

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, August 8, 2023

2:30 PM

Room N2-800

County Council

1. CALL TO ORDER

Present: Council Member Laurie Stringham
Council Member Jim Bradley
Council Member Dave Alvord
Council Chair Aimee Winder Newton
Council Member Ann Granato
Council Member Sheldon Stewart

Excused: Council Member Dea Theodore

Call In: Council Member Suzanne Harrison
Council Member Arlyn Bradshaw

Invocation - Reading or Thought - Pledge of Allegiance

Ms. Addie Huff, Intern for the Office of New Americans, Mayor's Office, led the Pledge of Allegiance to the Flag of the United States of America.

2. PUBLIC COMMENT

Mr. Zachary Frankle, Executive Director, Utah Rivers Council, stated the way the Central Utah Water Conservancy District (CUWCD) collects property taxes is problematic because it does not embrace democratic controls. CUWCD's policies encourage water waste and demonstrate bad governance. He argued the proposed property tax would be taxation without representation and would preclude the ability of the public to stamp out corruption. He stated he would appreciate the chance to return and present additional information to the Council.

Council Member Winder Newton asked Mr. Frankle to leave his contact information with Christie Morgan, Senior Policy Advisor.

3. REPORT OF ELECTED OFFICIALS:

3.1. County Council Members

Council Member Stringham stated the various community councils have been working on submitting their desired project lists to the Greater Salt Lake Municipal Services District (GSLMSD). The budgetary process will begin soon.

Council Member Granato stated the Public Works and Municipal Services Department is receiving applications for the corridor funding monies that become

available every year.

3.2. County Mayor

3.3. Other Elected County Officials

4. WORK SESSION

4.1 Report of the Central Utah Water Conservation District [23-0709](#) Concerning the District's Proposed Property Tax Increase, and Opportunity for Comment by the Salt Lake County Council as Required by Utah Code Section 17B-1-1003

Attachments: [Staff Report](#)
[Salt Lake County Presentation - Truth in Taxation](#)

Presenter: Gene Shawcroft, General Manager & Gerard Yates, Deputy GM
(Approx. 2:35 PM)
Informational

Mr. Gene Shawcroft, General Manager, Central Utah Water Conservancy District (CUWCD), delivered a PowerPoint presentation entitled Central Utah Water Truth in Taxation County Report Fiscal Year 2023-2024. The presentation covered key topics: CUWCD Boundaries; District Owned/Operated and Partner Facilities; Central Utah Project (CUP) Bonneville Unit Features; How Does the District's Use of Property Tax Benefit the Public; FY 2023-2024 Expenditures Budget - \$319M; FY 2023-2024 Revenue Budget - \$319M; Certified Rate vs. Authorized Rate Tax Revenue; What Will this Cost an Average Household; Unanticipated/Emergency Replacement Project Example; Asset Management Program - Capital Replacement Projections; Water Treatment Plant (WTP) Reserve Revenue vs. Capital Replacement Expenditures; CUP Reserve Revenue vs. Capital Replacement Expenditures; and Potential Required Meetings and Hearings.

4.2 Salt Lake County Convention and Tourism Assessment Area [23-0758](#) (CTAA) Updates

Attachments: [Staff Report](#)
[CTAA updates.pdf](#)

Presenter: K. Wayne Cushing, Salt Lake County Treasurer (Approx. 2:50 PM)
Informational

Mr. Wayne Cushing, Treasurer, delivered an update on the Convention and Tourism Assessment Area (CTAA). Initially the program was to be started on August 1st, 2023, but after some research, it was decided to start on October 1st, 2023, instead.

Mr. Bart Blaisdell, Chief Financial Officer, Visit Salt Lake, stated Visit Salt Lake decided to postpone the starting date after listening to many of the hotel partners express concerns about being able to be up and running on the accounting end. They wanted more time to ensure the Point of Sale system was running well.

4.3 Report of Deposits and Investments as of June 30, 2023 [23-0757](#)

Attachments: [Staff Report](#)
[Report of Deposits and Investments as of June 30, 2023.pdf](#)
[UtahDandIReportHoldings June 30, 2023.pdf](#)

Presenter: K. Wayne Cushing, Salt Lake County Treasurer

Mr. Wayne Cushing, Treasurer, stated he does not normally report on this item until the end of the year, but he wanted to point out to the Council that a year ago in June of 2022, the average yield on investments was 1.72 percent. This past June, it was 4.27 percent. The County has been getting a good return on investments and he expects to see it continue to rise.

4.4 Proposed Hire Report / Incentive Plans \$3,000 and Under / Weekly Reclassification Report [23-0763](#)

Attachments: [Staff Report](#)
[Proposed Hire Report 8-2-2023](#)
[Incentive Plans \\$3,000 and Under 8-8-2023](#)
[Weekly Reclassification Report 8-2-2023](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Approx 3:00 PM)
Informational

Ms. Hoa Nguyen, Budget and Policy Analyst, Council Office, reviewed the proposed hires and reclassifications. There were no incentive plans.

4.5 Consideration of Incentive Plan over \$3,000

[23-0764](#)

Attachments: [Staff Report](#)
 [Incentive Plan](#)

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

Ms. Hoa Nguyen, Budget and Policy Analyst, Council Office, reviewed the incentive plan, which was to incentivize an Assistant Treasury Accountant with an additional \$7,500 annually for undertaking the responsibilities of creating, collecting, and managing the Convention and Tourism Assessment Area (CTAA) program. This incentive plan would have an option to renew for the next five years. The Treasurer's Office will hire a new FTE to assume the duties of the current Treasury Accountant. This incentive plan would be fully funded by the CTAA fee.

Council Member Stringham asked why the employee is being given an incentive plan instead of being hired for a new FTE position, which pays more.

Mr. Wayne Cushing, Treasurer, stated the employee receiving the incentive plan had already jumped into the role and was doing an excellent job, but could not be promoted to the full time position based on his educational background.

Council Member Stringham stated this made no sense to her and it was completely unfair to the employee, who was already performing the job duties. She suggested the education requirement be eliminated.

Mr. Cushing stated this would require an entirely different conversation, affecting many accountants in Salt Lake County.

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

Aye: Council Member Harrison, Council Member Stringham, Council Member Bradley, Council Member Bradshaw, Council Chair Winder Newton, and Council Member Granato

Nay: Council Member Alvord, and Council Member Stewart

Excused: Council Member Theodore

- 4.6 Budget Adjustment: Arts and Culture requests \$19,960 to replace a chiller pump at Mid-Valley Performing Arts Center. Arts & Culture staff is working with the manufacturer of the existing pump to see about getting the costs covered by defect warranty. If the costs are not covered under a defect warranty, the project will be covered by utilizing underspent budget from another project.** [23-0766](#)

Attachments: [Staff Report](#)
[28903 - MVPAC Chiller Pump](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst (Approx. 3:10 PM)
Discussion/Direction

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

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.

- 4.7 Budget Adjustment: This is a technical adjustment to allocate \$90,411 from the \$3M set aside to Human Services. This is to address the overall compression after the \$3M working group has approved the salary changes for three job classes, the Case Management Supervisors, Group Home Supervisors, and the Drivers.** [23-0770](#)

Attachments: [Staff Report](#)
[28742 - \\$3M Set Aside-CMGroup Home Supvrs & Drivers](#)
[28743 - \\$3M Set Aside-CMGroup Home Supvrs & Drivers](#)
[28744 - \\$3M Set Aside-CMGroup Home Supvrs & Drivers](#)
[28745 - \\$3M Set Aside-CMGroup Home Supvrs & Drivers](#)

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

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

A motion was made by Council Member Bradshaw, seconded by Council Member Alvord, that this agenda item be approved. The motion carried by a unanimous vote. Council Member Bradley was absent for the vote.

- 4.8 Budget Adjustment: The Children’s Justice Center requests 1.0 FTE-TL for a Child & Family Specialist. This position will be 100% State grant funded.** [23-0776](#)

Attachments: [Staff Report](#)
[28981 - State funded Child & Family Specialist TL](#)
[28536 - Grant True-up](#)
[28536 - CJC Revenue backup](#)

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

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

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

- 4.9 Budget Adjustment: The IT Department requests to allocate a centralized budget of \$93,752 for Adobe Creative Cloud licenses to be distributed from its department to all other departments utilizing Creative Cloud products.** [23-0778](#)

Attachments: [Staff Report](#)
[29021 - Transfer funding for changes to Adobe Creative](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst. Zach Posner, Chief Information Officer
Discussion/Direction

Ms. Hoa Nguyen, Budget and 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. The motion carried by a unanimous vote.

- 4.10 Budget Adjustment: Adobe has changed their licensing model for Adobe Acrobat from “unlimited users” to a named user subscription. As a result, this request is to allocate an additional \$130,854 to all impacted departments to cover the licensing costs.** [23-0777](#)

Attachments: [Staff Report](#)
[29020 - Increase funding for changes to Adobe Acrobat](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst. Zach Posner, Chief Information Officer.

Discussion/Direction

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

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

- 4.11 Budget Adjustment: The Sheriff’s Office requests to transfer \$4.5M from the Oxbow Jail Control room project to upgrade the security touch panel system at the ADC.** [23-0765](#)

Attachments: [Staff Report](#)
[28994 - ADC Jail Security Touch Panel Upgrade](#)

Presenter: Hoa Nguyen, Council Budget and Policy Analyst. Matt Dumont, Chief Deputy. Tyson Kyhl, Facilities Management, Division Director.

Discussion/Direction

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

Council Member Stewart stated he had questions about the procurement process, and he felt these questions would be best asked during a closed session.

Council Member Alvord asked if a closed session would be justified in this

situation.

Mr. Mitchell Park, Legal Counsel, Council Office, stated the discussion would most likely relate to deployment of a security system, which is a recognized reason for going into closed session. It could be done under the existing notice.

Council Member Winder Newton asked Chief Matthew Dumont, Chief Deputy, Sheriff's Office, if he could answer the questions without divulging security details.

Chief Matthew Dumont, Chief Deputy, Sheriff's Office, stated he would feel more comfortable answering Council Member Stewart's questions in closed session.

Council Member Winder Newton paused the conversation so it could be continued during the closed session.

Later in the meeting, after returning to open session, the Council voted on this item.

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

5. PUBLIC HEARINGS AND ISSUANCE OF PUBLIC NOTICES

6. PENDING LEGISLATIVE BUSINESS

- 6.1 First Reading 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. Formal Adoption May Be Considered at the August 15th Meeting.** [23-0774](#)

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

Presenter: Councilmember Aimee Winder Newton. Councilmember Laurie Stringham. (Approx. 3:25 PM)
Discussion/Directional

Council Member Winder Newton stated there are about thirty-four committees in the County that have some sort of policy making function and are required to to comply with the Open and Public Meetings Act. She would like to ensure the public has a way to contact these bodies, and this ordinance would officially accomplish that. The email address provided does not need to be a County email address; it does not need to be an email address at all. The executive branch can make those decisions as it sees fit. There are also many parts of the ordinance that are outdated and Mitchell Park, Legal Counsel, Council Office, has cleaned it up.

Mayor Jennifer Wilson stated she wanted to ensure public access to decision makers while respecting the privacy of volunteers.

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

7.1 PenLink Resolution for Interlocal Agreements

[23-0771](#)

Attachments: [Staff Report](#)
[Penlink 1 interlocal - Resolution 8-2-23](#)
[Penlink 2 interlocal - Resolution 8-2-23](#)

RESOLUTION NO. 6131

RESOLUTION APPROVING ADOPTION OF AN INTERLOCAL
COOPERTION AGREEMENT TO SHARE COSTS AND RESOURCES
ASSOCIATED WITH ELECTRONIC SURVEILLANCE WITH
VARIOUS GOVERNMENT ENTITIES

RECITALS

THE LEGISLATIVE BODY OF SALT LAKE COUNTY RESOLVES AS FOLLOWS:

WHEREAS, PenLink provides software for use by law enforcement to collect and analyze electronic communications as authorized by a court; and

WHEREAS, various government entities currently own various PenLink software licenses for which PenLink requires payment of yearly maintenance fees to keep the licenses active and useable. In addition, any single user must currently purchase and maintain a sufficient number of licenses to allow the user to meet its peak demand; and

WHEREAS, use of the licenses also requires substantial computer hardware and software to host the licenses and personnel who are trained to use PenLink services; and

WHEREAS, establishing one location to manage licenses and pay annual maintenance fees, purchase and maintain necessary computer hardware and software, and employ and train staff to access and use PenLink licenses, which would lower operating costs for all parties and also allow parties to access and use the pooled PenLink licenses thereby reducing the need to purchase and pay yearly fees for additional licenses needed to meet peak or increasing demand; and

WHEREAS, the Salt Lake County District Attorney's Office currently possesses the necessary computer hardware and software and employs staff able to utilize PenLink services and is otherwise able and willing to manage, coordinate, and host PenLink services and charge its costs for doing so to each of the other parties to the interlocal agreement who use such services; and

WHEREAS, pursuant to the authority granted in Utah Code Ann. § 11-13-101, et seq. (the Interlocal Cooperation Act or "the Act"), the County and other government entities desire to enter into an agreement for joint and cooperative action based on § 11-13-202 of the Act and have determined that it is mutually advantageous to enter into this Agreement.

RESOLUTION

NOW THEREFORE, be it resolved by the Salt Lake County Council that an INTERLOCAL COOPERATION AGREEMENT for the hosting and management of PenLink licenses by Salt Lake County which will be used by other government entities who will reimburse the County for the cost of such services is approved and the Mayor authorized to execute the same.

APPROVED and ADOPTED this 8th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST

By /s/ AIMEE WINDER NEWTON
Chair

By /s/ LANNIE CHAPMAN
County Clerk

RESOLUTION NO. 6132

RESOLUTION APPROVING ADOPTION OF AN INTERLOCAL COOPERTION AGREEMENT TO PROVIDE ASSISTANCE WITH ELECTRONIC SURVEILLANCE TO VARIOUS GOVERNMENT ENTITIES

RECITALS

THE LEGISLATIVE BODY OF SALT LAKE COUNTY RESOLVES AS FOLLOWS:

WHEREAS, PenLink provides software for use by law enforcement to collect and analyze electronic communications as authorized by a court; and various law enforcement agencies require PenLink services from time to time; and

WHEREAS, the Salt Lake County District Attorney’s Office currently possesses the necessary computer hardware and software and employs staff able to utilize PenLink services and is otherwise able and willing to manage, coordinate, host, and use PenLink services as requested by a law

enforcement agency which will pay Salt Lake County for its costs of providing PenLink services to that agency; and

WHEREAS, pursuant to the authority granted in Utah Code Ann. § 11-13-101, et seq. (the Interlocal Cooperation Act or “the Act”), the County desires to enter into an agreement for joint and cooperative action based on § 11-13-202 of the Act and has determined that it is mutually advantageous to enter into such an Agreement.

RESOLUTION

NOW THEREFORE, be it resolved by the Salt Lake County Council that an INTERLOCAL COOPERATION AGREEMENT allowing other law enforcement agencies to pay for access to Salt Lake County’s PenLink resources is approved and the Mayor authorized to execute the same.

APPROVED and ADOPTED this 8th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST

By /s/ AIMEE WINDER NEWTON
Chair

By /s/ LANNIE CHAPMAN
County Clerk

This consent item was approved.

- 7.2 **Consideration of Approval of Salt Lake County Constable Travis J. Reitz’s Appointment of Ingrid T. Alvarado as a Deputy Constable** [23-0768](#)

Attachments: [Staff Report](#)
[Alvarado Appointment Letter](#)

This consent item was approved.

- 7.3 **Consideration of Withdrawal of Salt Lake County Deputy** [23-0769](#)

Constables Orson Madsen, Rhett Storrs, Dylan Jacobs, and Danny Willoughby

Attachments: [Staff Report](#)
[Constable Withdrawal Letter](#)

This consent item was approved.

7.4 Consideration of a Resolution of the Salt Lake County Council Convening an Administrative Tribunal to Make Recommendations Concerning Certain Salt Lake County Constables and Providing Notice of the Tribunal and an Opportunity to Be Heard to Those Same Constables [23-0773](#)

Attachments: [Staff Report](#)
[Constable Removal Resolution \(RAFL\)](#)

RESOLUTION NO. 6133

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL CONVENING AN ADMINISTRATIVE TRIBUNAL TO MAKE RECOMMENDATIONS CONCERNING CERTAIN SALT LAKE COUNTY CONSTABLES AND PROVIDING NOTICE OF THE TRIBUNAL AND AN OPPORTUNITY TO BE HEARD TO THOSE SAME CONSTABLES

WHEREAS, the Salt Lake County Council has determined that the County may from time to time appoint peace officers to serve as Salt Lake County Constables pursuant to Utah Code § 17-25a-1 et seq.; and

WHEREAS, subject to the provisions of Utah Code and Salt Lake County Code of Ordinances, Chapter 2.50, entitled “County Constables,” the Salt Lake County Council has appointed certain peace officers to serve as Salt Lake County constables; and

WHEREAS, Utah Code Ann. § 17-25a-1(4), provides that a county legislative body that appoints a constable may withdraw the authority of the constable for cause; and

WHEREAS, Salt Lake County Code of Ordinances, § 2.50.120 establishes

that all persons acting as a county constable or deputy constable shall pay an annual fee of one hundred dollars to the county general fund, which fee is due January 1 of each year and delinquent on January 31 of each year; and

WHEREAS, Salt Lake County Code of Ordinances, § 2.50.120 further establishes that in addition to any other penalty imposed by law, any person who acts as constable or deputy constable without having first paid the fee is subject to removal from office; and

WHEREAS, Salt Lake County Code of Ordinances § 2.50.130, at subsection C., provides that “acting as a county constable or deputy constable without first having paid the annual fee...shall constitute an automatic disqualification from office”; and

WHEREAS, Salt Lake County Code of Ordinances § 2.50.130, at subsection A., provides that county constables or deputy constables shall be subject to removal by the council after a recommendation for removal has been made by an administrative tribunal convened by the council to adjudicate the matter; and

WHEREAS, a diligent search of the County’s records and accounts receivable has demonstrated that the several constables and deputy constables appointed by Salt Lake County have not provided timely payment of the annual fee required by Salt Lake County Code of Ordinances, § 2.50.120, during January of 2023, or at any time during the preceding calendar year of 2022, or at any time since; and

WHEREAS, such failure to pay the required annual fee is grounds for automatic disqualification and removal of the constable’s authority under Salt Lake County Ordinance; and

WHEREAS, the Salt Lake County Council now finds it expedient to convene an administrative tribunal to make recommendations as to whether one or more constables or deputy constables shall be disqualified from office and have their authority withdrawn pursuant to Utah law and Salt Lake County Ordinance for failure to pay the required annual fee;

NOW THEREFORE, be it resolved by the Salt Lake County Council, acting as the legislative body for Salt Lake County:

- 1) That Salt Lake County Council hereby convenes an administrative tribunal consisting of its appointed legal counsel to initially adjudicate and make recommendations whether any Salt Lake County constables or deputy constables who have not provided timely payment of the annual fee required by Salt Lake County Code of Ordinances, § 2.50.120, during January of 2023, or at any time during the preceding calendar year of 2022, should have their authority withdrawn pursuant to § 2.50.130.
- 2) In making its recommendations, the administrative tribunal may adjudicate this as matter informally as the facts and circumstances allow, provided that the administrative tribunal affords each constable due process as required by Salt Lake County Ordinance § 250.130.B. Due process shall be established by providing a copy of this resolution along with written notice of the administrative tribunal’s proceedings to each affected constable or deputy constable at their last known address, and by giving each affected constable or deputy constable a reasonable opportunity to provide a written statement or other relevant facts or information to the administrative tribunal prior to the date of its adjudication.
- 3) The administrative tribunal should be prepared to make recommendations for Council action, or provide the Council with an appropriate update, within 60 days of the approval of this resolution.

APPROVED and ADOPTED this 8th day of August, 2023.

SALT LAKE COUNTY COUNCIL

ATTEST

By /s/ AIMEE WINDER NEWTON
Chair

By /s/ LANNIE CHAPMAN
County Clerk

This consent item was approved.

8. POTENTIAL CLOSED SESSION

8.1 Potential Closed Session to Discuss a Real Estate Matter

[23-0762](#)

Attachments: [Staff Report](#)

(Approx. 3:45PM)

A motion was made by Council Member Bradshaw, seconded by Council Member Stewart, to go into closed session to discuss the deployment of security personnel, devices, or systems, and the purchase of real property. The motion carried by a unanimous vote.

The meeting was reopened by vote during the closed session.

- 9. APPROVAL OF TAX LETTERS
- 10. ACCEPTANCE OF ETHICS DISCLOSURES
- 11. APPROVAL OF COUNCIL MEETING MINUTES

11.1 Approval of July 18, 2023 Council Minutes [23-0775](#)

Attachments: [071823 Council Minutes](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Alvord, 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 4:45 PM until Tuesday, August 15, at 3:00 PM.

LANNIE CHAPMAN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL