

Salt Lake County Council

Committee of the Whole

~MINUTES~

Tuesday, February 28, 2017

[2:08:08 PM](#)

Committee Members

Present:

Jennifer Wilson
Jim Bradley
Arlyn Bradshaw
Michael Jensen
Max Burdick¹
Steven DeBry, Chair

Excused:

Richard Snelgrove
Aimee Winder Newton
Sam Granato

Citizen Public Input ([2:08:27 PM](#))

No one appeared for Citizen Public Input.

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Review of Proposed Hires ([2:08:39 PM](#))

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the following proposed hires:

Agency

Position

Information Services Division

Contracts Manager 16

Human Resources Division

Human Resources Consultant 16

Center for the Arts

Division Director 20

Assessor's Office

Commercial Ad Valorem Tax Appraiser 15
Commercial Sales Analyst 16

Sheriff's Office

Construction and Maintenance Specialist 11
2 Jail Clerks 10

¹ Participated electronically.

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<i>Youth Services Division</i>	Youth Worker 12
<i>Salt Lake County Health Department</i>	Public Health Nurse 16
<i>Aging and Adult Services Division</i>	Case Manager 14
<i>Library Services Division</i>	2 Librarian 14 Custodial Maintenance Worker 13 3 Assistant Library Managers 15
<i>Public Works Department</i>	District Worker 9 Equipment Manager 15 Truck Driver 10



Interim Budget Adjustments ([2:09:05 PM](#))

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the following interim budget adjustment requests, which have been placed on the Council agenda for formal consideration:

Mayor's Office

Interim budget adjustment to reclassify a Director of Data and Innovation position to a Community Outreach position.

Sheriff's Office

Interim budget adjustment of \$75,295 to add one Protective Services FTE assigned to the Animal Services Shelter. This request also includes the purchase of a used vehicle.

Clerk's Office

Interim budget adjustment to reclassify positions for staffing the Metro Townships. A .75 FTE and a .50 FTE will be combined to create one FTE, and the remaining .25 FTE will be eliminated.

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Library Services Division

Interim budget adjustment to reclassify a .50 Library Shelver and a .75 Customer Service Specialist to a full time Customer Services Specialist and a .25 Library Shelver.

Interim budget adjustment to reclassify a full-time Senior Librarian to a .75 Librarian and a .25 Senior Librarian.

Parks and Recreation Division

Interim budget adjustment to recognize and appropriate \$90,162,727 in Parks and Recreation General Obligation bonds to build and renovate parks, trails, and recreation amenities.

Council Member Jensen, seconded by Council Member Bradshaw, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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Legislative Update ([2:11:10 PM](#))

S.B. 250 - Food Truck Licensing and Regulation (Sen. Diedre Henderson)

This bill defines terms; prevents a political subdivision from requiring multiple business licenses, permits, or fees for a food truck to operate in more than one location within the political subdivision; requires a political subdivision to grant a business license to a food truck operator who presents certain safety certificates and a business license from another political subdivision; requires that fees for a business license or a health department food truck permit not generate revenue but only reimburse the political subdivision or local health department for the cost of regulation; requires a political subdivision conducting a fire safety inspection of a food truck to ensure compliance with certain standards set by the Utah Fire Prevention Board; requires reciprocity between local health departments regarding health department food truck permits and political subdivisions regarding fire safety inspections; establishes when a business license or event permit is required for a food truck event; prevents a political subdivision from imposing certain requirements or prohibitions on the operation of a food truck; requires the Utah Fire Prevention Board to establish criteria for the fire safety inspection of a food truck; and makes technical and conforming changes.

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Ms. Kara Trevino, Legislative Specialist, Council Office, stated the language for this issue was discussed two weeks ago, but there was not yet a bill. The Council took a position to monitor the issue.

Mr. Gary Edwards, Director, Salt Lake County Health Department, stated the initial language in S.B. 250 was troublesome for the Health Department. He proposed some changes to the sponsor who was receptive to them. However, a substitute bill has not yet been issued. He suggested the Council support the substitute bill, and monitor it in the meantime.

Council Member Bradshaw, seconded by Council Member Jensen, moved to monitor S.B. 250, assuming a substitute bill is acceptable to the Health Department. The motion passed unanimously.

H.B. 370 - Amendments to Tobacco Regulations (Rep. Bradley Last)

This bill amends municipal and county business license practices for a retail tobacco specialty business; amends the definition of smoking in the Utah Indoor Clean Air Act; beginning January 1, 2018, requires a retail tobacco specialty business to obtain a permit from the local health department; establishes requirements for the tobacco permit application; establishes the standards a local health department shall apply when determining whether to issue a permit to a retail tobacco specialty business; gives the local health department and the state Health Department enforcement authority; and provides penalties for violations of the tobacco permits.

Mr. Gary Edwards, Director, Salt Lake County Health Department, stated a few years ago a new category of retail tobacco outlets was created called Tobacco Specialist Shops. These shops sell only tobacco and tobacco related products. These stores are more likely than others to sell their products to underage minors. The Health Department is required to inspect these retail outlets to make sure they are not selling to minors. This bill would require specialist shops to have a permit from the Health Department in order to operate. If they did not follow the law, the permit would be pulled. He recommended supporting the bill.

Council Member Bradley asked if the Health Department had the funding to do such policing.

Mr. Edwards stated the Health Department is already required to do this and receives state funding for it.

Council Member Jensen, seconded by Council Member Bradshaw, moved to support H.B. 370. The motion passed unanimously.

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H.B. 406 - Tobacco Age Restriction Amendments (Rep. Steve Eliason)

This bill modifies provisions of the Utah Code to provide that beginning on July 1, 2018, the minimum age for obtaining, possessing, or using tobacco products is 20 years of age; and beginning on January 1, 2019, the minimum age for obtaining, possessing, or using tobacco products is 21 years of age.

Mr. Gary Edwards, Director, Salt Lake County Health Department, stated this bill would raise the age to purchase tobacco from 19 to 20 on July 1, 2018, and from 20 to 21 on July 1, 2019. This is probably the next best step for public health as tobacco is still the leading cause of premature disease, disability, and death in the state.

Council Member DeBry stated he understood if someone starts using tobacco prior to a certain age, they will be a lifelong smoker, but once past that age, people will not typically use or try tobacco.

Mr. Edwards stated he knew about that study and the age is 20 years old.

Council Member Bradshaw asked if any other state had such restrictions, and why the gradual increase.

Mr. Edwards stated Hawaii and one other state restricts tobacco until age 21. The reason for the gradual increase is so that 19 year olds using tobacco today, will remain within the law until they turn 21. This involves all kinds of tobacco.

Council Member Bradshaw, seconded by Council Member Jensen, moved to support H.B. 406. The motion passed unanimously. Council Member Bradley was absent for the vote.

H.B. 439 - Electronic Cigarette and Other Nicotine Product Amendments (Rep. Paul Ray)

This bill defines terms; imposes civil penalties for the sale of a nontherapeutic nicotine product or an alternative nicotine product; requires the Department of Health to regulate a nontherapeutic nicotine product or an alternative nicotine product; imposes licensing requirements on a person that sells or distributes a nontherapeutic nicotine product or an alternative nicotine product; imposes an excise tax on the sale of an electronic cigarette substance, a nontherapeutic nicotine device substance, an alternative nicotine product, and certain prefilled devices; creates the Electronic Cigarette Substance and Other Nicotine Product Tax Restricted Account; addresses use of revenue from the taxation of an electronic cigarette substance, a nontherapeutic nicotine device substance, and an alternative nicotine product; and provides criminal penalties for a sale or purchase of an electronic cigarette product, a nontherapeutic nicotine product, or an alternative nicotine product in violation of law.

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Mr. Gary Edwards, Director, Salt Lake County Health Department, stated this bill puts an excise tax on electronic cigarettes. It clarifies that there could be substances that are therapeutic, meaning helpful to people wanting to quit smoking. Those would not be taxed, but until something is clarified as therapeutic, it would fall under this tax. The sponsor anticipates the tax would raise about \$10 million, and \$2 million would go to support local health department efforts in tobacco use prevention. The remaining funds would go into the General Fund.

Council Member Jensen, seconded by Council Member Bradshaw, moved to support H.B. 439. The motion passed unanimously.

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H.B. 79 - Private Attorney General Doctrine (Rep. Brian Greene)

This bill repeals a provision that disavows the private attorney general doctrine.

Ms. Kara Trevino, Legislative Specialist, Council Office, stated the District Attorney's Office drafted a letter for the Council that opposes this bill.

Ms. Darcy Goddard, Deputy District Attorney, stated this bill would allow private litigants who are suing governmental entities to recover attorney fees regardless of whether they prevail in court, so long as they can argue they were trying to vindicate an important public interest. That interest must also transcend their own personal interest

She believes the goal with the Utah bill is to challenge land use, licensing, and zoning decisions, but could also be used on ballot access questions. All those cases would more likely be brought in state court and regardless of outcome, attorney's fees could be available.

Another problem with the doctrine is that it gives unbridled discretion given to the courts because it will be up to the court to decide if the public policy interest was significant enough to justify an award of attorney fees. The bill passed out of the House last Friday by a vote of 66 to zero.

Council Member Jensen asked if the legislators understood this would take away their legislative abilities.

Ms. Goddard stated she did not think so. The Utah Association of Counties, the Attorney General's Office, and the District Attorney's Office were not as engaged as they should have been. She met with the Republican Caucus in the Senate and the Senate Judiciary Committee about the bill and they were receptive to the concerns. She asked that the Chair sign the letter on behalf of the Council. The Mayor and District Attorney will also sign the letter explaining the County's vehement opposition to this legislation.

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Council Member Burdick, seconded by Council Member Jensen, moved to oppose H.B. 79.

Council Member Bradley asked if any County attorneys in the state favored this bill.

Ms. Goddard stated no.

Mr. Sim Gill, District Attorney, stated these cases should be in federal rather than state court. He is vehemently opposed to H.B. 79. As the largest county, Salt Lake County runs the risk of bearing the largest financial burden as well.

Ms. Goddard stated because of the way the Legislature calculates fiscal notes, this bill's fiscal note is zero, even though there is an obvious financial impact. Since the filings are speculative, the Legislature will not estimate a cost. The bill offers no guidance at all to the court in assessing fees.

Council Member Burdick, seconded by Council Member Jensen, moved to oppose H.B. 79 and direct the Chair to sign the letter. The motion passed unanimously.

H.B. 442 - Alcohol Amendments (Rep. Brad Wilson)

This bill defines terms; modifies the name of certain retail licenses; provides that a local authority may issue a business license to a retail licensee only if the licensee is lawfully present in the United States; provides that a licensee or permittee may only engage in behavior expressly allowed by Title 32B, Alcoholic Beverage Control Act, or local ordinance; requires the Department of Alcoholic Beverage Control and the Alcoholic Beverage Control Commission to implement and enforce the provisions of Title 32B, Alcoholic Beverage Control Act, in accordance with its express language and stated policy purpose; reduces the permissible proximity of a restaurant licensee to a community location; removes the commission's authority to grant a variance to the proximity requirements; modifies the calculation of the money from the sale of a bottle of wine by a retail licensee or sublicensee in determining the percentage of gross receipts from the sale of food or an alcoholic product; requires electronic age verification of certain individuals who sit, remain, or consume food or beverage in a dispensing area in a restaurant; modifies the application requirements for approval of the label and packaging of a malted beverage; modifies the labeling and packaging requirements for certain malted beverages; reduces and modifies the membership of the Alcoholic Beverage Control Advisory Board; increases the mark-up on alcoholic beverages; creates two school-based underage drinking prevention programs that are presented to students in grades 8 and 10 in the state; requires a presiding officer to consider any aggravating circumstances

when imposing a fine; provides that each retail licensee shall submit a responsible alcohol service plan to the department upon application for or renewal of a retail license; prohibits more than one type of retail license for the same room, unless the licenses are: a restaurant license; and an on-premise banquet license or reception center license; provides that an individual may not carry a sealed container of an alcoholic beverage from the premises of a retail licensee; states that a retail licensee may provide wine service for a bottled wine carried onto the licensed premises or purchased at the licensed premises; requires the department to develop the following training programs: a training program for retail managers and retail owners; a training program for off-premise retail managers; and a training program for an individual who commits a violation related to service to an intoxicated individual or a minor; enacts a process for the Department of Public Safety to track violations of each retail licensee involving the sale of an alcoholic product to a minor; establishes a flat renewal fee for a full-service restaurant licensee; provides that beginning on July 1, 2017, and no later than July 1, 2018, a restaurant licensee that does not have a grandfathered bar structure shall designate a dispensing area within which: the restaurant licensee may store and dispense alcoholic product at a dispensing structure; an individual 21 years of age or older may consume food and beverages; and except under certain circumstances, a minor may not be present; removes grandfathered bar structures beginning on July 1, 2022; extends the hours during which a restaurant licensee may sell, offer for sale, or furnish an alcoholic product on a weekend or a state or federal legal holiday; provides that a restaurant licensee may sell, offer for sale, or furnish an alcoholic product to a patron only if: the patron is seated at a table, counter, or dispensing structure; and the restaurant licensee confirms that the patron intends to order food and consume the food in the same location where the patron is seated; provides that a restaurant licensee may not transfer, dispense, or serve an alcoholic product from a movable cart; addresses the retention of certain records for restaurant licensees; requires a restaurant licensee or a bar licensee to display a sign that states whether the licensee is a restaurant or a bar; prohibits the commission from issuing or renewing a dining club license on or after July 1, 2017; provides that effective July 1, 2018, each dining club licensee converts to a full-service restaurant licensee or a bar licensee; provides a phased transition for a dining club licensee that converts to a full-service restaurant licensee; allows a performing arts facility to obtain an on-premise banquet license; establishes an off-premise beer retailer state license, including an application process, fees, and renewal procedures; provides that an off-premise beer retailer shall display beer in no more than two locations that are separate from any nonalcoholic beverage; addresses notification to the department if an off-premise beer retailer changes ownership; modifies and repeals certain provisions related to local authority enforcement of off-premise beer retailers to correspond with the state enforcement mechanisms available under the off-premise beer retailer state license; and makes technical and conforming changes.

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Ms. Kara Trevino, Legislative Specialist, Council Office, stated this bill removes the Zion Curtain if an establishment meets other requirements, such as a 10 foot buffer zone between the bar and diners. The bill would also allow the State to issue additional liquor licenses to grocery stores and convenience stores.

Council Member Bradley stated it is important for the Council to stand up for small businesses. This bill is onerous for them.

Council Member Bradley, seconded by Council Member Wilson, moved to oppose H.B. 442. The motion passed unanimously.

H.B. 283 - Child Homelessness Prevention (Rep. Robert Spendlove)

This bill provides that an additional purpose of the cash assistance available under the Family Employment Program is to prevent families with children from becoming homeless; and provides additional duties of the Utah Intergenerational Welfare Reform Commission related to reducing and preventing homelessness for children.

Mr. Patrick Reimherr, Director of Government Relations and Senior Advisor, Mayor's Office, stated this bill adds an additional purpose to the Family Employment Program, which is to prevent families with children from becoming homeless. It also adds some of the same duties to the Utah Intergenerational Welfare Reform Commission. The bill has a \$20,000 fiscal note and the sponsor has asked the County to help with funding. There are a couple ways the County could do this. He is asking the Council to support the bill and his efforts to look for funding.

Council Member Jensen stated he is fine with supporting the bill, but was concerned that helping to fund this bill would take away from County homelessness commitments. He asked if the County would still be able to provide adequate funding for its programs.

Mr. Reimherr stated yes.

Council Member Jensen stated he would like Mr. Reimherr to come back to the Council to explain where the County's contribution came from.

Council Member DeBry stated he would also like to see hard data on what the County is doing with this money.

Council Member Jensen, seconded by Council Member Bradshaw, moved to support H.B. 283 and ask the Mayor's Office to report back to the Council. The motion passed unanimously.

H.B. 424 - Community Reinvestment Agency Revisions (Rep. Kim Coleman)

This bill removes the housing allocation requirement for certain community reinvestment project areas; and makes technical changes.

Mr. Patrick Reimherr, Director of Government Relations and Senior Advisor, Mayor's Office, stated this bill has seen several iterations and the Council has opposed all of them. The bill would eliminate the affordable housing requirement within CDAs.

Council Member Bradshaw, seconded by Council Member Jensen, moved to reaffirm the Council's opposition to H.B. 424, and any other iteration of this bill. The motion passed unanimously.

H.B. 421 - Animal Welfare Act Amendments (Rep. Brian King)

This bill amends the definition of "animal shelter" in the Animal Welfare Act; requires an animal shelter to: publish certain information regarding the animals in the animal shelter's custody, including the disposition of the animals; and maintain the published information for a period of years.

Ms. Kara Trevino, Legislative Specialist, Council Office, stated this bill requires animal shelters throughout the state to provide specific statistics and numbers of animals taken into shelters. Salt Lake County already complies with this bill.

Council Member Bradshaw stated in addition to the report, this bill standardizes the types of statistics that shelters would need to track. This would apply to all private and public shelters. The Legislators had two concerns with this bill: 1) this bill might place an undue burden on smaller shelters; and, 2) the League of Cities and Towns did not like the retention schedule. Representative King is going to work out these concerns and then bring the bill back.

Council Member Bradshaw, seconded by Council Member Jensen, moved to support H.B. 421. The motion passed unanimously.

H.B. 429 - County Fund Amendments (Rep. Lynn Hemingway)

This bill allows a certain county to use a remaining balance in certain special funds to benefit the area from which the county derived the special fund; and makes technical and conforming changes.

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Mr. Patrick Reimherr, Director of Government Relations and Senior Advisor, Mayor's Office, stated this bill amends the Uniform Fiscal Procedures Act for counties to authorize the transfer of a special fund to the fund balance when the purpose for which the special fund was created no longer exists. This bill would allow the County Council to transfer these funds to support and benefit the area from which the County originally derived these funds. This bill is narrowly focused on the judgment levy.

Council Member Bradshaw, seconded by Council Member Jensen, moved to support H.B. 429. The motion passed unanimously.

S.B. 264 - Outdoor Recreation Grant Program (Sen. Ralph Okerlund)

This bill defines terms; imposes a state transient room tax on accommodations and related services; creates the Outdoor Recreation Infrastructure Account; distributes the revenues the state collects from the state transient room tax to the Outdoor Recreation Infrastructure Account to implement the Outdoor Recreational Infrastructure Grant Program; and establishes the Utah Outdoor Recreation Grant Advisory Committee.

Ms. Kara Trevino, Legislative Specialist, Council Office, stated this bill would impose a statewide Transient Room Tax (TRT) that would fund the Outdoor Recreation Grant program. Last year, the grant program used monies from the General Fund. This year, the Legislature is trying to fund the program through a new statewide TRT. A 14-member board would be set up to oversee the grant.

Ms. Erin Litvack, Deputy Mayor, stated this program has been funded the last two years using different funding sources. The funds were distributed all over the state, including some projects in Salt Lake County. Concerns are twofold: 1) Hotel partners are very concerned and upset; and, 2) there is no assurances the funds would be spent in Salt Lake County.

Council Member Wilson stated from looking at the categories, areas, and interest of representatives to be appointed to the 14-member board, it appears the funds would not be spent in Salt Lake County.

Council Member Jensen asked what kind of infrastructure the funds were used for during the past two years.

Ms. Litvack stated they were used for all sorts of projects from trails to smaller parks and pavilions. A vast array of different projects were built.

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Council Member Jensen stated Salt Lake County already receives taxes from the airport and car rentals. Then, tourists spread throughout Utah, so it would be beneficial to all the counties. He would like time to consider this closer before weighing in on the bill.

Council Member Bradshaw asked why an additional tax was needed. If the grant program already existed and was funded through the General Fund, why would the State institute an additional tax.

Council Member Bradshaw, seconded by Council Member Jensen, moved to monitor this bill and encourage the legislative team to get the sponsor to include language that would restrict funds to stay within the County where they were generated. The motion passed unanimously.

H.B. 441 - Housing and Homelessness Reform Initiative Amendments (Rep. Francis Gibson)

This bill modifies the ordinances and other regulations that a municipality may enforce for a homeless shelter; modifies the requirements for the Homeless Coordinating Committee and the Housing and Community Development Division to award grants or contracts related to a facility that will provide shelter or other services to the homeless; and makes technical changes.

Mr. Patrick Reimherr, Director of Government Relations and Senior Advisor, Mayor's Office, stated this bill is the second half of the homeless legislation that was put forth last year. The bill provides significant funding for construction and redesign of resource center services, previously called homeless shelters. The bill requires there be a process to select a third site outside of Salt Lake City to be overseen by the County Mayor. The recommendation for the new site will be submitted to the State Homeless Committee by March 30, 2017, for final approval. The intention of the Legislation is to fully fund the requests. Included in the press conference was a hard closure date for the downtown shelter; however, before its closure, a series of things need to be done in order to close it responsibly. The County's commitment is that if the things are done, then it will commit to the hard closure date. That is not included in the bill.

Council Member Jensen, seconded by Council Member Bradshaw, moved to support House Bill 441. The motion passed unanimously.

Public Safety and Treatment Initiative

Sheriff Jim Winder stated this initiative builds on data gathered through Operation Diversion, ongoing treatment participation, and other evidence based programs. The goal of the initiative is to increase the number of jail beds to incarcerate criminals, expand case management to support offenders trying to remain in and succeed in treatment, and court and

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probation programs, which have proven outcomes for successful recovery and reduced recidivism. This initiative is a holistic approach, looking at treatment, supervision and enforcement. The County would get a major return for its investment.

Mayor Ben McAdams stated this is a great opportunity for Salt Lake County; however, the Council needs to be aware this initiative comes with a pretty hefty financial commitment. The initiative should not have an impact on the County budget, but funds would need to be moved around.

Council Member DeBry stated he did not want to be put in a situation where the Council had to raise taxes due to this initiative. He was told by Mayor McAdams and representatives from the State that this initiative would be revenue neutral. He asked if that was still the case.

Mayor McAdams stated that was correct. The County would need to fund transportation and other costs, so there will be some appropriation request to move funds from Medicaid sources. That will not represent a cut in Medicaid because the State would be backfilling the expenditure the County puts up. This initiative would not result in a cut in services; it would not impact services or revenues.

Council Member DeBry asked if the \$1 million from the JRI grant would be used towards this.

Mayor McAdams stated yes, the JRI grant is what helped this initiative get moving. The County also appropriated \$685,000 to continue Operation Diversion. If the state contributes funds for jail beds and treatment services, then the County could use the \$685,000 to fund other components of this initiative. The County would take funds that are already committed and put them into different aspect of this initiative.

Council Member Jensen, seconded by Council Member Wilson, moved to support the direction of this initiative as outlined. The motion passed unanimously.

Legal Limit of Intoxication to .05

Council Member Bradley asked where the bill was that would lower the legal limit of intoxication to .05.

Ms. Kara Trevino, Legislative Specialist, Council Office, stated that bill passed in the House of Representatives.

Council Member Bradley asked what impact it would have in terms of the cost to the County of putting people in jail and going through the courts. There are additional consequences to lowering this limit and they are not just public safety and welfare.

Sheriff Jim Winder stated it is hard to tell. Lowering the legal limit will result in additional arrests and costs.

Mr. Sim Gill, District Attorney, stated the real challenge will be the enforcement of the law. It is not against the law to drink and drive; it is against the law to be impaired and drive.

Serving Alcohol at Art Venues

Council Member Wilson asked what was happening with legislation to be able to serve wine at art facilities.

Ms. Kara Trevino, Legislative Specialist, Council Office, stated that bill is not public or numbered yet.

Council Member Wilson asked if the County pushed that.

Mr. Patrick Reimherr, Director of Government Relations and Senior Advisor, Mayor's Office, stated the County did push it, but some last-minute concerns were brought up.

Council Member Wilson relayed an incident with a friend of hers from the arts world who tried to order a glass of wine at a showing of Kinky Boots in the County's theater, only to be told it did not serve wine. It was an embarrassing situation. Someone ordering a glass of wine at a theater is not going to be a public safety concern. They are not going to drive with a .08 or .05 alcohol content. The theater is not a place where a large consumption of alcohol occurs. Not serving wine will affect the State's tourism industry and reputation. Anyone traveling worldwide to promote economic development will have to inform others that while Utah has the best snow on earth, it does not serve wine at theaters. That is sexist because women tend to be wine drinkers, while males are beer drinkers.

Council Member DeBry asked if the County had any venues that served alcohol.

Mayor Ben McAdams stated they all serve beer, but not wine.

Council Member Burdick stated he was concerned with this policy too, and wanted to see what could be done about those restrictions. He did not understand why individuals could order beer, but not wine. Ethyl alcohol is ethyl alcohol. He wanted to see if there was a way to help a discussion on this move forward at the Legislature.

Council Member DeBry asked what the County's liability was in the event someone at one of its facilities got sloshed, then drove and got in a wreck killing somebody. Policywise, the County needs to make sure it is not in violation of the Dram Shop law.

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Mr. Gill stated the County contracts for services, and the contractors have the principle liability. The County is the extra insurer on that.

Mayor McAdams stated the County holds the operators accountable to make sure they are following the law.

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2016 Government Finance Officers Association Certificate of Achievement ([3:21:50 PM](#))

Mayor Ben McAdams stated the Mayor's Finance team has received the 2016 Government Finance Officers Association Certificate of Achievement for the 30th consecutive year. In addition, the County did not receive any significant findings or comments from its external auditor.

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Sales Tax Update ([3:23:30 PM](#))

Mr. Rod Kitchens, Director, Planning & Budget Division, Mayor's Finance, delivered a PowerPoint presentation updating the Council on the County's sales tax revenue. He reviewed total 2016 sales tax receipts, sales tax growth in select counties and cities, taxable sales by sector, sales tax trends, and economic indicators. The County is on track to meet its budgeted goals for 2017.

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Amendment to Ordinance Creating the Equestrian Park Advisory Board ([3:32:58 PM](#))

Ms. Erin Litvack, Deputy Mayor, reviewed the following ordinance amendment, which has been placed on the 4:00 p.m. Council agenda for introduction. (Final adoption of the ordinance will be considered at the Tuesday, March 7, 2017, Council meeting.)

Amendments to Ordinance

This ordinance creates the Equestrian Park Advisory Board.

Ms. Litvack stated the Convention Facilities Advisory Board currently incorporates the Equestrian Center into it. The Equestrian Center will be removed from the Convention Facilities Advisory Board, and the new ordinance identifies the membership and responsibilities of the Equestrian Park Advisory Board. One of the new board's first projects will be advising the County on how to spend the \$5 million bond passed last year. This is in addition to the \$8.1 million the County funded in the last budget. The board will determine how

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to utilize the funds to maintain the park. In addition, the sale of the “mink farm” property is moving ahead. Proceeds from that sale will also be reinvested into the park.

Council Member Jensen asked why a representative from Visit Salt Lake was part of the Equestrian Park Advisory Board.

Ms. Litvack stated Visit Salt Lake will look at attracting more events, especially national events, to the park.

Council Member Jensen, seconded by Council Member Burdick, moved to approve the ordinance and forward it to the 4:00 p.m. Council meeting for formal introduction. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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Ms. Litvack introduced Jo Stowell, the new Director of the Equestrian Park.

Ms. Stowell stated she has been with SMG for over 11 years and in Salt Lake since the end of October. She comes from a sales background and hopes to use that to generate more revenue for the Equestrian Center.

Council Member DeBry asked if SMG was looking into public concerns about stalls, flooding, etc.

Mr. Dan Hayes, General Manager, Salt Palace Convention Center, stated yes. All of those issues were being reviewed. Last June, a number of projects were identified that would facilitate the continuation of services at the park. This new advisory board’s first task is to look at the plans from last year and put together a list of prioritized items and address them.

Council Member Bradley stated he was on the committee that hired Ms. Stowell and has received very good feedback about her. People who use the park indicate the change has been dramatic, and it has been a pleasure to speak to someone who understands horses.

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Countywide Policy & Procedure ([3:42:13 PM](#))

The Council reviewed the following Countywide policy and procedure. The policy and procedure has been placed on the 4:00 p.m. Council agenda for final approval and execution:

#1400-7 – Information Technology Security –
Credit Card Industry Data Security Standard Policy

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Mr. Mark Evans, Director of Information Security, Information Services Division, stated the County's credit card compliance program is about four years old. Although it struggled initially, it has had significant success in the last year, mostly due to a partnership with the County Auditor's Office. Through a Memorandum of Understanding, the Auditor's Office is now helping to enforce credit card compliance standards within the County. As a result, the County is extremely close to 100 percent compliance. The program has now reached a maturity level where it needs some teeth in it. The new policy indicates that if an agency does not remain complaint, it will no longer be able to accept credit cards after a six-month period. There is a safety valve that allows for a waiver to be issued if a legitimate problem or concern is involved. However, simply ignoring protocols will no longer be an option.

The County has a cyber insurance policy that covered up to \$250,000 in losses during the first year. As a result of compliance improvement the County now has a full \$5 million of coverage on any of those losses. That is a good reason to keep the program active.

He also reported on the Mayor's metro stat information program. He is tracking statistics on the programs and trying to give County leadership feedback on the success or struggles being encountered.

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the policy and procedure and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.

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Planning and Zoning

This matter was pulled from the agenda.

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Real Estate Matter

Council Member Jensen, seconded by Council Member Wilson, moved to close the open session of the Committee of the Whole meeting to discuss a real estate matter. The motion passed unanimously. Council Member Bradley was absent for the vote.

The Council reopened the meeting by motion during the closed session.

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Committee of the Whole
Tuesday, February 28, 2017

CONSENT AGENDA: [3:45:26 PM](#)

Contribution

The Council reviewed the request to contribute \$650.00 for the annual Sandy Pride Event to be held on Saturday, May 20, 2017. The funds will be used to purchase trash bags in order to clean up the community.

Council Member Bradshaw, seconded by Council Member Jensen, moved to contribute \$325.00 from the Council's Contribution Fund to be used for the Sandy Pride Event and to approve the Mayor's request to contribute \$325 to this event as well. The motion passed unanimously. Council Member Bradley was absent for the vote.

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Tax Matters

The Council reviewed the tax matters, which will be placed on the Council agenda for final approval and execution.

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the tax matters and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.

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Resolutions

The Council reviewed the following resolutions, which have been placed on the 4:00 p.m. Council agenda for final approval:

Resolutions and Quit Claim Deeds

Premier Land Development to purchase surplus property located at 8471 South 300 East for \$2,500.

Utah Department of Transportation to purchase surplus property located at 3738 West Christyann Drive for \$600.

Resolution

Committee of the Whole
Tuesday, February 28, 2017

Resolution regarding an electronic meetings policy for the Salt Lake County Steering Committee.

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the resolutions and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.

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Gifts to Salt Lake County

The Council reviewed the following gifts to Salt Lake County. The Declaration of Gift forms have been placed on the Council agenda for final approval and execution:

Animal Services Division

Myra Rachel Harris Estate has offered to donate \$2,000, which will be used by the Salt Lake County Animal Services Division.

Parks and Recreation Division

Spectrum Engineering has offered to donate 10 trees, valued at \$2,000.00, which will be planted in one of the County parks in September 2017.

Aging and Adult Services Division

An anonymous donor has offered to donate \$4,500 to be used to purchase a piano for the Salt Lake County/Taylorsville Senior Center.

Council Member Bradshaw, seconded by Council Member Jensen, moved to accept the donations, and forward the Declaration of Gift forms to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.

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Other Business

Approval of Minutes

Committee of the Whole
Tuesday, February 28, 2017

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the Committee of the Whole minutes for Tuesday, February 7, 2017. The motion passed unanimously. Council Member Bradley was absent for the vote.

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The meeting was adjourned at 4:00 PM.

Chair, Committee of the Whole

Deputy Clerk

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