

SALT LAKE COUNTY

*2001 South State Street
Salt Lake City, UT 84114
(385) 468-7500 TTY 711*



Meeting Minutes

Tuesday, January 24, 2023

12:00 PM

AMENDED AGENDA

Room N2-800

Council Work Session

1. CALL TO ORDER

Present Council Member Laurie Stringham
Council Member Suzanne Harrison
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Dave Alvord
Council Chair Aimee Winder Newton
Council Member Ann Granato
Council Member Sheldon Stewart
Council Member Dea Theodore

2. CITIZEN PUBLIC INPUT**3. DISCUSSION ITEMS:****3.1 Consideration of Amendments to Salt Lake Countywide Policy No. 1037, Electronic Meetings [22-1305](#)**

Attachments: [Staff Report](#)
[Policy 1037 2023 Revisions Clean.pdf](#)
[Policy 1037 2023 Revisions Redline.pdf](#)

Sponsor: Chair Winder Newton

Presenter: Mitchell Park, Council Legal Counsel (Approx. 5 mins)

Discussion/Direction

Mr. Mitchell Park, Legal Counsel, Council Office, reviewed Policy 1037 on Electronic Meetings stating the amendments modify provisions to comply with 2022 legislation requiring rules for whether or not a County Council Member participating remotely qualified as a member of the Council for calculating whether or not there was a quorum of the Council, and requiring a roll call vote when a vote was not unanimous while one or more members were participating remotely.

A motion was made by Council Member Bradshaw, seconded by Council Member Stewart, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.2 Proposed Hire Report / Incentive Plans, \$3,000 and Under / Weekly Reclassification Report [22-1292](#)

Attachments:

Staff Report

Proposed Hire Report - 1-18-2023.pdf

[Incentive Plans Under \\$3,000 1-24-2023.pdf](#)

Weekly Reclassification Report 1-18-2023

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Less than 5 mins)

Informational

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the new hires, reclassifications, and incentive plans.

3.3 Budget Adjustment: Public Works Requests to Add \$100,000 to their Budget for the Environmental Study of the 8000 W 2700 S Realignment Project. Project Expenses will be Reimbursed by the GSLMSD. [22-1306](#)

Attachments:

Staff Report

27302 - New Funding for EFCMC230001 8000 W 2700 S

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Less than 5 mins)

Discussion/Direction

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

A motion was made by Council Member Stringham, seconded by Council Member Bradley, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.4 Budget Adjustment: The Redevelopment Agency Requests Appropriation Unit Shifts of \$430,000 for the Magna West Main St Tax Increment and \$600,000 for the Magna Main Street Projects to the Correct Account for Land Purchases. [22-1307](#)

Attachments:

Staff Report

27305 - Appropriation Shift for Magna Land Purchases

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Less than 5 mins)

Discussion/Direction

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

A motion was made by Council Member Bradshaw, seconded by Council Member Stringham, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.5 Budget Adjustment: Indigent Legal Services Requests a Technical Adjustment to Move Some of their Operating Budget to the Correct Account. [22-1308](#)

Attachments: [Staff Report](#)
[27317 - ILS Accounts Correction](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Less than 5 mins)
Discussion/Direction

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

A motion was made by Council Member Bradley, seconded by Council Member Bradshaw, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.6 Budget Adjustment: IT Department Requests to Transfer their Centralized Budget for Microsoft Licensing to Individual Agencies. [22-1309](#)

Attachments: [Staff Report](#)
[27307 - Rightsizing MS Licensing](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Less than 5 mins)
Discussion/Direction

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.7 Budget Adjustment: Criminal Justice Advisory Council has [22-1310](#)

Received \$666,666 from the U.S. Department of Justice to Support the Magna Metro Township Safety and Success Project. This Budget Adjustment is to Recognize Grant Funds into CJAC's Budget.

Attachments: [Staff Report](#)
[27304 - USDOJ Magna Community Violence Intervention](#)
[27304 - Community Violence Intervention and Prevention Initiative CVIPI Funded Award2 \(002\) 20230113T064638](#)
[27304 - CVI MAGNA OJP BJA Budget Detail Worksheet Draft 06_15 \(002\) 20230113T064416](#)
[27304 - Grant Acceptance Updated Letter 10-26ac - signed 20230113T064729](#)
[27304 - USDOJ Magna Grant TDC MTDC and IDC Calculations 20230113T064552](#)

Presenter: Katherine Fife, Associate Deputy Mayor (Less than 5 mins)
Discussion/Direction

Ms. Hoa Nguyen, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

Ms. Jean Hill, Director, Criminal Justice Advisory Council, stated the County received a \$2 million grant from the U.S. Department of Justice for Magna Communities that Care Coalition's Magna Metro Township Safety and Success Project. The \$2 million includes \$666,666 for a full-time, time-limited coordinator position to make sure the Criminal Justice Advisory and the Magna Communities that Care Coalition comply with the grant, and for a culturally specific group that the Magna Communities that Care Coalition will determine. Some of the \$2 million will go toward the public health side of the programs since violence is treated as a public health issue. Then, the contract expense will cover professional services of an independent evaluator, which is required, and the Unified Police Department's gang-free coalition services.

A motion was made by Council Member Bradshaw, seconded by Council Member Stringham, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.8 Consideration of a Resolution Approving Execution of an [22-1290](#)

Interlocal Cooperation Agreement Made with Kearns Metro Township for the Transfer of \$60,000 to Salt Lake County for the Design and Construction of a Trail

Attachments: [Staff Report](#)
 [UDOT Grant - Midway Drive and Kearns Metro Township](#)
 [Council resolution Kearns 60k Transfer rev RTFL](#)

Presenter: Martin Jensen, Division Director of Parks & Recreation; Madeline Francisco-Galang, Project Manager (Approx. 5 mins)

Discussion/Direction

Mr. Martin Jensen, Director, Parks and Recreation Division, reviewed the resolution authorizing an interlocal agreement with the Kearns Metro Township for the transfer of \$60,000 to the County for the design and construction of a section of a \$3.4 million trail alongside the Utah and Salt Lake Canal from approximately Midway Drive (4130 West) to 2200 West 6400 South. The trail will be designed in the spring and construction will start in the fall. The trail will be a paved Class 1 pedestrian trail, which means it will have minimal interaction with cars.

A motion was made by Council Member Stringham, seconded by Council Member Alvord, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.9 Consideration of a Resolution of the Salt Lake County Council Correcting a Technical Error in Salt Lake County's Moderate Income Housing Plan [22-1248](#)

Attachments: [Staff Report](#)
[Resolution Technical Error RAFL](#)
[SLCo Unincorporated MIH Plan_TechRevision_Dec6_2022](#)
[Salt Lake County Moderate Income Housing Report Notice](#)
[of Compliance](#)
[MIH Council Staff Report December 2022](#)

Presenter: Kayla Mauldin, Senior Long Range Planner; Zach Shaw, District Attorney (Approx. 5 mins)

Discussion/Direction

Ms. Kayla Mauldin, Long Range Planner, Greater Salt Lake Municipal Services District (MSD), reviewed the resolution correcting a technical error

in the County's Moderate Income Housing Plan, which the Council adopted September 2022. The resolution is in response to HB 462, which required amendments to municipal and county moderate income housing plans. The State said the County's plan was in compliance; however, it wanted an adjustment to one of the County's strategies to achieve priority funding status. In the strategy, the MSD had shortened a paragraph that was in state statute, and the State wanted the full statute in the plan. The State is allowing the County to do that through a resolution instead of going through the whole plan amendment process.

A motion was made by Council Member Bradshaw, seconded by Council Member Harrison, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.10 2023 Legislative Update

[22-1304](#)

Attachments: [Staff Report](#)
[SB 43.pptx](#)
[Council Leg Update 012423.docx](#)

Presenter: Kara Trevino, Council Legislative Director (Approx. 60 mins)
Discussion/Direction

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, provided a worksheet of all the bills to be discussed.

- HB 21 – Open and Public Meetings Act Amendments

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, stated the County took a position to support a similar bill presented last year. The Utah Association of Counties (UAC) opposed the bill last week.

Council Member Bradshaw stated some people thought this was legislative overreach and that the Legislature was micromanaging how counties operated their meetings. He supported the bill. The County has ordinances in place that already comply with this, and he believed transparency was important.

Council Member Stringham stated she supported the bill. The more transparency, the better.

Council Member Granato asked if there was anything in the bill that required a specific amount of time for public comment.

Mr. Mitchell Park, Legal Counsel, Council Office, stated if this passes, it would be prudent for the Council to adopt an ordinance explaining the applicability and define what public comment was reasonable. Once a government introduced public comment and made an expectation about what was reasonable, it could create a limited public forum under the First Amendment, which would then make it difficult to put restrictions on the type of comments. This bill would not require public comment for the Council Work Session, but the Council has allowed it, so it could create a new expectation that all public meetings would require public comment.

Ms. Bridget Romano, Deputy District Attorney, stated this bill would allow someone to comment on anything at any meeting regardless of whether the comment was related to what was being discussed or not. For example, if someone wanted to talk about a politically controversial issue in a Board of Health meeting and the Board did not allow it because it was not something it would consider, the individual could say they had the right to speak and was discriminated against based on comment. That is where the County could run into trouble.

A motion was made by Council Member Stringham, seconded by Council Member Bradshaw, to support HB 21. The motion carried by a unanimous vote.

- SB 43 – Public Notice Requirements

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, stated this bill is moving fast and has passed the Senate. It is a very large bill and there are a lot of concerns with all the requirements, as they may make it difficult to comply.

Mr. Mitchell Park, Legal Counsel, Council Office, delivered a PowerPoint presentation on an overview of SB 43, which creates a new classification system for all types of public notice issued by governments in Utah. The purpose is to provide a common and comprehensive set of requirements. He reviewed the three classes of categories of notices that the bill creates - Classes A, B, C, and what notices were required with each class, which included what is currently required as well as additional notice requirements, and the types of activities requiring notice for each class. He also reviewed policy issues and solutions.

Ms. Lannie Chapman, County Clerk, stated this bill would require the Clerk's Office to

post in the locations it is currently posting, and either in 10 additional public locations throughout the County, or in a newspaper, which would be extremely expensive.

Mr. Richard Jaussi, Chief Deputy County Auditor, stated the Auditor's Office does a consolidated notice in a newspaper for all Truth in Taxation hearings. He asked if posting in the additional 10 physical locations would be the responsibility of the Auditor's Office or if that responsibility would fall on another entity, because if it was its responsibility to do that, employees would be driving all over the County.

Mr. Park stated his biggest worry was this legislation would create new requirements that were not possible for the County to comply with or that had compliance and verification issues that could result in actions the County had taken being invalidated on procedural grounds. The State has excluded itself from the additional notice requirements. He asked if the Council wanted the County to work with the sponsors to see if they could treat the County's public meeting requirements like the State's.

Council Member Winder Newton asked if the Council should oppose this to strengthen the County's bargaining power with the sponsors.

Council Member Stewart stated he did not want to send the message that the County opposed transparency. The County wanted transparency, but it wanted a level that it could accomplish given its size.

Ms. Trevino stated she wanted to work with the sponsors to make sure this bill was workable for the County. Mr. Park has drafted an amendment that carves out counties of the first class, and she wanted to make the argument to them why the County should be exempt.

- HB 66 – Behavioral Health Crisis Response Commission

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, reviewed the bill requiring the Behavioral Health Crisis Response Commission to make recommendations regarding grant programs for mobile crisis outreach teams (MCOT) and other behavioral health services.

Mr. Tim Whalen, Director, Behavioral Health Division, stated the Behavioral Health Crisis Response Commission has been meeting throughout the summer on this bill. It believes this is the best vehicle to deliver new crisis services.

Council Member Bradshaw stated some rural counties were concerned about the MCOT model being the sole option because they do not have MCOT.

Mr. Whalen stated this bill includes virtual crisis outreach teams for rural counties where it is cost prohibitive to run MCOT.

Mayor Jennifer Wilson stated she has been meeting with Mr. Whalen, the District Attorney, the Sheriff, and Matt Dumont, Chief Deputy, Sheriff's Office, to better understand what priorities there were with the resources available, and this quickly arose as a priority.

A motion was made by Council Member Bradshaw, seconded by Council Member Stewart, to support HB66. The motion carried by a unanimous vote.

- SB 115 – Notice of Tax Sale Requirements

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, stated this bill came at the request of the County Auditor.

Mr. Richard Jaussi, Chief Deputy Auditor, stated each year, the County holds a tax sale in May, and is currently required to publish the list of properties eligible for tax sale in a newspaper of general circulation for four consecutive weeks. The problem is that list is a living document and becomes outdated right after it is published because the Auditor's Office proactively tries to help property owners keep their properties. The bill would require posting on the Utah Public Notice Website. The Auditor would also post the list on its website, and that would be the most accurate list, and at the public location where the auction is held. There would also be a fiscal savings by not publishing in a newspaper.

A motion was made by Council Member Bradley, seconded by Council Member Stewart, to support SB 115. The motion carried by a unanimous vote. Council Member Alvord was absent for the vote.

- HB 71 – Local Health Department Revisions

Ms. Angela Dunn, Director, Salt Lake County Health Department, reviewed the bill, which does three things: It establishes funding formulas for local health departments in administrative rule; requires the Utah Department of Health and Human Services and the Department of Environmental Quality to ensure there is funding to carry out the

requirements of the rule; and requires local health departments to report annually how they were using their minimum performance dollars. The Salt Lake County Health Department is in support of this bill. It passed unanimously in the House this morning.

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, to support HB 71. The motion carried by a unanimous vote. Council Member Alvord was absent for the vote.

- HB 206 – Airport Land Use Amendments

Mr. Zach Shaw, Deputy District Attorney, reviewed the bill which would require the County to mandate an avigation easement of a land use applicant. An avigation easement basically acknowledges planes and noise over a person's property. Requiring the County to mandate it creates the potential of putting the County in the middle of a dispute between a property owner and the Salt Lake City Department of Airports as to the value of such an easement and possible regulatory taking caused by such an easement. Salt Lake City is the entity proposing the legislation, and he has shared those concerns with it, but has not had a response back.

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, recommended reaching out to the airport authority and working with Salt Lake City to get Salt Lake County out of that requirement.

A motion was made by Council Member Bradshaw, seconded by Council Member Stringham, moved to monitor the bill and work with the sponsors and Salt Lake City. The motion carried by a unanimous vote.

- SB 108 – Animal Shelter Revisions

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, reviewed the bill, which does away with gas chambers in the state of Utah, and requires a shelter to have a euthanasia policy and training for that. The County's Animal Services complies with the bill and is asking the Council to support it.

Council Member Bradshaw stated the bill does not reference gas chambers, but it defines injectable euthanasia as the only permissible euthanasia within shelters. The Animal Control Officers Association is neutral on it because it is concerned with smaller shelters being able to comply with the training requirement. However, there is a provision in the bill that allows animal control officers, in an emergency situation outside a facility, to euthanize in a manner they view as most humane.

A motion was made by Council Member Bradshaw, seconded by Council Member Harrison, to support SB 108. The motion carried by a unanimous vote. Council Member Stewart was absent for the vote.

- HB 210 – Justice Court Changes

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, reviewed the bill, which creates a task force, clarifies that the Administrative Office of the Courts (AOC) has oversight over justice courts, and sets the salary for justice courts. The Utah Association of Counties and some cities have concerns with the bill because the AOC would be overseeing something counties and cities were responsible for and had to fund.

Mr. Ralph Chamness, Chief Deputy District Attorney, stated this bill would require the AOC to run the Justice Court, but the County would have to fund it. The current model requires the Justice Court to comply with County policies and procedures, but this would take that away. Then, if there was any misconduct, the County would be required to indemnify for the misconduct, but it would have no ability to control or even influence how the court administrator was picked. It would be a significant change in the structure of government.

Council Member Stringham stated this fell under the guise of an unfunded mandate without a say in how the Justice Court was run.

A motion was made by Council Member Stringham, seconded by Council Member Bradshaw, to oppose HB 210. The motion carried by a unanimous vote. Council Member Stewart was absent for the vote.

- SB 87 – Criminal Prosecution Amendments

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, stated these are companion bills, which amend the criminal prosecution process.

Mr. Will Carlson, Deputy District Attorney, reviewed the history of why Utah has preliminary hearings for criminal prosecutions of Class A misdemeanors and such felonies instead of grand juries; a history of how preliminary hearings were conducted; concerns with preliminary hearings because the defendant and their attorneys could be present, they could subpoena witnesses, and they served a discovery purpose for the defendant's attorney; a 1994 amendment to the Constitution that said the purpose of a preliminary

hearing was to determine whether there was probable cause to believe the defendant committed a crime and any other purpose identified by the State Legislature; and a Utah Supreme Court decision that made it clear probable cause determination was a low threshold and defendants did not necessarily have the right to subpoena witnesses to these preliminary hearings, and that a sworn statement and other types of hearsay were admissible.

This proposed legislation shifts the balance and would allow the defendant the opportunity to confront their accuser multiple times. A provision in SB 87 states that a case cannot be bound over only on hearsay, and it would allow the criminal defendant to depose any victim or witness over the age of 14. Then, if the defendant felt the victim was uncooperative, they could have a credibility hearing where the accuser had to testify in a court, the sole purpose of which would be to question their credibility. The bill would also require law enforcement agencies and prosecutor offices to install recording devices so that any conversation about a sworn statement at a preliminary hearing could be recorded and provided to the defense before the preliminary hearing. Over 105 agencies across the state, including every prosecution agency, every law enforcement, and every victim advocate agency have united in opposition to this legislation. The District Attorney's Office did not believe amending these rules of criminal procedure was the way to improve the criminal justice system in Utah, and it is asking the Council to oppose the bill.

Mr. Richard Mauro, Executive Director, Salt Lake Legal Defender Association, stated the Utah Association of Criminal Defense Lawyers have been working on this bill for about four years because there were some systemic problems in the way preliminary hearings are conducted. Currently, a preliminary hearing was a statement from a witness of what they thought happened, which was summarized by a paralegal in the District Attorney's Office from the police report and signed by the witness. It is important for public defenders to see witnesses and evidence early in the proceedings to allow them to comply with the requirements of the Constitution. Public Defenders are now having to utilize more resources to conduct their own independent investigations.

Sen. Todd Weiler came up with an Arizona model - a deposition model, which is what is before the Legislature now. This legislation and a joint resolution would amend the rules of evidence. The results of the criminal procedure and the criminal prosecution would allow the defense to have depositions, which people could do remotely so victims did not need to see their offender face to face. The language in the bill has tried to meet every objection by the prosecutors and the victim advocacy groups. The Utah Association of Criminal Defense Lawyers believe there are sufficient protections in the bill, and it is asking the Council to support it.

Council Member Bradley stated he would like another week to review the legislation before taking a position.

Council Member Bradshaw stated Sen. Weiler is working on a substitute; it would be good to see that language before taking a position.

3.11 Informational Presentation on a Proposed Revision to Fleet Board Membership Ordinance, 2.40.020 [22-1277](#)

Attachments: [Staff Report](#)
[Ordinance 2.40 revised 1-6-23](#)

Presenter: Chris Harding, Auditor (Approx. 5 mins)
Informational

Mr. Chris Harding, County Auditor, introduced the Fleet Management Board Membership Amendment Ordinance. The amendment replaces the Auditor's Position on the Fleet Management Board with representation from the Treasurer's Office. He stated the Fleet Management Board sets and approves policies, which the Auditor should not be doing. It needed to maintain its independence in case it had to audit something related to the Fleet Board. This has gone before the Fleet Management Board and the Steering Committee, and both approved the amendment. Mr. Wayne Cushing, County Treasure, has also agreed to this.

A motion was made by Council Member Stewart, seconded by Council Member Granato, that this agenda item be approved and forwarded to the January 31, 2023, 4:00 PM Council meeting, for ratification. The motion carried by a unanimous vote. Council Member Harrison was absent for the vote.

3.12 Informational Presentation on an Audit of Salt Lake County Animal Services [22-1291](#)

Attachments: [Staff Report](#)
[Animal Services](#)
[Animal Services Audit.pptx](#)

Presenter: Chris Harding, Auditor (Approx. 10 mins)
Informational

Mr. Chris Harding, County Auditor, delivered a PowerPoint presentation of the Audit of Animal Services, reviewing the scope and objectives of Animal Services' contract revenues; six findings; the Enterprise Fund; countywide versus municipal expenses; and interlocal agreements.

Council Member Granato asked if the organizations being audited knew what the Auditor was going to look for in these audits. With every audit that was done, there seemed to be issues with policies needing to be updated.

Mr. Richard Jaussi, Chief Deputy Auditor, stated the Auditor's Office sends an engagement letter to the department being audited and has an entrance conference with them where it goes over the scope of the audit and some materials they can expect to have to provide. He suggested updating Policy 1220, which still says certain things need to be sent to the Auditor's Office, which are things the Auditor's Office has not done since 2012.

Ms. Catherine Kanter, Deputy Mayor of Regional Operations, stated Animal Services acknowledged the findings and set a date by which to resolve them. With regard to the findings regarding General Fund expenses being included in the Enterprise Fund, that was something Animal Services had intended to separate, but had not gotten to. It will adhere to that recommendation now. She also suggested looking at Policy 1220 to see if there were inconsistencies that needed to be resolved.

Ms. Talia Butler, Director, Animal Services Division, stated Animal Services always wants to provide transparent service and make sure it has clarity in what it provides. It agreed with the audit, and as much as it could clearly define General Fund contracted services, it would take every step to separate that.

3.13 Informational Presentation on MSD Accomplishments

[22-1302](#)

Attachments: [Staff Report](#)
[6-7.b 2022 MSD Accomplishments 1-9-2023 FINAL.pdf](#)
[2022 Strategic Plan and Accomplishments for ACCT](#)
[1-12-2023.pptx](#)

Sponsor: Councilmembers Stringham, Granato, and Theodore

Presenter: Marla Howard, General Manager of the MSD; Brian Hartsell, Assistant General Manager of the MSD (Approx. 20 mins)

Informational

Ms. Marla Howard, General Manager, and **Mr. Brian Hartsell**, Assistant General Manager, Greater Salt Lake Municipal Services, delivered a PowerPoint presentation on the Greater Salt Lake Municipal Services' 2022 accomplishments, reviewing its financial accomplishments; capital projects completed; emergency management; and planning and development services' accomplishments for current planning, long range planning, building business licensing, code enforcement, and stormwater.

- 3.14 A Resolution of the Salt Lake County Council Expressing the Sense of the Council that the Salt Lake Valley Law Enforcement Service Area (SLVLESA) Board Of Trustees is Authorized to Select a Chief Executive Officer of its Choosing in a Manner Consistent with Utah Law** [23-0000](#)

Attachments: [Staff Report](#)
[SLVLESA Resolution.pdf](#)

Sponsor: Councilmembers Stringham, Theodore, and Granato

Presenter Sheriff Rosie Rivera; Undersheriff Jake Peterson (Approx. 20 mins)

Discussion/Direction

Council Member Stringham stated several Council Members have been serving on a committee with the Unified Police Department (UPD) looking at issues that have been raised with shared services, countywide services, and conflicts of interest. One conflict of interest was with Sheriff Rosie Rivera being the Chief Executive Officer (CEO) of UPD and the CEO of SLVLESA. The document that created SLVLESA references State law and says the SLVLESA Board has the ability to release the Sheriff from that position and choose how it wanted to move forward. She has spoken with councils from the metro townships, the SLVLESA Board, the Sheriff's Office, and others who agreed this was something that needed to be fixed right away.

She reviewed the resolution expressing the sense of the Council that the Salt Lake Valley Law Enforcement Service Area (SLVLESA) Board of Trustees is authorized to select a Chief Executive Officer of its choosing in a manner

consistent with Utah Law. The resolution does three things with regard to the sense of the Council: 1) It clarifies the Council does not intend that the original resolution creating SLVLESA should be understood to create a continuing, ongoing obligation for the SLVLESA Board of Trustees to appoint the elected Salt Lake County Sheriff as the CEO of SLVLESA; 2) the Council does not desire that the elected Salt Lake County Sheriff continue serving in that role; and 3) it encourages the SLVLESA Board to exercise its sole statutory authority to select a qualified person of its own choosing to serve as its CEO or to select other employees, agents, or officers, or to enter into other arrangements providing for such services.

Council Member Alvord asked if the District Attorney's Office had approved this resolution as to form, and if legal counsel felt this was the right way to go about this.

Mr. Mitchell Park, Legal Counsel, Council Office, stated in terms of the legality, he and Council Member Stringham worked with the District Attorney's Office on this resolution, and they were confident this would be within the Council's discretion to approve, recognizing at the end of the day, the ultimate legal decisions lie with the Board of Trustees, not the County Council. The legal effect of this resolution would largely be to communicate policy guidance on behalf of this Council to the SLVLESA Board. Then, Gavin Anderson, Deputy District Attorney, ultimately advised this as to form.

Ms. Bridget Romano, Deputy District Attorney, stated the District Attorney's Office winnowed down to what it thought was the appropriate thing. Essentially, this is policy guidance.

Council Member Bradshaw asked why the conflict existed with the taxing entity and not with the UPD.

Sheriff Rosie Rivera stated there is a perception of a conflict with her overseeing SLVLESA as the CEO, as it is the funding source to pay for law enforcement, and overseeing the operations of the UPD, which provides the law enforcement, and where she is involved in preparing and presenting budgets to the entities on the UPD Board of Directors. Right now, property tax is SLVLESA's only funding source, and it needed other funding sources. The expectation was the CEO would assist in going after other funding sources, and she questioned whether she should be the person doing that.

She went to the SLVLESA Board with her concern, and the Board agreed there was a conflict.

Mayor Jennifer Wilson stated the answer is in the empowerment documents in whatever way an entity is formed. Maybe some of this should be the Board's decision.

Mr. Park stated Title 17B of Utah Code establishes local districts. Once they have been established, they are self sustaining, and they are governed by their boards of directors or boards of trustees with the governance standards of state law and the items they have adopted. What the Council is stating in the resolution is that although the Council initially set up this local district, and it may have views on who ought to be its CEO, those matters ultimately need to be decided by SLVLESA's Board of Trustees under Utah law.

Council Member Bradshaw asked why the Council was expressing a preference in the resolution to remove the Sheriff as the CEO if the Board could make that decision. He recognized that might be compromised language.

Council Member Bradley stated the sole purpose of SLVLESA is to pay the bill for police services from townships. The only tool SLVLESA has to pay for those services is property tax. The question of whether to raise property taxes is the Board's decision, not the CEO's decision.

Mr. Chris Stavros, County Assessor, and a SLVLESA Board Member, stated it always makes sense to separate the funding mechanism from the service branch. SLVLESA is looking into pursuing other sources of revenue in addition to the property tax, and her concern is she should not be intermingled with doing that.

A motion was made by Council Member Stringham, seconded by Council Member Granato, that the resolution be approved.

Council Member Bradley stated the resolution would read the same if the Council eliminated #2, that said "The Council does not desire that the elected Salt Lake County Sheriff continue serving as Chief Executive Officer of SLVLESA."

Council Member Stringham stated she would accept that as a friendly amendment to

the motion.

Council Member Winder Newton stated she preferred to keep that in the resolution because it helped give guidance to those Council Members who were members of SLVLESA what the will of the Council was.

Council Member Stewart stated he thought it was important to make the statement that the Council was making a clear distinction that position be separated from the Sheriff's position as CEO on the UPD.

Council Member Alvord stated if the original resolution said the Sheriff would serve as the CEO of SLVLESA, it would make sense that the Council declare the Sheriff should not serve as the CEO.

A substitute motion was made by Council Member Bradley, seconded by Council Member Bradshaw, that the Council remove from the resolution #2, that said "The Council does not desire that the elected Salt Lake County Sheriff continue serving as Chief Executive Officer of SLVLESA." Roll was called, showing the motion failed by the following votes:

Aye: Council Member Harrison, Council Member Bradley, and Council Member Bradshaw

Nay: Council Member Stringham, Council Member Alvord, Council Chair Winder Newton, Council Member Granato, Council Member Stewart, and Council Member Theodore

A motion was made by Council Member Stringham, seconded by Council Member Granato, that the resolution be approved. The motion carried by a unanimous vote.

3.15 Continuation of the Discussion on Social Media and TikTok & Council Consideration of Potential Options [22-1295](#)

Attachments: [Staff Report](#)
[Tiktok Upddate](#)

Presenter: Megan Hillyard, Administrative Services Department Director; Mark Evans, IT Information Security Administrator; Zach Posner, Information Technology Division Chief Information Officer; Rina Shipley, IT Information Security Engineer (Approx. 30 mins)
Informational

Ms. Megan Hillyard, Director, Administrative Services Department, stated

this is a continuation of the discussion on the County's social media policy pertaining to TikTok. The Information Services team compiled questions the Council asked, and it sent a survey to all County agencies and elected officials asking how they used TikTok, laying out the options and alternatives.

Mr. Zach Posner, Director, Information Services Division, delivered a PowerPoint presentation on the TikTok update, reviewing what TikTok was and a comparison of TikTok users versus other social apps; TikTok bans in the United States; TikTok use in Salt Lake County; options for the Council to consider; and alternatives.

Council Member Alvord stated he would be in favor of some kind of regulation of TikTok. He had concerns with the Chinese Government, which owned TikTok, because it was a more closed society than the United States and something could happen like a Trojan Horse. Out of the options here, he liked the Policy + Firewall option, which would block use on all County owned laptops and phones while using County WiFi.

Council Member Winder Newton stated she agreed the Policy + Firewall option was the right move. She did not see any upside to keeping TikTok on County laptops and phones.

Council Member Stringham stated there have been some horrible trends among youth from TikTok influence, some of which have been linked back to the Chinese government. She did not think the County should support a venue that allowed that, and which did not protect children.

Council Member Alvord asked if there would be lost opportunity by not allowing a few organizations to use TikTok.

Ms. Catherine Kanter, Deputy Mayor of Regional Operations, stated the Animal Services Division used it the most, and it said it appreciated the opportunity to use it, but it was not necessary.

Mayor Jennifer Wilson stated it was a cost benefit, but life would go on at the County without it.

A motion was made by Council Member Alvord to pass legislative intent to

instruct staff to implement the Policy + Firewall option.

Council Member Winder Newton asked if the Mayor's Office would educate employees on this.

Mr. Mitchell Park, Legal Counsel, stated the idea would be that staff prepare amendments to existing County policy on social media, consistent with Council direction, and bring it back to the Council.

Council Member Alvord, seconded by Council Member Stewart, revised the motion that staff update policy reflecting the language of the Policy + Firewall option, and bring it back to the Council. The motion carried by a unanimous vote.

**3.16 Potential Closed Session for a Discussion Regarding [22-1312](#)
Deployment of Security Personnel, Devices, or Systems**

Attachments: [Staff Report](#)

Presenter: Appropriate County Officials and Staff (Approx. 15 mins)

A motion was made by Council Member Alvord, seconded by Council Member Harrison, to close the Council Work Session to discuss a security issue. The motion carried by a unanimous vote.

The meeting was reopened by vote during the closed session.

4. CONSENT ITEMS:

A motion was made by Council Member Bradshaw, seconded by Council Member Harrison, that the consent agenda be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

**4.1 Consideration of a Resolution of the Salt Lake County [22-1298](#)
Council Authorizing Execution of an Interlocal Cooperation
Agreement with Sandy City for Improvements to Dimple Dell
Park and Authorizing Execution of Related Documents.**

Attachments: [Staff Report](#)
[Resolution for Badger Cove Interlocal \(01.17.23\) - RAFL](#)

This consent item was approved and forwarded.

- 4.2 Acceptance of a Donation from The Friends of The Children's Justice Center to the District Attorney's Office for Camp Hope** [22-1299](#)

Attachments: [Staff Report](#)
[Camp Hope \\$60000](#)

This consent item was approved and forwarded.

- 4.3 Acceptance of a Donation from The Attorney General's Office to the District Attorney's Office** [22-1270](#)

Attachments: [Staff Report](#)
[AG Ipad donation to CJC 12-2022](#)

This consent item was approved and forwarded.

- 4.4 Acceptance of a Donation from Friends of the Children's Justice Center to the District Attorney's Office** [22-1269](#)

Attachments: [Staff Report](#)
[Friends donation 2022-07 thru 2022-09](#)
[Friends donation 2022-10 thru 2022-11](#)

This consent item was approved and forwarded.

- 4.5 Consideration of a Fee Waiver for Community Development Corporation of Utah and Project Homeless Connect for Community Resource Event** [22-1282](#)

Attachments: [Staff Report](#)
[Fee Waiver Application CSCoU and PHC](#)

This consent item was approved and forwarded.

- 4.6 Consideration of Animal Services 4th Quarter 2022 Donations of Cash Donations over \$5,000 and In-Kind Donations Over \$1,000** [22-1280](#)

Attachments: [Staff Report](#)
[Cash - Jean and James Burns September \\$10,000](#)
[In-kind - Chewy.com \\$20,782](#)
[In-kind - Humane Society \\$3,500](#)
[In-kind - PetSmart \\$2,929](#)
[In-kind - VCA Lakeview Animal Hospital \\$2,359](#)

This consent item was approved and forwarded.

5. ITEMS FROM COUNCIL MEMBERS

5.1. Internal Business

6. APPROVAL OF MINUTES

6.1 Approval of January 3rd, 2023 Council Work Session [22-1272](#)
Minutes

Attachments: [010323 CWS Minutes.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Harrison, that this agenda item be approved. The motion carried by a unanimous vote.

6.2 Approval of January 10th, 2023 Council Work Session [22-1284](#)
Minutes

Attachments: [011023 CWS Minutes](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Harrison, that this agenda item be approved. The motion carried by a unanimous vote.

ADJOURN

The meeting was adjourned at 3:00 PM.

LANNIE CHAPMAN, COUNTY CLERK

By _____

DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL