

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

November 20, 2018

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Don Shelton, Council Member Tamara Zander, CM Gary Whatcott, City Attorney Ryan Loose, ACM Dustin Lewis, IT Director Jon Day, Public Works Director Jason Rasmussen, Finance Director Sunil Naidu, AD Intergovernmental Affairs Melinda Seager, Planning Director Steve Schaefermeyer, Police Chief Carr, Communications Director Rachel Van Cleave, Administrative Services Director Spencer Kyle, Strategic Services Director Don Tingey, Deputy Fire Chief Chris Dawson, Deputy City Engineer Jeremy Nielson, City Commerce Director Brian Preece, City Council Secretary MaryAnn Dean

Other: Julie Holbrook

SPECIAL STUDY MEETING

A. Welcome and Roll Call – *Mayor Dawn Ramsey*

Mayor Ramsey welcomed everyone present. She excused Council Member Zander who will be arriving shortly.

CM Whatcott offered the invocation.

Council Member Zander arrived at this time.

City Attorney Loose recommended they move item B to later in the meeting when the applicants arrive. He would like to have Ms. Seager present an issue regarding the Federal Low Income Housing Tax Credit, then he will conduct some open meetings act training, and later will review the Glenmoor issue on tonight's agenda.

Council Member Marlor made a motion to amend the agenda, as noted by City Attorney Loose. Council Member Shelton seconded the motion. The vote was unanimous in favor.

B. Discussion Item: 40 Acres South of the South Jordan Salt Lake Community College.
(By Dan McCay)

This item was discussed later in the meeting.

AD Intergovernmental Affairs Melinda Seager presented an issue to the City Council regarding the Federal Low Income Housing Tax Credit (LIHTC) (Attachment A). Staff is asking the City's position on the issue. The request is for the City to sign the letter of support issued by Utah League of Cities and Towns (ULCT,) or write its own letter supporting the legislation to adjust

the LIHTC. The letter is to urge Senator Hatch to advance legislation for a senate vote to adjust the LIHTC. They would like it done before Senator Hatch leaves office. She noted that Salt Lake City is writing their own letter of support.

Staff agreed to send an outline of the issue with bullet points for the City Council to study further. Ms. Seager said she believes the letter from ULCT will be similar to the one provided to the City Council tonight from Senator Anderegg's office.

Mayor Ramsey said the City Council would wait until the city received the letter from the ULCT.

C. Staff Item: Open Meetings Training. (By City Attorney, Ryan Loose)

City Attorney Loose provided the City Council with training on the Open Meetings Act. He reviewed reasons for the open meetings act, and encouraged the City Council to review the Open Meetings Act. He noted that he is available for questions as well. He noted that electronic conversations are subject to GRAMMA, unless it is protected information. They cannot take a vote on an issue unless they are in a public meeting. He reviewed emergency meetings. He reviewed both the audio record and written record of the meetings. Some closed meeting minutes can become public at some point. In South Jordan, the written minutes are the official record, not the recording. He discussed verbal communication between City Council members and the public. He indicated that they can listen and hear evidence, but urged them to be careful about what they say about an application until they hear the issue in an open meeting.

City Attorney Loose said staff will be bringing a proposal forward to bring conditional use approvals to the hearing officer. He said as an appeal body, they have a narrow scope. The City Council looks at things legislatively. Currently, the hearing officer is Craig Hall. Staff will be bringing that item to the City Council on December 4th.

It was noted that text messages fall under GRAMMA. That is the same for email or other apps. As a group conversation, they can ask for information and updates, but they cannot make decisions. They discussed the retention schedule for text messages.

Council Member Zander asked if it is wiser to carry 2 phones? City Attorney Loose said they should do what works best for them.

Planning Commissioner Holbrook said she has been getting emails on an upcoming conditional use permit application. Is that all part of the record? City Attorney Loose said it is a public record, but if they want it included in their upcoming meeting record, it needs to be brought forward to the meeting.

Rachel Van Cleave, new Communications Director for the city, was introduced.

The City Council took a brief dinner break.

B. Discussion Item: 40 Acres South of the South Jordan Salt Lake Community College. (By Dan McCay)

Brett Lovell, said he and Dan McCay are buying 40 acres south of the Salt Lake Community College campus for a development. He said his daughter attends Elk Meadows Elementary in the area. They were concerned about the traffic that could be generated by a development in the area (he noted there is an additional 15 acres that can be developed in West Jordan). All of that traffic will feed onto 3400 West. They are proposing a single level senior housing development, attached units, with no basements. They plan to work with Leisure Villas. There will be a club house, and possibly a pool for the residents. He said for a regular detached neighborhood, the number of trips per day is 8.5. With a senior product, it is 2 trips per day, and typically at off peak times. They will also be having a neighborhood meeting before they bring this issue to the City Council. He noted that if they bring in Leisure Villas, they will landscape the area. The proposed density is 4 units per acre. He said Salt Lake Community College was going to expand their campus. Their plans have changed. They feel it is a better option to have senior living rather than Salt Lake Community College, especially with the location of Elk Meadows Elementary School.

Mr. Lovell said Salt Lake Community College has not said that they will do this, but there is the potential of them doing student housing, which could be apartments. He said SLCC is currently at capacity for their single access at 9000 South.

Mr. Lovell noted the existing Bio Tech Company in West Jordan near this area. That company is expanding.

Council Member Zander said this cuts off the opportunity for SLCC to expand. CM Whatcott said SLCC is getting out of this lease. They plan to use their Riverton site for their JATC programs. There is also plans for a satellite campus in Herriman.

It was noted that there is a traditional neighborhood south and east of this property. Mr. Lovell reiterated that they feel a traditional neighborhood would generate more traffic. Their plan is for the project to be deed restricted with an age restriction.

Mr. McKay arrived at this point in the meeting. He said the plan is to have nothing smaller than 1500 sq. ft. There is a demand for bigger size homes. They want room to entertain their families, but have no basement.

Deputy City Engineer Nielson noted the 50 inch storm drain line on this property. Mr. Lovell acknowledged that there are utility issues in the area. There are easements on the property that they are also aware of.

It was noted that the proposed units would be attached, mansion style homes like in Daybreak. The plan is to have a PUD, which will be done through a development agreement. It was noted that the city does not want private roads in the development. City Attorney Loose said it has to be the same road standard, whether public or private. It was further noted that with the proposed development, they would have to do an RM zone with an overlay.

Council Member Shelton said they would have to see if the surrounding residents get on board with the higher density proposal. They will need proof with their traffic studies. Mr. McKay said they will also address the effect on schools in the area. And point out that traffic travel times are non peak times.

Mr. Lovell and Mr. McKay indicated that they would forward a copy of their concept plan to the City Council.

Planning Director Schaefermeyer indicated that a pd overlay would require a City Council study session.

ADDITIONAL STAFF ITEM

City Attorney Loose reviewed the Glenmoor Golf Course issue that is on tonight's agenda. He reviewed the proposed zoning changes. He also reviewed the development agreements. They found a way to decrease the pd overlay zone to 8.5 acres, but still with 72 lots. The minimum lot size will be 3500 sq. ft. and the minimum yard setback is 10 ft. They anticipate the development would be similar to the Arbors, directly east of City Hall. He said this will end the due diligence period. They are buying all of the property, except the cell phone tower.

City Attorney Loose said the second part of the agreement, in the penalty section, is the guarantee that if the city doesn't buy it, they can get a court to make us buy it. The legal risk is not great because that is their intent.

The closed meeting regarding real estate on tonight's agenda was noted. Mr. Loose said they will discuss the next steps for Plan A, as well as other issues in that meeting. He said they hope to bring Plan A to the City Council meeting December 4th.

Mayor Ramsey emphasized that they do not believe they will have to do Plan B for Glenmoor Golf Course.

ADJOURNMENT

Council Member Shelton made a motion to adjourn. Council Member Zander seconded the motion. The vote was unanimous in favor.

The November 20, 2018 City Council study meeting adjourned at 6:12 p.m.

This is a true and correct copy of the November 20, 2018 City Council Meeting Minutes, which were approved on December 4, 2018.


South Jordan City Recorder

Memo

TO: Ryan Loose, City Attorney

DATE: 11/20/2018

CC:

FROM: Melinda Seager, AD Intergovernmental Affairs

SUBJECT: Letter urging Senator Hatch to advance legislation for senate vote to adjust the Federal Low Income Housing Tax Credit (LIHTC)

Senator Jacob Anderegg (R-Lehi) and Representatives Val Potter (R-North Logan) and Joel Briscoe (D-SLC) are co-chairs of Utah's Commission on Housing Affordability. They have sent a letter of support urging Senator Hatch to support the Affordable Housing Credit Improvement Act of 2017 (S.548) in order to adjust the Federal Low Income Housing Tax Credit (LIHTC).

[Additionally, the large non-profit organization Utah Housing Coalition is sending a similar letter of support on behalf of its stakeholders.]

Our lobbyists informed me that the Utah League of Cities and Towns (ULCT) is likely to sign the letter in support of the Commission of Housing Affordability on behalf of its membership. The ULCT will send a copy of the letter to its member cities for review. Salt Lake City, however, will be writing and signing its own letter of support.

Our lobbyists indicated this letter of support does not specifically force municipalities to build affordable housing projects but serves to increase the Federal tax credit. The LIHTC encourages the investment of private equity in the development of affordable rental housing allowing private developers, non-profits and local government to address the Utah housing gap issue more proactively to increase the region's supply of quality, affordable rental housing stock. The tax credit is one of the more reliable sources of funding for the development and preservation of affordable housing.

What is South Jordan's position? Does the City wish to advance this legislation and offer its support to urge Senator Hatch to adjust the tax credit?

I recommend the City either sign the letter of support issued by ULCT, or write its own letter supporting the legislation to adjust the LIHTC.



SENATOR
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November 6, 2018

The Honorable Orrin G. Hatch
Utah State Senator
104 Hart Office Building
Washington, DC 20510

Dear Senator Hatch:

As Co-chairs of Utah's Commission on Housing Affordability, we are writing in support of the Affordable Housing Credit Improvement Act of 2017 (S. 548), introduced in March 2017. As a co-sponsor of this bill, you are aware of how critical the expansion and adjustments to the Low Income Housing Tax Credit (LIHTC) are in addressing a growing affordable housing issue nationwide.

Utah is facing a severe affordable rental housing crisis. Recent analysis shows over 40,000 households are spending more than thirty percent of their income on housing costs, leaving little for other necessities like food, medical care, and transportation.

The LIHTC is a proven solution to address this growing problem by increasing our supply of quality, affordable rental housing. In Utah, the LIHTC is responsible for the development or preservation of over 23,000 affordable units. For 30 years, it has been a model public-private partnership program, bringing to bear private sector resources, market forces, and state-level administration in order to give low-income families, seniors, veterans, and people with disabilities access to homes they can afford.

Despite the growing need for affordable housing, Congress has not increased the LIHTC authority in 16 years. Each year, Utah Housing Corporation has to turn down viable and sorely needed developments because the cap on LIHTC authority is too low to support the demand.

As Chair of the Senate Finance Committee, we would encourage you to hold a hearing on this bill without delay and work to advance the bill to the full Senate for a vote. We need the federal government's participation to this expanded problem. Only through our combined efforts can we hope to close the gap on this affordable housing crisis.

Please let me know if there is anything we can do to help support you in your efforts to pass this legislation.

Sincerely,


Senator Jacob Anderegg


Representative Val Potter


Representative Joel Briscoe



Utah Housing Coalition

Promoting Affordable Housing to Ensure Healthy & Stable Communities



November 19, 2018

We, the undersigned organizations, urge you to advance the Affordable Housing Credit Improvement Act 2017 (S. 548), introduced in March 2017 to the Senate Finance Committee for consideration. As community members, service providers, and stakeholders committed to advocating for affordable housing in our communities, we believe that this bill is critical to addressing the current shortage of rental homes.

According to NLIHC's report, *The Gap: Affordable Housing Gap Analysis 2016*, there is a shortage of 7.2 million affordable and available apartments for America's 10.4 million extremely low-income households. These families include seniors, people with disabilities and families with children who struggle to keep a roof over their heads. In Utah, recent analysis shows a 45,000 shortage of rental homes needed for the lowest income earners in our state. Data also shows that over 40,000 households are spending more than thirty percent of their income on housing, leaving little for other necessities.

The LIHTC is a proven solution to address this growing problem by increasing our supply of quality, affordable rental housing stock. In Utah, the LIHTC is responsible for the development or preservation of over 23,000 affordable units. For 30 years, it has been a model public-private program, bringing to bear private sector resources, market forces, and state-level administration in order to give low-income families, seniors, veterans, and people with disabilities access to homes they can afford.

Despite the growing need for affordable housing, Congress has not increased the LIHTC authority in 16 years. Each year the Utah Housing Corporation has to turn down viable and sorely needed development because the cap of LIHTC authority is too low to support the demand. The inability to meet the demand for affordable housing leaves many families in difficult situations, forcing families to choose between paying rent, paying for transportation, buying groceries or seeking medical care and, in the worst cases, become homeless.

As chair of the Senate Finance Committee, we would encourage you to hold a hearing on this bill without delay and work to advance the bill to the full senate for a vote. We have made great strides in Utah to address the affordable housing crisis here, but without the support of this legislation our efforts will continue to fall short. Only through combined efforts can we hope to close the gap on this affordable housing crisis.

We thank you for your years of service, as you finish your time in Congress, we compel you leave a legacy of commitment to addressing the affordable housing crisis.

Tara Rollins
Executive Director

June Hiatt
Director of Policy