

# SALT LAKE COUNTY

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



## **Meeting Minutes**

**Tuesday, August 15, 2023**

**3:00 PM**

**Room N2-800**

**County Council**

**1. CALL TO ORDER**

- Present:** 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
- Call In:** Council Member Laurie Stringham

Invocation - Reading or Thought - Pledge of Allegiance

**Ms. Corinne Johnson**, Senior Policy Advisor, Council Office, led the Pledge of Allegiance to the Flag of the United States of America.

**2. PUBLIC COMMENT**

[Later in the meeting]

**Mr. Lawrence Horman** stated the Council meeting changes created a problem for citizens wanting to speak because a lot of people cannot come in during the time the meetings are held, and it is difficult to find out what time a meeting starts, as it is no longer a set time. He asked that the public comment periods be held at a specific time each week. He also thanked the Council for looking into more favorable accommodations for the homeless.

**3. REPORT OF ELECTED OFFICIALS:**

3.1. County Council Members

**Council Member Alvord** stated the Council of Governments (COG) meeting was canceled this month, and he did not know why.

**Ms. Catherine Kanter**, Deputy Mayor of Regional Operations, stated the Mayor's Office reached out to COG's leadership and confirmed it was because there were no agenda items to be covered.

**Council Member Bradley** reported that the 4-H livestock show had been a terrific

success, and produced a lot of meat for the Utah Food Bank.

**Council Member Stewart** stated Catherine Kanter, Deputy Mayor of Regional Operations, provided the Unified Fire Authority (UFA) with valuable insight on a new model of contracting, and it is now considering the model.

3.2. County Mayor

3.3. Other Elected County Officials

#### 4. WORK SESSION

TIME CERTAIN

##### 4.1 Consideration of Appointment of Jacob J. Fitisemanu Jr. to [23-0760](#) the Salt Lake County Board of Health for an Initial Term ending on June 30, 2026

**Attachments:** [Staff Report](#)  
[Board of Health.pdf](#)

Presenter: Michelle Hicks, Mayors Executive Office Administrator. Tom Hudachko, Strategic Partnerships & Special Projects Manager. (Approx. 3:15PM)

Discussion/Direction

**Ms. Michelle Hicks**, Executive Office Administrator, Mayor's Office, reviewed the three-year appointment of Jacob Fitisemanu Jr. to the Board of Health, beginning June 30, 2023.

**Dr. Angela Dunn**, Director, Salt Lake County Board of Health, stated Mr. Fitisemanu's perspective and experience with public health will be welcome, and he will fill a great need to represent the Pacific Islander community and the west side.

**Mr. Jacob Fitisemanu Jr.** stated he felt privileged to serve on the Board of Health and hoped he would add perspective and depth to it, and promote health and wellness in the community.

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

- 4.2 Proposed Hire Report / Incentive Plan Report - \$3,000 and Under / Weekly Reclassification Report** [23-0788](#)

**Attachments:** [Staff Report](#)  
[Proposed Hire Report 8-9-2023](#)  
[Incentive Plans \\$3,000 and Under 8-15-2023](#)  
[Weekly Reclassification Report 8-9-2023](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Approx. 3:20 PM)

Informational

**Mr. David Delquadro**, Chief Financial Manager, Council Office, reviewed the new hires. There were no reclassifications nor incentive plans.

- 4.3 Budget Adjustment: The Information Technology Department requests \$72,903 for the County's annual licensing and maintenance costs for PeopleSoft. Of which, \$67,118 is one-time due to the County total expenditures moving to the next tier and should go back down when our federal dollars subside.** [23-0784](#)

**Attachments:** [Staff Report](#)  
[29019 - PeopleSoft Enterprise Agreement Inc.](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst  
Discussion/Direction

**Mr. David Delquadro**, Chief Financial Manager, Council Office, reviewed the budget adjustment.

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.

- 4.4 Budget Adjustment: Emergency Services requests \$23,452 to account for the wildland fire contribution increase in the County's participation commitment with the Utah Division of Forestry, Fire and State Lands.** [23-0793](#)

**Attachments:** [Staff Report](#)  
[29040 - Wildland Fire Contribution Increase](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst  
Discussion/Direction

**Mr. David Delquadro**, Chief Financial Manager, Council Office, reviewed the budget adjustment.

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

**4.5 Consideration of Salt Lake County Warden Agreement 2023** [23-0789](#)

**R. Joseph Anderson, Wasatch Front Area Manager**

**Attachments:** [Staff Report](#)  
[Salt Lake County Warden Agreement 2023 final 8-8-23](#)  
[2023 Salt Lake County Cooperative Agreement final 8-8-23](#)  
[FFSL cooperative agreement - Resolution 8-8-23 final](#)

Presenter: Tara Behunin, Associate Director of Salt Lake County Emergency Management. Joseph Anderson, Wasatch Front Area Manager of Utah Division of Forestry, Fire, and State Lands (Approx. 3:25 PM)  
Discussion/Direction

**Ms. Catherine Kanter**, Deputy Mayor of Regional Operations stated this agenda item is related to the budget adjustment that was just approved.

**Mr. Joseph Anderson**, Wasatch Front Area Manager, Utah Division of Forestry, Fire, and State Lands, reviewed the resolution authorizing execution of a cooperative agreement and a county fire warden agreement to cooperatively discharge responsibilities for protecting nonfederal land from wildland fire. He stated this is an extension of an existing agreement, signed in 2017. The only difference is Salt Lake County will have a full-time warden position instead of sharing it with Davis County, as per a change in State law.

RESOLUTION NO. 6134

RESOLUTION OF THE SALT LAKE COUNTY COUNCIL  
REGARDING A PROPOSED AGREEMENT WITH THE UTAH

DIVISION OF FORESTRY, FIRE, AND STATE LANDS TO  
COOPERATIVELY DISCHARGE RESPONSIBILITY FOR  
PROTECTING NONFEDERAL LAND FROM WILDLAND FIRE

THE LEGISLATIVE BODY OF SALT LAKE COUNTY RESOLVES AS  
FOLLOWS:

WHEREAS, effective January 1, 2017, the Utah State Legislature provided under Utah Code Ann. §§ 65A-8-201 to 212, (the “Fire Control Act”) that Salt Lake County (“County”) was eligible to enter into a Cooperative Agreement, as defined in Utah Code Ann. § 65A-8-203 (“Cooperative Agreement”), and a County Warden Agreement, as defined in Utah Code Ann. § 65A-8-209.1 (“County Warden Agreement”), with the Utah Division of Forestry, Fire, and State Lands (FFSL”); and

WHEREAS, the County has participated in the Cooperative Agreement and the County Warden Agreement since 2017 when the County Council approved and adopted Salt Lake County Resolution 5203, dated June 6, 2017, authorizing the Mayor of Salt Lake County to execute the Cooperative Agreement and the County Warden Agreement, which the Mayor did execute; and

WHEREAS, under the Cooperative Agreement and County Warden Agreement, the County and FFSL have cooperatively discharged their joint responsibilities under the Fire Control Act and corresponding administrative rules since 2017; and

WHEREAS, the Cooperative Agreement and County Warden Agreement must be renewed to ensure that FFSL and the County can continue to cooperatively discharge their joint responsibilities; and

WHEREAS, the Salt Lake County Emergency Management Division strongly recommends continued participation in the cooperative agreements with FFSL.

RESOLUTION

NOW THEREFORE, be it resolved by the Salt Lake County Council that an updated Cooperative Agreement and an updated County Warden Agreement (in the forms attached hereto as Exhibit A) are approved, and the County

Mayor is authorized to execute same.

APPROVED and ADOPTED in Salt Lake City, Salt Lake County, Utah, this 15th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ LANNIE CHAPMAN

Salt Lake County Clerk

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

**4.6 Budget Adjustment request for new Law Enforcement FTE's**

[23-0783](#)

**Attachments:** [Staff Report](#)

Presenter: Sheriff Rosie Rivera (Approx. 3:40 PM)

Discussion/Direction

**Sheriff Rosie Rivera** reviewed the budget adjustment, stating this is a request for three new full-time employees (FTEs), which will be funded with under expend from the Corrections Bureau. When the Legislature passed S.B. 374, separating the Sheriff from the Unified Police Department (UPD), it created the need for more help within the Sheriff's Office. In July, she pulled Undersheriff Jake Petersen out of UPD organization chart, and he is now working in the Sheriff's Office full-time. However, creating a new Law Enforcement Bureau is too big a task for one person. The three new positions would stay in the Law Enforcement Bureau once it is created, but she was requesting to bring them on early to help with hiring, policies, and a model for what this bureau should look like.

**Undersheriff Jake Petersen** stated it is common for law enforcement agencies to have a chief, assistant chief, and administrative staff, and to bring them on before the creation of the agency. The goal is to hire a crew to start providing law enforcement services by July 1, 2024, with the hiring process starting in January to be able to have police officers employed by that date.

These three FTEs' initial primary duty would be to work on hiring policies and determine how they would mesh with the Peace Officer Merit Commission policy. They would then train new employees. While it is expected most law enforcement hires will have already been in law enforcement, there will be robust training to do things the way the Sheriff's Office would like them done. If approved, the Sheriff's Office will start recruiting right away for these positions.

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

**5. PUBLIC HEARINGS AND ISSUANCE OF PUBLIC NOTICES**

**6. PENDING LEGISLATIVE BUSINESS**

TIME CERTAIN

**Council Member Winder Newton** stated the Council is early for its time certain.

**Mr. Mitchell Park**, Legal Counsel, Council Office, stated this agenda item is time certain because notice has been given to individuals of their rights under state statute, and the Council wanted to be careful about observing that.

**6.1 Consideration of a Resolution of The Salt Lake County Council Authorizing and Approving Proceedings in Eminent Domain as Necessary for Property Owned by Old Time Clock, LLC** [23-0786](#)

**Attachments:** [Staff Report](#)  
[Resolution for Eminent Domain - Old Time Clock \(08.14.23\) - RAFL](#)

Presenter: Derrick Sorensen, Real Estate Manager. Lizel Allen, Flood Control Associate Director (Approx. 4:00 PM)

Discussion/Direction

**Mr. Derrick Sorensen**, Real Estate Manager, reviewed the resolutions for agenda items 6.1 and 6.2, which authorize and approve proceedings in eminent domain for property owned by Old Time Clock, LLC, and Ron Case, stating this is an opportunity for the property owner to represent



himself as part of the necessary process to proceed with eminent domain. The two agenda items have been coupled together because Ron Case is also the property owner of Old Time Clock, and in these kinds of actions, the full ownership of the property owner is taken into consideration, not just the affected parcels.

The County needs to acquire property along the surplus canal, as the levee system is out of compliance. As the sponsor agency for the levee system, it is the County's responsibility to clear all violations to get back into compliance, and that requires acquiring a certain amount of property along the levee system to be able to have absolute control over the space to make sure the levees are protected. The County has gone through all the processes to acquire these properties through normal methods of negotiation, including mediation with the State's Office of the Property Rights Ombudsman, but negotiations have stalled. The next action for the County is to proceed with an eminent domain action to try and push those negotiations along. Today, the Council will be deciding whether to authorize the use of eminent domain, so the County can move forward through the court system to acquire the property.

As it stands now, there is a significant difference between what the property owner believes the values are and the County's appraisals. The County's offers for the properties were \$312,000 and \$28,200, and the property owner's counter offers were \$1.124 million and \$25,000. The difference is roughly \$800,000. The property owner's appraiser asserted that when the County acquires this parcel and the easements it will need to access the levee system, it will create a damage, which will happen when the County perfects an unspoken access across Union Pacific Railroad's system. Now, the property owners cross the railroad system, but they are doing so from a historical use right, and that use has never been perfected with the railroads. The County does not want to continue trespassing across the railroad system. When the County takes action to perfect its access, Ron Case will have to do something to perfect access to his property. Mr. Case's attorney is saying by the County taking action to perfect its use, that will damage Ron Case's current rights to his property. The County's opinion is that it is not its responsibility to encourage Ron Case to perfect his access. Then, at any point, Union Pacific Railroad can enforce that action on its own, regardless of what the County does.

**Council Member Alvord** asked if the property owner could sue the County

for damages, following the eminent domain case.

**Mr. Chris Preston**, Deputy District Attorney, stated the County has police power to exercise eminent domain, but the statute requires the Council to first authorize it. Once the District Attorney's Office received that authorization, it could file a complaint in the court, which would bring the proceeding before a judge. Once it was before a judge, that would be the time the property owner could dispute the value. Then, either the judge or a jury would come back with a final determination.

RESOLUTION NO. 6135

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL  
AUTHORIZING AND APPROVING PROCEEDINGS IN EMINENT  
DOMAIN AS NECESSARY FOR PROPERTY OWNED BY OLD TIME  
CLOCK, LLC

RECITALS

A. Salt Lake County ("County") works with the United States Army Corps of Engineers (the "USACE") as the non-federal sponsor of the Surplus Canal, a project that consists of two levees approximately 18 miles in length, which is designed to divert water from the Jordan River to control flood flows.

B. As the non-federal sponsor, the County is solely responsible for the operation and maintenance of the Surplus Canal.

C. In order to maintain federal certification of the Surplus Canal, to comply with the demand of the USACE to remove identified encroachment violations that affect the structural integrity of the Surplus Canal levee, and to safely comply with federal mandates associated with the contractual obligations to operate and maintain the Surplus Canal, the County has determined that it is necessary and in the public interest to clarify and clean up its real property interest along the Surplus Canal (the "Surplus Canal Project").

D. Old Time Clock, LLC (the "Owner") owns a parcel of real property located approximately 799 South Chestnut Street, Salt Lake City, Utah (Parcel No. 15-09-204-001) that is adjacent to the Surplus Canal where the

interests of the County need to be clarified and encroachments removed (the “Old Time Parcel”).

E. The County has identified a 11,089 square-foot portion of the Old Time Parcel, as more particularly described in the attached Exhibit A (the “Subject Property”), as necessary to the Project and has: i) provided required notifications to the Owner pursuant to Utah Code 78B-6-504, ii) has had the Subject Property and property interests appraised by independent appraisers, iii) has offered appraised amounts to the Owner; and iv) has offered to engage in mediation and further negotiations.

F. Despite these efforts, the County has not yet been able to acquire the Subject Property by negotiation and voluntary purchase; instead, negotiations with the Owner have stalled, and the County is facing construction and other deadlines for commencing and completing the Project.

G. The County is a political subdivision of the State of Utah and is authorized to acquire private property for public use through the exercise of eminent domain.

H. On August 15, 2023, the Salt Lake County Council (the “Council”) met in regular session to consider, among other things, this resolution authorizing and approving proceedings in eminent domain as necessary.

I. The County has the necessary funding to complete the project and expects to be able to complete work on the Subject Property within a reasonable time after title to the Subject Property is acquired.

J. It has been determined that the best interests of the County and the general public will be served by authorizing the use of eminent domain to acquire a fee interest in the Subject Property.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council to find, approve and direct as follows:

1. The Council finds and determines that: i) the Project and uses to which the Subject Property will be put are legitimate public uses; ii) the acquisition of the Subject Property is necessary for construction of the Project and is authorized by law; iii) acquisition, construction and use of the Subject Property will commence within a reasonable time; iv) the proposed

location of the Project and associated improvements are planned and located in a manner that will be most compatible with the greatest public good and the least private injury; and v) considering the equities involved and relative damages that may accrue to the parties, occupancy of the Subject Property pursuant to negotiation or by court order may be necessary prior to final acquisition of the Subject Property.

2. Accordingly, the Council directs County staff and the Salt Lake County District Attorney’s Office, on behalf of the County: a) to initiate formal proceedings in eminent domain in accordance with Utah law and to prepare and prosecute the necessary condemnation in the proper court having jurisdiction thereof as is necessary for acquisition of the Subject Property; and b) if necessary, to obtain by agreement or by court order permission to take immediate possession and use of the Subject Property for the purposes herein described.

APPROVED and ADOPTED this 15th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON  
Chair

By /s/ LANNIE CHAPMAN  
Salt Lake County Clerk

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

**6.2 Consideration of a Resolution of The Salt Lake County Council Authorizing and Approving Proceedings in Eminent Domain as Necessary for Property Owned by Ron Case [23-0787](#)**

**Attachments:** [Staff Report](#)  
[Resolution for Eminent Domain - Ron Case \(08.08.23\) - RAFL](#)

Presenter: Derrick Sorensen, Real Estate Manager, Lizel Allen Flood Control Associate Director (Approx. 4:15 PM)  
Discussion/Direction

RESOLUTION NO. 6136

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING AND APPROVING PROCEEDINGS IN EMINENT DOMAIN AS NECESSARY FOR PROPERTY OWNED BY RON CASE

## RECITALS

A. Salt Lake County (“County”) works with the United States Army Corps of Engineers (the “USACE”) as the non-federal sponsor of the Surplus Canal, a project that consists of two levees approximately 18 miles in length, which is designed to divert water from the Jordan River to control flood flows.

B. As the non-federal sponsor, the County is solely responsible for the operation and maintenance of the Surplus Canal.

C. In order to maintain federal certification of the Surplus Canal, to comply with the demand of the USACE to remove identified encroachment violations that affect the structural integrity of the Surplus Canal levee, and to safely comply with federal mandates associated with the contractual obligations to operate and maintain the Surplus Canal, the County has determined that it is necessary and in the public interest to clarify and clean up its real property interests along the Surplus Canal (the “Surplus Canal Project”).

D. Ron Case (the “Owner”) owns a parcel of real property located approximately 2715 West 500 South, Salt Lake City, Utah (Parcel No. 15-04-451-004) that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (“Case Parcel”).

E. The County has identified a 54,747 square-foot portion of the Case Parcel, as more particularly described in the attached Exhibit A, and an access easement over other portions of the Case Parcel, as more particularly described in the attached Exhibit B (collectively, the “Subject Property”), as necessary to the Project and has: i) provided required notifications to the Owner pursuant to Utah Code 78B-6-504, ii) has had the Subject Property and property interests appraised by independent appraisers, iii) has offered appraised amounts to the Owner; and iv) has offered to engage in mediation and further negotiations.

F. Despite these efforts, the County has not yet been able to acquire the Subject Property by negotiation and voluntary purchase; instead, negotiations with the Owner have stalled, and the County is facing construction and other deadlines for commencing and completing the Project.

G. The County is a political subdivision of the State of Utah and is authorized to acquire private property for public use through the exercise of eminent domain.

H. On August 15, 2023, the Salt Lake County Council (the "Council") met in regular session to consider, among other things, this resolution authorizing and approving proceedings in eminent domain as necessary.

I. The County has the necessary funding to complete the project and expects to be able to complete work on the Subject Property within a reasonable time after title to the Subject Property is acquired.

J. It has been determined that the best interests of the County and the general public will be served by authorizing the use of eminent domain to acquire a fee interest in the Subject Property.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council to find, approve and direct as follows:

1. The Council finds and determines that: i) the Project and uses to which the Subject Property will be put are legitimate public uses; ii) the acquisition of the Subject Property is necessary for construction of the Project and is authorized by law; iii) acquisition, construction and use of the Subject Property will commence within a reasonable time; iv) the proposed location of the Project and associated improvements are planned and located in a manner that will be most compatible with the greatest public good and the least private injury; and v) considering the equities involved and relative damages that may accrue to the parties, occupancy of the Subject Property pursuant to negotiation or by court order may be necessary prior to final acquisition of the Subject Property.

2. Accordingly, the Council directs County staff and the Salt Lake County District Attorney's Office, on behalf of the County: a) to initiate formal proceedings in eminent domain in accordance with Utah law and to

prepare and prosecute the necessary condemnation in the proper court having jurisdiction thereof as is necessary for acquisition of the Subject Property; and b) if necessary, to obtain by agreement or by court order permission to take immediate possession and use of the Subject Property for the purposes herein described.

APPROVED and ADOPTED this 15th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ LANNIE CHAPMAN

Salt Lake County Clerk

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

- 6.3 **Formal Adoption of an Ordinance Of The Legislative Body Of Salt Lake County, Utah, Amending Section 2.07.030 Of The Salt Lake County Code Of Ordinances, 2001, Entitled “Government In The Sunshine,” And Enacting Section 2.08.120 Of The Salt Lake County Code Of Ordinances, 2001, Entitled “Public Comment Requirements For Salt Lake County Public Bodies” Creating Requirements That Salt Lake County’s Public Bodies Establish Policies And Procedures Allowing Members Of The Public To Provide Certain Public Comment And Making Related Changes.** [23-0794](#)

**Attachments:** [Staff Report](#)  
[Board Public Comment Ordinance](#)

Presenter: Councilmember Aimee Winder Newton. Councilmember Laurie Stringham (Approx. 4:30 PM)  
Discussion/Direction

**Council Member Winder Newton** reviewed the ordinance, which will enable the ability to contact board members whose boards are required to be part of the Utah Open and Public Meetings Act, stating this is the second reading of the ordinance.

ORDINANCE NO. 1915

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING SECTION 2.07.030 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED "GOVERNMENT IN THE SUNSHINE," AND ENACTING SECTION 2.08.120 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED "PUBLIC COMMENT REQUIREMENTS FOR SALT LAKE COUNTY PUBLIC BODIES" CREAING REQUIREMENTS THAT SALT LAKE COUNT'S PUBLIC BODIES ESTABLISH POLICIES AND PROCEDURES ALLOWING MEMBERS OF THE PUBLIC TO PROVIDE CETAIN PUBLIC COMMENT AND MAKING RELATED CHANGES

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and strike-through.

SECTION II. Section 2.07.030 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

**2.07.030 - Government in the sunshine.**

A. Salt Lake County is considered an open records and open meetings government and all elected officials, officers, and employees are directed to observe, with exactness, all applicable provisions of state statute and county ordinance regarding open records and open meetings including, but not limited to, the Government Records Access and Management Act (GRAMA), the Open and Public Meetings Act (~~[ACT]~~OPMA), and county ordinances and policies regarding those state statutes. Where justified in accordance with the relevant law and policy, and all other considerations being equal, the requirements of openness and transparency should be interpreted to provide public access to Salt Lake County government's records and meetings.

~~[1. In the interests of maintaining openness and transparency in county records, county officers and employees are directed to give strong~~



~~consideration to the application of an impartial balancing test established by GRAMA when determining whether a record should be released. Officers and employees shall seek to achieve GRAMA's express goals of openness while also giving due consideration to individual privacy rights. Where justified, in accordance with GRAMA, and all other considerations being equal, access should be balanced in favor of openness and transparency.~~

~~2. a. As technology presents new developments in the means of communication, including electronic messaging and the "social media," employees and officers are directed to apply GRAMA standards of openness or confidentiality based on the content of a record, regardless of the medium used.~~

~~b. Whereas many modern forums of electronic media, such as the so-called "social media," reduce or eliminate the county's ability to retain, store, retrieve and copy such communications, county officers and employees are encouraged to seek appropriate and cost-effective solutions to make government records which are transmitted in electronic media and are classified as public more available for public review and distribution.]~~

~~B. Salt Lake County public bodies shall comply with the provisions of OPMA as well as the provisions of Salt Lake County Code of Ordinances § 2-08.120 relating to public comment. [Elected officials in the executive branch are strongly encouraged to make their staff and other meetings open to members of the public and to the media to the extent practical under their statutory and other responsibilities. Although the Open Meetings Act is not binding on individual elected officials, those officials are requested to follow the substantive provisions of the Act in regards to notice, minutes, and other procedural requirements.]~~

C. The council directs that the human resources and contracts and procurement divisions develop cost effective means to publish, on the county's website, all personnel actions of a routine nature and information regarding county contracts so that those matters can be readily available for public distribution and information is made [~~pubie~~]public in accordance with the provisions of GRAMA. Records regarding non-routine personnel matters, including disciplinary actions and grievances, and contract information shall be governed by GRAMA as to the public or confidential nature of those records. The council requests that the mayor's office

institute procedures to make public its activities regarding matters of high public interest, where those matters might not already be rendered public under the provisions of GRAMA and the Act.

D. All meetings of any deliberative board, committee, or agency of the executive branch of the County covered by ~~[the Open Meetings Act]~~OPMA, including boards or committees conducting quasi-judicial administrative hearings, are directed to conduct all aspects of their decision making process, including both the gathering of evidence and deliberations regarding a decision, in an open and public meeting, with appropriate notice and minutes, unless the nature of the hearing permits closure to the public under the exceptions and procedures provided ~~[in the Act]~~by OPMA.

~~[1. Under rare circumstances, where a deliberative body of the executive branch has good cause to close only its deliberation sessions, it may apply to the mayor, in writing, for an exception to subsection D. If the mayor determines that such an exception is in the best public interest of County government and is within the provisions and intent of Utah law, the mayor may give written permission to the applicant agency to conduct only its deliberative process in private, in accordance with the standards established by applicable decisions of the Utah Supreme Court.~~

~~[2. All other provisions of state statute and the Open Meetings Act shall be otherwise applicable to bodies and meetings as defined in the law and to those exceptions in statute which permit closed meetings, under the circumstances and in accordance with the provisions of Section 52.4.205 of the Act.]~~

SECTION III. Section 2.08.120 of the Salt Lake County Code of Ordinances, 2001 is hereby enacted to read as follows:

**2.08.120 - Public Comment Requirements for Salt Lake County Bodies.**

A. For the purpose of this section, “public bodies” shall have the same meaning as that term is defined and used in the Open and Public Meetings Act, as may be amended.

B. Unless otherwise provided for by Utah statute or Salt Lake County

ordinance, each Salt Lake County public body shall allow at each of its regular public meetings a reasonable opportunity for the public to provide verbal comments that are related to the authority of the public body.

C. Unless otherwise provided for by Utah statute or Salt Lake County ordinance, each Salt Lake County public body shall provide and publicize in the public body’s meeting agendas, and on the public body’s website if it has one, the means and mechanism by which members of the public may provide written comments to the public body and to each of the public body’s individual members that are related to the authority of the public body.

D. No later than January 31, 2023, each Salt Lake County public body shall adopt a written policy or bylaws establishing the more specific procedures by which the public may provide the verbal and written comments required by subsections B and C.

E. The public comment requirements established by this section shall be provided separately from any public hearings conducted by a Salt Lake County public body as may be required by Utah statute of Salt Lake County ordinance.

F. Nothing contained in this section shall be construed to preclude Salt Lake County public bodies from establishing restrictions on the time, place, and manner of public comments consistent with applicable federal and state law, and as may be necessary to maintain order.

SECTION IV. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this 15th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON  
Chair

By /s/ LANNIE CHAPMAN  
Salt Lake County Clerk

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

## 7. CONSENT ITEMS

A motion was made by Council Member Bradshaw, seconded by Council Member Stewart, that the consent agenda be approved, with the exception of item 7.3, which will be pulled from the agenda. The motion carried by a unanimous vote.

### 7.1 Dimple Dell Regional Park Advisory Board Appointments [23-0759](#)

**Paddrick Flaharty, District 2**

**Will Radford, District 6**

**Jesse Nelson, District 4**

**Rebecca Ross, District 6**

**Attachments:** [Staff Report](#)  
[Dimple Dell Board Appointments.pdf](#)

This consent item was approved.

### 7.2 Convention Facility Advisory Board Appointments [23-0761](#)

**Scott Phillips, Facility Stakeholder**

**Attachments:** [Staff Report](#)  
[Convention Facility Board.pdf](#)

This consent item was approved.

### 7.3 Appointment of Amy Anderton (hire date June 20, 2023) and Danielle Dabb (hire date July 17, 2023) as Bail Commissioners Pursuant to Utah Code Annotated Section 17-32-1. [23-0781](#)

**Attachments:** [Staff Report](#)  
[Bail Commissioner Appointment Amy Anderton](#)  
[Bail Commissioner Appointment Danielle Dabb](#)  
[Amy Anderton Resume](#)  
[Danielle Dabb Resume](#)

**Council Member Stewart** asked to pull this item from the agenda until he could see the appointees' resumes. He wanted to know what the appointees' qualifications were.

**7.4 Acceptance of in-kind donations valued at \$51,563.41 from the Friends of the Children's Justice Center for the CJC in the District Attorney's Office** [23-0782](#)

**Attachments:** [Staff Report](#)  
[Friends in-kind donation 2023-01 thru 2023-06](#)

This consent item was approved.

**8. POTENTIAL CLOSED SESSION**

**9. APPROVAL OF TAX LETTERS**

A motion was made by Council Member Bradshaw, seconded by Council Member Stewart, that the tax letters be approved. The motion carried by a unanimous vote.

**9.1 Refunds of Overpaid Personal Property Taxes** [23-0790](#)

**Attachments:** [Staff Report](#)  
[23-9012 Personal Property Tax Refund \\$20,502.04](#)

Presenter: Chris Stavros, Assessor, Assessor's Office

This tax letter was approved.

**9.2 DMV Registration Refunds** [23-0791](#)

**Attachments:** [Staff Report](#)  
[MA 00023 Personal Property Tax Refund DMV Vet \\$2,385.00 8.9.23](#)  
[MA 00024 Personal Property Tax Refund DMV \\$2,250.00 8.9.23](#)

Presenter: Chris Stavros, Assessor, Assessor's Office

This tax letter was approved.

**10. ACCEPTANCE OF ETHICS DISCLOSURES**

**11. APPROVAL OF COUNCIL MEETING MINUTES**

**11.1 Approval of August 01, 2023 Council Minutes**

[23-0792](#)

**Attachments:** [080123 Council Minutes](#)

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

**12. OTHER ITEMS REQUIRING COUNCIL APPROVAL**

**13. PROCLAMATIONS, MEMORIALS, AND OTHER CEREMONIAL OR  
COMMEMORATIVE MATTERS**

**14. OTHER BUSINESS**

**ADJOURN**

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:00 PM until Tuesday, August 22, 2023, at 3:00 PM.

LANNIE CHAPMAN, COUNTY CLERK

By \_\_\_\_\_  
DEPUTY CLERK

By \_\_\_\_\_  
CHAIR, SALT LAKE COUNTY COUNCIL