

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, June 12, 2018

4:00 PM

Council Chambers, N1-110

County Council

1. CALL TO ORDER

Present: Council Member Jenny Wilson
Council Member Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Ann Granato
Council Member Steve DeBry
Council Member Max Burdick
Council Chair Aimee Winder Newton

Call In: Council Member Michael Jensen

Pledge of Allegiance

Gordon Swenson

3. REPORT OF ELECTED OFFICIALS:

Council Member Jensen, seconded by Council Member Burdick, moved that the Council place last week's zoning matter, item number 30650, Olympia Land, LLC, on the Council agenda next week, June 19, 2018, to discuss whether the Council should rescind or amend its prior action on the three ordinances voted upon last week.

Those three ordinances include:

1. An Ordinance amending the Southwest Community General Plan.
2. An Ordinance rezoning property described in Application #30650 to the P-C Zone, with the associated revised Master Development Agreement.
3. An Ordinance approving Item #30650, which included a P-C Zone Plan and the associated revised Master Development Agreement.

The motion also includes legislative intent that the Council intends to put a hold on this development while it works with local southwest elected officials and other officials to look at the area from a regional perspective and obtain input from citizens and developers. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

4. PROCLAMATIONS, DECLARATIONS, AND OTHER CEREMONIAL OR COMMEMORATIVE MATTERS

- 4.1** Recognition of Salt Palace Convention Center and Mountain America Expo Center Receiving the IMEX-EIC Innovation in Sustainability Award [18-180](#)

Attachments: [Staff Report](#)

Mayor Ben McAdams recognized the Salt Palace Convention Center and Mountain America Expo Center for receiving the IMEX (worldwide exhibition for incentive travel, meetings and events) Events Industry Council (EIC) Innovation in Sustainability Award.

5. PUBLIC HEARINGS AND NOTICES

- 5.1** Public Hearing at 6:00 p.m. on June 19, 2018 to Receive Comments Regarding Adjustments to the 2018 County Budget [18-232](#)

6. RATIFICATION OF ACTIONS IN COMMITTEE OF THE WHOLE**6.1. DISCUSSION ITEMS:**

- 6.1.2** Mid-Year Budget Discussion [18-204](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

6.2. CONSENT ITEMS:

- 6.2.1** Board Appointment of Joanna Johnston as a new member of the Cultural Facilities Support Program Advisory Board [18-182](#)

Attachments: [Staff Report](#)
 [Joanna Johnston - 2018 Board Appointment Approval form](#)
 [Joanna Johnston - Application](#)
 [Joanna Johnston - Resume](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
 Council Member Snelgrove
 Council Member Bradley
 Council Member Bradshaw
 Council Member Jensen
 Council Member Granato
 Council Member DeBry
 Council Member Burdick
 Council Chair Winder Newton

- 6.2.2** Resolution Declaring Surplus Property and Approving Sale to 8803 Storage, LLC for the Appraised Value of \$8,100 (Property Located at 8829 South 630 East, Sandy, Utah) [18-190](#)

Attachments: [Staff Report](#)
 [061218 Resolution Sale to Storage LLC.pdf](#)

RESOLUTION NO. 5376

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING SURPLUS REAL PROPERTY AND APPROVING THE CONVEYANCE OF A PORTION OF THE SAME BY QUIT-CLAIM DEED TO 8803 STORAGE, LLC

RECITALS

1. Salt Lake County (the “County”) owns a parcel of real property, Parcel No. 28-06-279-004, located at approximately 8829 South 630 East, Sandy City, Utah (the “Property”), which was struck off to the County after the tax sale in 1936.
2. 8803 Storage, LLC (“Buyer”), owns a parcel of land adjacent to the Property.

3. Buyer has offered to purchase the Property from the County for its appraised value, which has been reviewed and approved by the County Real Estate Division and has paid a fee of \$100, which amount shall be credited towards the purchase price of the Property. This offer is in the form of a Tax Sale Property Purchase Agreement (the "Agreement") attached hereto as Exhibit A.
4. The County has determined that the Property is not currently in public use and that the Property has an appraised value of \$8,100.00. Proceeds from the sale of the Property will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
5. The best interest of the County and the general public will be served by the sale and conveyance of the Property to Buyer for its fair market value. The sale and conveyance will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Property described in Exhibit 1 of the Agreement is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and conveyance of the Property by quit-claim deed to Buyer as provided in the Agreement for the agreed appraised value of Eight Thousand One Hundred Dollars (\$8,100.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are authorized to execute the Quit-Claim Deed, attached to the Agreement as Exhibit 2, and to deliver the fully executed documents to the Salt Lake County Real Estate Division for delivery to Buyer in accordance with the terms of the Agreement.

APPROVED and ADOPTED this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

- 6.2.3** Resolution Authorizing Right of Way Contract and Temporary Construction Easement to West Valley City (Location 4740 West 4100 South) [18-191](#)

Attachments: [Staff Report](#)
[061218 Resolution Temporary Construction Easement.pdf](#)

RESOLUTION NO. 5377

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION AND DELIVERY OF A RIGHT OF WAY CONTRACT AND A TEMPORARY CONSTRUCTION EASEMENT TO WEST VALLEY CITY.

RECITALS

- A. Salt Lake County (the “County”) owns a certain parcel of real property located at approximately 4740 West 4100 South, West Valley City, Utah, also identified as Parcel No. 15-31-354-011 (the “Property”).
- B. West Valley City (the “City”) is reconstructing a portion of 4100 South in conjunction with the Utah Department of Transportation (“UDOT”).
- C. The reconstruction project will affect a portion of the Property immediately adjacent to 4100 South.

- D. The City has submitted a Right of Way Contract to the County offering to purchase a temporary construction easement (the "Easement") from the County for \$2,900.00, which amount has been reviewed and approved by the County Real Estate Division as full and adequate consideration.
- E. It has been determined that the best interests of the County and the general public will be served by executing the Right of Way Contract and the Easement attached to this Resolution. The grant of said Easement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the grant and conveyance of the Easement is hereby approved, and the Mayor is authorized and directed to execute the Right of Way Contract, attached hereto as Exhibit A, and any other related document necessary to complete this transaction.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized, consistent with the terms of the Right of Way Contract to execute the Easement attached hereto as Exhibit B and to deliver the fully executed document to the County Real Estate Division for delivery to the City upon payment of the agreed upon purchase amount.

APPROVED and ADOPTED this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

- 6.2.4** Resolution Declaring Surplus Property and Release of a Water Line Easement Located at 747 West 4170 South, Murray, Utah, to Salt Lake County Recreation Board (SLCRB) [18-192](#)

Attachments: [Staff Report](#)
[061218 Resolution Water Line Easement.pdf](#)

RESOLUTION NO. 5378

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING SURPLUS REAL PROPERTY AND AUTHORIZING THE RELEASE OF AN EASEMENT OVER CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 747 WEST 4170 SOUTH, MURRAY, UTAH

RECITALS

- A. Joseph B. Carlisle, as Grantor, executed and delivered a Water Line Easement, dated January 14, 1954, in favor of the Salt Lake County Recreation Board (“SLCRB”) across property located at approximately 747 West 4170 South, Murray, Utah (the “Property”).
- B. WCS Investments, LLC (“WCS”) currently owns the Property.
- C. No pipe line was ever installed on the Property within the easement by SLCRB.
- D. SLCRB has been dissolved, and to the extent that Salt Lake County (“County”), is the successor to SLCRB and the current holder of the rights under the Water Line Easement, the County has

determined that it does not require the rights granted to SLCRB under the Water Line Easement.

E. WCS has asked the County to release and quit-claim any interest it may have in the Water Line Easement as successor to SLCRB.

F. It has been determined that the best interests of the County and the general public will be served by releasing and quitclaiming the Water Line Easement. The release and quitclaim of the Water Line Easement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Water Line Easement be declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Water Line Easement shall be released and quitclaimed as provided in the Quitclaim and Release of Water Line Easement attached hereto as Exhibit A ("Release"), which is hereby approved. The Mayor and County Clerk are hereby authorized to execute the original Release, and to deliver the fully executed document to the County Real Estate Section for recording with the Salt Lake County Recorder's Office.

APPROVED and ADOPTED this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

- 6.2.5** IHC Health Services, Inc. - Considering for Adoption a Resolution Approving, for Purposes of Section 147(f) of the Internal Revenue Code of 1986, as Amended, the Issuance by Utah County, Utah (the “Issuer”) of its Hospital Revenue Bonds (the “Bonds”) in One or More Series and in an Aggregate Principal Amount Not to Exceed \$98,500,000, With Respect to Certain Health Care Facilities of IHC Health Services, Inc. Located in Salt Lake County, For the Purpose of Financing, Refinancing or Providing Reimbursement for the Acquisition, Improvement and Equipping of Such Health Care Facilities [18-193](#)

Attachments: [Staff Report](#)
[061218 IHC Resolution Lang.pdf](#)

Resolution No. 5379

A resolution approving the proposed issuance by Utah County, Utah of its hospital revenue bonds in one or more series, in an aggregate principal amount not to exceed \$98,500,000 with respect to facilities in Salt Lake County, Utah.

Whereas, pursuant to the provisions of the Utah Industrial Facilities and Development Act (Chapter 17 of Title 11, Utah Code Annotated 1953, as amended) (the “Facilities Act”), Utah County, Utah (the “Issuer”) is authorized to issue revenue bonds for the purposes specified in the Facilities Act and to loan the proceeds thereof to IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services (“Intermountain”), to finance, refinance or provide reimbursement for the acquisition, construction and equipping of health care facilities of Intermountain; and

Whereas, pursuant to the provisions of the Interlocal Cooperation Act (Chapter 13 of Title 11, Utah Code Annotated 1953, as amended), the Issuer, Cache County, Utah, Davis County, Utah, Murray City, Utah, Riverton City, Utah, Salt Lake County, Utah, Sandy City, Utah, Sevier County, Utah, Summit County, Utah, Washington County, Utah, Wasatch County, Utah, and Weber County, Utah have entered into the Interlocal Cooperation Agreement dated as of October 1, 2012, as heretofore supplemented and amended which provides for the issuance by Issuer of revenue bonds on behalf of itself, Cache County, Utah, Davis County, Utah, Murray City, Utah, Riverton City, Utah, Salt Lake County, Utah, Sandy City, Utah, Sevier County, Utah, Summit County, Utah, Wasatch County, Utah, Washington County, Utah, and Weber County, Utah, to finance, refinance or provide reimbursement for the acquisition, construction and equipping of health care facilities of Intermountain; and

Whereas, the Issuer proposes to issue its hospital revenue bonds (the “Bonds”) in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$98,500,000 with respect to facilities located in Salt Lake County, Utah and loan the proceeds of the Bonds to Intermountain in order to (i) finance, refinance, or reimburse Intermountain for its prior payment of, the costs of acquiring, constructing and equipping certain of the health care facilities described below which are or will be owned by Intermountain, (ii) fund a debt service reserve fund, if deemed advisable by the Issuer and Intermountain, and (iii) pay certain expenses incurred in connection with the issuance of the Bonds, including any premium and fees associated with the credit or liquidity enhancement of the Bonds, if credit or liquidity enhancement is deemed advisable by the Issuer and Intermountain; and

Whereas, the costs of acquiring, constructing, improving or renovating the facilities listed below and the costs of acquiring equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building furniture, fixtures and equipment) to be used at the facilities listed below are expected to be financed with a combination of proceeds of the Bonds and funds of Intermountain, and a general functional description and the location of each such facility and the maximum aggregate principal amount of Bonds to be issued with respect to each such facility are listed below:

Salt Lake County: (i) renovation and expansion of facilities at Primary

Children's Hospital, including, but not limited to, renovation of approximately 120,000 square feet, and expansion of approximately 11,000 square feet of hospital space, located at 100 Mario Capecchi Drive, Salt Lake City, Utah - \$60,000,000; (ii) renovation and expansion of facilities, including, but not limited to, renovation of approximately 15,000 square feet, and expansion of approximately 20,000 square feet of hospital and medical clinic space, all on The Orthopedic Specialty Hospital (TOSH) campus, located directly west of Fashion Blvd (300 E), bordered generally by McMillan Ln on the north and Medical Tower Drive on the south, with a primary mailing address of 5848 S Fashion Blvd, Murray, Utah - \$20,000,000; (iii) a new approximately 21,000-square-foot medical clinic, located on a parcel of land consisting of approximately 4 acres on the Northeast corner of 7800 S and 5600 W, West Jordan, Utah - \$10,000,000; (iv) expansion of facilities at West Jordan Clinic, consisting of approximately 9,000 square feet of new medical clinic space located at 2655 W 9000 S, West Jordan, Utah - \$5,000,000; and (v) expansion of facilities at Rose Canyon Clinic, consisting of approximately 7,000 square feet of new medical clinic space located at 5541 W 13400 S, Riverton, Utah - \$3,500,000; and

Whereas, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires approval by the County Council of Salt Lake County, Utah of the proposed issuance of the Bonds after a public hearing following reasonable public notice; and

Whereas, Section 147(f) of the Code and the regulations promulgated thereunder allow for public hearings to be combined as long as the the combined hearing affords the residents of all of the participating governmental units a reasonable opportunity to be heard, which combined hearing is presumed to be convenient for residents of each participating governmental unit if it is no more than 100 miles from the seat of government of each participating governmental unit; and

Whereas, Salt Lake County has requested that the Issuer hold a public hearing (the "Public Hearing") on behalf of Salt Lake County with respect to the facilities located within Salt Lake County, Utah, and on June 5, 2018, this Council authorized Utah County to hold such Public Hearing on its behalf; and

Whereas, notice of the Public Hearing was published on May 29, 2018 in the *The Salt Lake Tribune* and the *Deseret News*, each a newspaper of general circulation within the geographic jurisdiction of Salt Lake County, and copies of the publisher's affidavits with respect to each publication are attached hereto as *Exhibit B*; and

Whereas, this Council has been informed that the Issuer has conducted the Public Hearing on behalf of itself and on behalf of Salt Lake County, Utah with respect to facilities located in Salt Lake County, Utah on June 12, 2018, and the minutes with respect to such Public Hearing are attached hereto as *Exhibit C*; and

Now, therefore, be it resolved by the County Council of Salt Lake County, Utah, as follows:

Section 1. On June 12, 2018, the Issuer, on behalf of Salt Lake County, Utah conducted a public hearing regarding the proposed issuance of the Bonds by the Issuer in an aggregate principal amount not to exceed \$98,500,000 with respect to facilities in Salt Lake County, Utah, for the purposes described in the preamble hereto. At said hearing all persons who requested to be heard were allowed a full opportunity to express their views concerning the proposed plan of financing for the facilities described in the preamble hereto. In addition, all persons who sought to do so were allowed a full opportunity to submit their views in writing prior to said hearing.

Section 2. This Council, as the “applicable elected representative” under Section 147(f) of the Code, hereby approves the issuance of the Bonds in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$98,500,000, with respect to facilities located in Salt Lake County, Utah for the purposes described in the preamble hereto.

Passed and Approved by the County Council of Salt Lake County, Utah, this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST and COUNTERSIGN:

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ GAYELENE GUDMUNDSON

Deputy County Clerk

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

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

- 6.1.1** Final Adoption of an Ordinance Amending Chapter 2.50, Salt Lake County Code of Ordinances, 2001, Entitled “County Constables” to Make the Ordinance Consistent With State Statute Regarding the Term of Office for Appointed Constables and the Composition of the Nominating Commission, and Making Other Related Changes [18-249](#)

Attachments: [Staff Report](#)
[Constable Ordinance](#)

ORDINANCE NO. 1833

**SALT LAKE COUNTY ORDINANCE
CONSTABLE TERMS AND APPOINTMENT PROCESS**

COUNTY CONSTABLES

AN ORDINANCE AMENDING CHAPTER 2.50, SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED “COUNTY CONSTABLES,” TO MAKE THE ORDINANCE CONSISTENT WITH STATE STATUTE REGARDING THE TERM OF OFFICE FOR APPOINTED CONSTABLES AND THE COMPOSITION OF THE NOMINATING COMMISSION, AND MAKING OTHER

RELATED CHANGES.

The 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 interlineation.

SECTION II. Chapter 2.50 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Sections:

2.50.010 - Establishment-Number of constables.

2.50.020 - Administrative policies and procedures.

2.50.030 - Jurisdiction.

2.50.040 - Independent contractors

2.50.050 - Notice of constable position.

2.50.060 - Nominating commission.

2.50.070 - Nominating process.

2.50.080 - Appointment-Term of office.

2.50.090 - Appointment of deputy constables.

2.50.100 - Reporting.

2.50.110 - Access to criminal history information.

2.50.120 - Annual fee.

2.50.130 - Removal.

2.50.010 - Establishment-Number of constables.

The council shall appoint as many qualified persons to act as county constables as convenience requires, subject to the provisions of [~~Section 17-25a-1, et seq., Utah Code Annotated, 1953, as amended~~] state law.

2.50.020 - Administrative policies and procedures.

A. Each county constable shall be responsible for supervising such constable's own deputies, office personnel and administrative matters, and for ensuring compliance with the association's administrative policies and procedures and ensuring that each constable and deputy constable who uses an automobile in the discharge of the duties of his or her office

shall possess a current Utah driver's license and will maintain automobile liability insurance as required by law and will file copies of such policies with county risk management.

- B. Each county constable will furnish a policy of general liability insurance written by a carrier on a form acceptable to the risk manager and in an amount set by the council covering each constable and deputy constable and naming Salt Lake County as an additional insured and shall furnish a copy of the certificate of insurance to the constable liaison and risk manager. No person shall exercise any of the powers of a constable or discharge any of the duties of a constable in the absence of such insurance. Anyone violating this requirement is guilty of a class B misdemeanor and in addition to any other penalty imposed by law is subject to removal from office.

2.50.030 - Jurisdiction.

County constables shall be appointed on a county-wide basis and may serve civil and criminal process pursuant to [~~Section 17-25a-1, et seq., Utah Code Annotated, 1953 (amended in 1990)~~] state law.

2.50.040 - Independent contractors.

County constables are independent contractors and are responsible for their own actions and for the actions of their deputies, agents and employees, and any liability resulting therefrom. When executing civil process, constables are acting as agents of the litigant or litigant's attorney who employs their services. Constables, as officers of the court, are also acting in their official capacity as special function officers empowered by law to enforce the lawful orders of any court of competent jurisdiction.

2.50.050 - Notice of constable position.

When the council determines that one or more constables should be appointed, it shall advertise the position(s) by publishing a notice thereof at least twice in a newspaper of general circulation in the county. The notice of an open constable position shall include the address of the personnel division where applications for the vacancy can be obtained for completion and filing for consideration by the nominating commission. The

time for which applications can be submitted for the vacancy shall be no less than fifteen days after the first day of publication of the vacancy. Personnel policies and procedures regarding recruitment of applicants will apply to filling this position.

2.50.060 - Nominating commission.

When a county constable position is to be opened, the council shall establish a constable nominating commission. The nominating commission shall consist of the following individuals or their designees:

1. A council member;
2. The sheriff;
3. A judge of the justice or district court;
4. The attorney; and
5. A private citizen of Salt Lake County appointed by the council.

2.50.070 - Nominating process.

- A. Upon being appointed, designated or informed of the request of the council that the nominating commission is to be convened, the members so designated will meet within ten days' time and develop the criteria for the selection and ranking of applicants for the position. Applicants must meet the eligibility criteria established by [~~Section 17-25a-2, Utah Code Annotated, 1953, as amended,~~] state law for the position of county constable.
- B. The nominating commission shall rank the applicants in order of preference and submit up to three names for each vacancy together with other recommendations to the council.

2.50.080 - Appointment-Term of office.

- A. The council, upon receipt of the nominating commission's list of successful applicants ranked in order of preference, together with its recommendations and within fifteen calendar days thereafter, shall:
 1. Approve the nominating commission's recommendations and appoint the recommended applicant(s);
 2. Reject the recommended applicant(s) and select one or more of the

remaining applicants on the list; or

3. Reject all the named applicants and refer the matter back to the nominating commission for a new list and recommendation.

- B. A constable's term of office is [~~six~~] four years. A constable may serve more than one term if reappointed by the council.

2.50.090 - Appointment of deputy constables.

Deputy constables shall be appointed in accordance with the provisions of Section 2.12.070 of this code of ordinances. Each nominee must be certified by the division of peace officer standards and training as qualified to undertake the duties of a special function officer and by the appointing constable as having successfully passed a criminal background check. The council will not act upon any nomination until it has received a background report prepared in accordance with peace officer standards and training and sheriff's office background investigation standards and an application fee of twenty-five dollars deposited to the Salt Lake County general fund.

- A. The criminal background check may be waived if the applicant is currently employed as a peace officer as defined by [~~Utah Code Ann., § 53-1-102~~] state law. The applicant must submit a current letter from the employing law enforcement agency stating that the individual is [~~POST~~] certified as a special function peace officer, is an employee in good standing, and that there is nothing in the applicant's previous experience or background with the law enforcement agency to preclude the applicant from being a deputy constable.
- B. The criminal background check may be waived if the applicant is retiring or has retired from a law enforcement agency in good standing. The applicant must submit a letter from the law enforcement agency, dated no earlier than one year prior to the date of the application, stating the date of the individual's retirement, that the individual has been [~~POST~~] certified as a special function peace officer and remains [~~POST~~] certified as of the date of retirement, is leaving or has left its employ in good standing and that there is nothing in the applicant's previous experience or background with the law enforcement agency to preclude the applicant from being a

deputy constable. The individual seeking waiver of the background check must seek employment within one year of retirement from the law enforcement agency.

2.50.100 - Reporting.

After a county constable or deputy constable has been appointed or removed by the council, the constable's name shall be reported to the Division of Peace Officer Standards and Training by the council clerk.

2.50.110 - Access to criminal history information.

- A. The sheriff is authorized to enter into user agreements with any constable who is required to serve criminal process for access to sheriff's office criminal history information the sheriff deems appropriate. Upon entering into user's agreement, the constable shall be responsible for ensuring the confidentiality requirements of the agreement are complied with.
- B. Constables may enter into user agreements with the Utah State Department of Public Safety for access to state and national criminal history information systems.

2.50.120 - Annual fee.

All persons acting as a county constable or deputy county constable shall pay an annual fee of one hundred dollars to the county general fund. The fee is due on January 1st of each year and delinquent on January 31st. Any person who acts as a county constable or deputy county constable without first having paid the fee is guilty of a Class B misdemeanor and in addition to any other penalty imposed by law is subject to removal from office.

2.50.130 - Removal.

- A. 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.
- B. Upon being appointed, designated or informed to convene an

administrative tribunal, the members so designated shall first adopt a set of rules [~~so as~~] to afford the constable due process.

- C. Loss of certification by the division of peace officer standards and training, the conviction of any felony, acting as a county constable or deputy county constable without first having paid the annual fee, or conviction of an offense involving dishonesty, unlawful sexual conduct, physical violence, or the unlawful use, sale, or possession for sale of a controlled substance (as defined by division of peace officer standards and training administrative rule) shall constitute an automatic disqualification from office.
- D. A county constable may be removed from office if it is established that the constable has [~~wilfully~~] willfully failed to comply with the written administrative policies and procedures approved by the council or the Utah Public Officers' and Employees' Ethics Act[~~, Section 67-16-1, et seq., Utah Code Annotated, 1953~~].
- E. A constable shall be removed from office and shall have all statutory authority withdrawn if he or she is absent from the county for a period of sixty days or more without the written permission of the county legislative body or if the constable ceases to exercise constable authority or act as a constable.
- F. The foregoing is not to be construed as a limitation on the enforcement powers of the sheriff and attorney and the attorney may bring judicial proceedings to remove any constable or deputy constable without the necessity of an administrative tribunal as provided in Section 2.50.130(A).
- G. If for any reason the county withdraws the authority of a county constable, the authority of all deputy constables is also withdrawn.

SECTION III. This ordinance shall become effective fifteen days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

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

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

- 6.2.6** Cooperative Agreement Approving \$60,000 Contribution From Salt Lake City to Salt Lake County for the Microbial Source Tracking Sample Analysis Project to Identify Pollutants in Waterways in Millcreek Canyon, Emigration Canyon and Red Butte Canyon [18-205](#)

Attachments: [Staff Report](#)
[061218 Cooperative Agreement Approving a \\$60,000.pdf](#)

RESOLUTION NO. 5380

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING EXECUTION OF A COOPERATIVE AGREEMENT WITH SALT LAKE CITY FOR THE MICROBIAL SOURCE TESTING SAMPLE ANALYSIS PROJECT.

WITNESSETH

WHEREAS, the Parties are local governmental units and “public agencies” that are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101, et seq., Utah Code Annotated (the

“Interlocal Act”), to enter into agreements with each other for joint and cooperative action to make the most efficient use of their powers on a basis of mutual advantage; and

WHEREAS, the City desires to enter a Cooperative Agreement with the County under which the City will provide funds for the Microbial Source Tracking Sample Analysis Project (“Project”); and

WHEREAS, it has been determined that the best interests of the County and the general public will be served by the execution of the attached Cooperation Agreement and by participating as required therein.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the attached Cooperation Agreement is approved; and the Mayor is authorized to execute said agreement, a copy of which is attached as Exhibit 1 and by this reference made a part of this Resolution.

APPROVED and ADOPTED this 12th day of June, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Snelgrove
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member DeBry
Council Member Burdick
Council Chair Winder Newton

7. OTHER MATTERS**7.1. TAX LETTERS****7.1.1 Tax Letters**[18-194](#)

Attachments: [Assessor's Tax Letters 6-12-18](#)
 [Auditor's Tax Letters 6-12-18](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
 Council Member Snelgrove
 Council Member Bradley
 Council Member Bradshaw
 Council Member Jensen
 Council Member Granato
 Council Member DeBry
 Council Member Burdick
 Council Chair Winder Newton

7.3. PRIVATE BUSINESS DISCLOSURES**7.3.1 Disclosure of Private Business Interests Form.**[18-169](#)

Attachments: [Rhetta McIff Disclosure Form](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be received and filed. The motion carried by the following vote:

Aye: Council Member Wilson
 Council Member Snelgrove
 Council Member Bradley
 Council Member Bradshaw
 Council Member Jensen
 Council Member Granato
 Council Member DeBry
 Council Member Burdick
 Council Chair Winder Newton

ADJOURN

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the

meeting was adjourned at 4:20 PM until Tuesday, June 19, 2018, at 4:00 P.M.

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL

By _____