

RESOLUTION NO. \_\_\_\_\_

DATE: \_\_\_\_\_

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

WHEREAS, on or about August 18, 2009, the Salt Lake County Council approved Resolution No. 4314, which Resolution created a local district for the provision of law enforcement services in the unincorporated area of Salt Lake County, which local district is known as the Salt Lake Valley Law Enforcement Service Area (SLVLESA); and

WHEREAS, more specifically, SLVLESA was established pursuant to the provisions of Utah Code Ann. § 17B-1-201, et seq., to be specifically organized as a Service Area pursuant to the provisions of Utah Code Ann. § 17B-2a-901, et seq., is a body corporate and politic with perpetual succession, and is a political subdivision of the State of Utah; and

WHEREAS, Utah Code Ann. § 17B-1-301 and Salt Lake County Council Resolution No. 4314 each provided that SLVLESA shall be governed by a Board of Trustees, consisting of elected officials duly appointed in a manner consistent with Utah law; and

WHEREAS, Utah Code Ann. § 17B-1-301 further provides that the SLVLESA Board of Trustees is empowered, subject to the provisions and restrictions of Utah law, to “employ employees and agents, or delegate to district officers power to employ employees and agents, for the operation of the local district and its properties and prescribe or delegate to district officers the power to prescribe the duties, compensation, and terms and conditions of employment of those employees and agents;” and

WHEREAS, Salt Lake County Council Resolution No. 4314 provides, at Section 7, that “the Chief Executive Officer of [SLVLESA] shall be the elected Salt Lake County Sheriff”; and

WHEREAS, the Council no longer believes that there is a sound basis in law or policy for the elected Salt Lake County Sheriff to continuing serving as the Chief Executive Officer of SLVLESA; and

WHEREAS, more particularly, the Council is concerned that the Sheriff's continued role as the Chief Executive Officer of SLVLESA creates the appearance of a conflict of interest with the Sheriff's other duties under Utah law and interlocal agreement; and

WHEREAS, the Council believes that it is in the interest of the County and its residents to recommend that the SLVLESA Board of Trustees exercise its authority, consistent with Utah law, to select a person other than the elected Salt Lake County Sheriff to serve as the Chief Executive Officer of SLVLESA; and

WHEREAS, the Salt Lake County Council does not intend that Salt Lake County Council Resolution No. 4314 should be understood to bind or prohibit the authority of the SLVLESA Board of Trustees to select a Chief Executive Officer or other employees, agents, or officers consistent with Utah law;

NOW THEREFORE, be it resolved by the Salt Lake County Council, acting as the legislative body for Salt Lake County, that the following is the sense of the Council:

- 1) The Council does not intend that Salt Lake County Council Resolution No. 4314 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 Chief Executive Officer of SLVLESA.
- 2) The Council does not desire that the elected Salt Lake County Sheriff continue serving as Chief Executive Officer of SLVLESA.

3) The Council encourages the SLVLESA Board of Trustees to exercise its sole statutory authority to select a qualified person of its own choosing to serve as its Chief Executive Officer, or to select other employees, agents, or officers, or to enter into other arrangements – including interlocal agreements – providing for such services consistent with Utah law and SLVLESA’s governance prerogatives.

APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

SALT LAKE COUNTY COUNCIL

By: \_\_\_\_\_  
Aimee Winder Newton, Chair

ATTEST:

\_\_\_\_\_  
Lannie Chapman  
Salt Lake County Clerk

REVIEWED AS TO FORM

Gavin Anderson 20 Jan 2023  
Deputy District Attorney Date

Council Member Alvord voting \_\_\_\_\_  
Council Member Bradley voting \_\_\_\_\_  
Council Member Bradshaw voting \_\_\_\_\_  
Council Member Granato voting \_\_\_\_\_  
Council Member Harrison voting \_\_\_\_\_  
Council Member Stewart voting \_\_\_\_\_  
Council Member Stringham voting \_\_\_\_\_  
Council Member Theodore voting \_\_\_\_\_  
Council Member Winder Newton voting \_\_\_\_\_