very important part of this valley and where all the growth is. The congressional delegation recognizes its importance to the state. He thanked the city for all they are doing, and for their trust in him and his staff.

E. Mayor and Council Coordination

Nothing at this time.

F. Discussion/Review of Regular Council Meeting

Presentation Item

- Presentation by Ryan Leavitt (removed from council meeting agenda and added to this meeting by amendment).

Action Item

- **Resolution R2023-38**, Providing Notice of a pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050

Public Hearing Item

- **Resolution RDA 2023-05**, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement

G. Discussion Item

F.1. Project Discussion *(By Director of Planning Steven Schaefermeyer and Doug Young)*

Director Schaefermeyer gave a brief background of this project. The city has an application for a PD floating zone on this project, submitted about a year ago with multiple iterations since that time. The city received an update this morning, and the applicant will be sharing that tonight. Specific direction from the council will be very helpful for both staff and the applicant for the future. They are still at a conceptual phase, as there have been a lot of moving parts with the realignment of U-111, but this feedback will be critical.

Doug Young shared that they have had success in remediating the property, being approved by the EPA and the state; what they did to remediate that property has never been done before in the US. The last remediation item left is part of the EPA process, involving planting the area this fall and sheep will be up there to take a harvest off the property. They will be planting wheat, which needs to be about 180 bushels, and it will be planted this fall around mid-September. They will be buying sheep from the kids next week at the equestrian center, which was also done last year and was very successful. There were 300 kids participating and they raised over \$300,000 with 45% of the meat going to the homeless shelter; it is an incredible program. They are gentle sheep that can be herded by people, so it's easy for everyone involved. Mr. Young began reviewing his prepared presentation (Attachment A), explaining their basic plans for the property, including the changes made over time. He shared a video from Attachment A of the area and how things will be divided including roads, zones, etc.

Council Member Zander asked who owns the land south of Olympia.

Mr. Young responded it's owned by Herriman. He continued reviewing Attachment A, noting that they have been able to get close to \$80 million to realign U-111 in the area. He discussed the housing options including some cottage and craftsmen style homes that will flow with and

connect to Daybreak. He discussed Butterfield Canyon and their attempts to tie that into the surrounding areas, showing a related video Attachment A.

The council and staff agreed to continue the public discussion of this property during the regular council meeting tonight.

Council Member Shelton motioned to recess the City Council Study Meeting and move to Executive Closed Session. Council Member Zander seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

H. Executive Closed Sessions

H.1. Discussion of the purchase, exchange, or lease of real property.

H.2. Discussion of the purchase, exchange, or lease of real property.

Council Member Zander motioned to adjourn the Executive Closed Session and return to the City Council Study Meeting. Council Member Marlor seconded the motion; vote was unanimous in favor.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

Council Member Zander motioned to recess the City Council Study Session and move to a Redevelopment Agency Meeting. Council Member Harris seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

Council Member Zander motioned to recess the Redevelopment Agency Meeting and move to a Redevelopment Agency Executive Closed Session. Council Member Marlor seconded the motion; vote was unanimous in favor.

RECESS REDEVELOPMENT AGENCY MEETING AND MOVE TO REDEVELOPMENT AGENCY EXECUTIVE CLOSED SESSION

I. Redevelopment Agency Executive Closed Session

H.2. Discussion of the purchase, exchange or lease of real property.

Council Member Zander motioned to adjourn the Redevelopment Agency Executive Closed Session and return to the Redevelopment Agency Meeting. Council Member Shelton seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY EXECUTIVE CLOSED SESSION AND RETURN TO REDEVELOPMENT AGENCY MEETING.

Council Member Shelton motioned to adjourn the Redevelopment Agency Closed Meeting and return to the City Council Study Session. Council Member Marlor seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL STUDY MEETING

ADJOURNMENT

Council Member Marlor motioned to adjourn the August 1, 2023 City Council Study Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

The August 1, 2023 City Council Study meeting adjourned at 6:51 p.m.