

# Salt Lake County Council

## Committee of the Whole

### ~MINUTES~

Tuesday, July 11, 2017

[1:07:38 PM](#)

#### Committee Members

##### Present:

Jennifer Wilson  
Richard Snelgrove  
Jim Bradley  
Michael Jensen  
Aimee Winder Newton  
Sam Granato  
Max Burdick  
Steven DeBry, Chair

##### Excused:

Arlyn Bradshaw

#### Citizen Public Input ([1:07:50 PM](#))

No one appeared for "Citizen Public Input."



#### Freedom From Domestic Violence ([1:15:37 PM](#))

**Mr. Mark Whitney**, President, Utah Association of Counties (UAC), stated last year, the new president of the National Association of Counties (NACo), created an initiative for each county to identify an area that would improve residents' quality of life. He chose domestic violence, and is encouraging all 29 counties to pass a resolution declaring that freedom from domestic violence is a fundamental human right and that local government has a responsibility to continue securing this right on behalf of its citizens.

**Council Member Wilson** read the following resolution:

*A RESOLUTION DECLARING THAT FREEDOM FROM DOMESTIC VIOLENCE  
IS A FUNDAMENTAL HUMAN RIGHT AND THAT LOCAL GOVERNMENT HAS  
A RESPONSIBILITY TO CONTINUE SECURING THIS RIGHT ON BEHALF OF  
OUR CITIZENS*

WHEREAS, according to the Utah Domestic Violence Council, one in three women and one in eight men will experience domestic violence in their lifetime;

WHEREAS, according to the Utah Domestic Violence Council, 42% of homicides in the state of Utah are domestic violence related;

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing;

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WHEREAS, police and sheriff's departments, courts, cities, social service agencies, and other local government entities constitute the first line of defense against domestic violence;

WHEREAS, police and sheriff's departments, courts, cities, social service agencies, and other local government entities incur significant monetary costs due to domestic violence;

WHEREAS, world leader's and leaders within the United States recognize that domestic violence is a human rights concern:

WHEREAS, the United Nations Declaration on the Elimination of Violence against Women, adopted in 1993, recognizes the urgent need for the universal application to women the rights and principles with regard to equality, security, liberty, integrity, and dignity of all human beings noting that "those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights"; and

WHEREAS, the United Nations Commission on Human Rights condemned violence and human rights violations against women in March, 1994; and

WHEREAS, by recognizing that domestic violence is a human rights issue, the Salt Lake County Council will raise awareness and enhance domestic violence education in communities, the public and private sectors, and within government agencies;

NOW THEREFORE, the legislative body of Salt Lake County, State of Utah resolves as follows:

Section 1: That Salt Lake County declares freedom from domestic violence is a fundamental human right.

Section 2: That Salt Lake County declares state and local governments bear a responsibility to continue securing this human right on behalf of their citizens.

APPROVED and signed this 11<sup>th</sup> day of July, 2017.

SALT LAKE COUNTY COUNCIL

By /s/ STEVE DEBRY  
Chair

**Ms. Heather Wolsey**, victim and survivor, relayed her experience of domestic violence stating she stayed in an abusive marriage out of fear until her spouse tried to kill her. Even after leaving, he harassed and stalked her for years. Now, she wants to help others. The only way to stop domestic violence is to acknowledge it and start seeking solutions by enforcing laws and providing resources to people who need them.

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**Ms. Jenifer Campbell**, Executive Director, South Valley Services, stated South Valley Services provides shelter and services for anyone affected by domestic violence. It trains law enforcement to understand domestic violence and refer individuals for services. Today, she was representing the Utah Domestic Violence Coalition, a coalition to help recognize the existence of domestic violence, understand what can be done to stop it, and refer individuals to the appropriate resources. Currently, in the state of Utah, 1 in 3 women will experience domestic violence in their life, and 1 in 5 will experience it this year.

**Council Member Newton** stated education is the first key because people do not realize how prevalent domestic violence is. One-third of homicides are domestic violence related. Domestic violence is not just physical abuse, but also emotional abuse, i.e. manipulation, verbal abuse. The system needs to change, whether through law or policy, to help bring about awareness and enable those who need it to get help.

**Council Member DeBry** stated law enforcement's number one call is because of domestic violence. It is also the most dangerous call an officer can go on, as it is unpredictable. There is also a ripple effect from domestic violence. It affects many innocent people. The best thing to do is put together advocacy groups. Law enforcement has an advocacy unit to help victims with resources and places to go or stay. Training is also held for officers to learn red flags of domestic violence and how to handle victims and situations.

**Mr. Sim Gill**, District Attorney, stated domestic violence cases are the worst cases to prosecute because the collateral consequences are so profound. Statistics show that almost \$5.8 billion a year is lost as collateral consequences of intimate partner violence; 85 percent of women and 15 percent of men are impacted; and every 9 seconds someone is getting abused. According to a study, during 2001-2012, 6,488 American soldiers were killed defending the country in Afghanistan, and in that same time period, 11,766 women were murdered in the country as a result of intimate partner violence. Domestic violence is learned behavior, and it is preventable. Everyone has a role to play, and the District Attorney's Office is committed to doing more.

**Council Member Wilson** challenged everyone in the room to look within their own division and see what more could be done.



Review of Proposed Hires ([1:35:29 PM](#))

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

Agency

Position

*Parks & Recreation Division*

Program Coordinator 13  
Office Coordinator 12

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<i>Youth Services Division</i>	Family Therapist 14/15 Case Manager 14 Time Limited Milestone House Resident Advisor
<i>District Attorney's Office</i>	Time Limited Case Manager
<i>Public Works Operations</i>	District Worker 9 Cement Finisher 11 Truck Driver 10 Traffic Signal/Lineman Tech 13
<i>Sheriff's Office</i>	Assistant Fiscal Manager 16 Jail Nurse 14/16 Jail Nurse 16 Division HR Coordinator 13
<i>Library Services Division</i>	2 Customer Service Specialist 10 Youth Services Librarian 14 Shelver 7
<i>Information Services Division</i>	Business Analyst 16 Programmer – VueWorks 16
<i>Parks &amp; Recreation Division</i>	Child Care Group Leader 10
<i>Aging &amp; Adult Services Division</i>	Medicare Options Program Coordinator 13
<i>Mayor's Administration</i>	Time Limited Management Analyst
<i>Salt Lake County Health Department</i>	Time Limited Health Educator Public Health Nurse 16
<i>Clark Planetarium</i>	Marketing/Communications Associate 14
<i>Facilities Services Division</i>	HVAC Specialist 13
<i>Office of Regional Development</i>	Accountant 15



**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:

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*Sheriff's Office*

Interim budget adjustment of \$35,685 to reclassify a 0.5 Deputy to a 1.0 Deputy to provide Bailiff and Security Services to Holladay City's Justice Court. This will require \$11,077 of County funding.

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*Mayor's Finance*

Interim budget adjustment to transfer to transfer \$11,080 from the Fitness Center's Small Equipment Line #615035 to the Balance Sheet Account #137005 to purchase a BoxMaster Quad Training Tower.

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*Office of Regional Transportation, Housing, and Economic Development*

Interim budget adjustment of \$8,454 to true-up the Air Wall project at the Salt Palace Convention Center, which was budgeted in 2016, but not completed until 2017.

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*Aging & Adult Services Division*

Interim budget adjustment to increase position #2438 from .87 to 1.0, and decrease positions #2397 by .10 and #2399 by .03.

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

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OPEB Discussion

This item was not discussed.

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New Service Contracts with Millcreek City ([1:37:12 PM](#))

**Ms. Kimberly Barnett**, Associate Deputy Mayor, reviewed the interlocal agreements with Millcreek City for Addressing, Surveying, and Parks and Recreation services, and the terms and fees associated with those agreements. The parks and recreation services

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are for Canyon Rim, Fortuna, Sunnyvale, and Ben Franklin Parks, although the County will still provide flood control for Ben Franklin Park. That agreement does not include capital projects or capital replacement projects.

**Mr. Rick Graham**, Deputy Mayor of Operations, reviewed the interlocal agreements provided by Public Works and Municipal Services, which included engineering, public works, and animal services, and their terms and fees.

**Mayor Jeff Silvestrini**, Millcreek, stated Millcreek left the Greater Salt Lake Municipal Services District (GSLMSD) because it wanted to have control, but it is delighted to continue working with the County for these services. It has been difficult to figure out the right price for the services, but based on a feasibility study Millcreek had done, the County's prices are competitive with what other cities pay for services when they self-provide.

**Council Member Bradley** asked what services Millcreek was not contracting for.

**Mayor Silvestrini** stated Millcreek intends to self-provide planning and development services, but is negotiating a contract with the County with an earlier termination to ensure Millcreek residents get services in the transition period. The County will have staff in Millcreek's offices, probably as early as next week to get the work done. Millcreek will also be looking for qualified employees and has encouraged Salt Lake County employees to apply. In addition, Millcreek will continue using County court services, but has some issues related to statutory interpretations and costing, and is still trying to work that out with the County.

**Council Member Jensen** stated it was troubling to him to hear the reason Millcreek was leaving was to negotiate a better price because someone had to pick up the current budget. He would be looking at those costs over the next year.

**Mr. Graham** stated Millcreek is no different than any other contract city, and in fact, the GSLMSD is a contract client of the County's as well. The County's rates have to be competitive so those entities continue to contract for services.

**Council Member Bradley** stated if Millcreek felt the County's services were adequate, that meant the price of services was its reason for leaving. He presumed the County was not subsidizing its services for various entities, but that there was a method in place for determining the service rates. For example, Millcreek probably has heavier snow in the winter and trickier roads to plow than other cities, but was probably not charged more for that service. He was a strong proponent of regionalization, and thought there were long-term complications and implications with entities breaking away from the County. It may be helpful for a neighborhood or community to break away, but he was not sure it was healthy for the County as a whole.

**Council Member Newton** stated she thought free market principles were healthy. In the County's case, it forces it to provide the best service at the lowest possible price.

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Appointment of a Council Member to Greater Salt Lake Municipal Services District Board of Trustees

**Council Member DeBry** suggested tabling the Council appointment to the Greater Salt Lake Municipal Services District Board (GSLMSD) for two to three weeks unless a Council Member wanted to volunteer right now.

**Council Member Jensen** asked when the GSLMSD met.

**Mr. Rick Graham**, Deputy Mayor of Operations, stated the board meets the second Wednesday of every month at 6:30 p.m. Then, in the fall during the budget process, it will probably have an extra meeting or two.

**Council Member Jensen** suggested looking into changing the State law, which now requires the board to have an odd number of members. Since the board has a weighted vote, it should not matter whether it has an odd number or not.



Planned Community Zone

**Mr. Rolen Yoshinaga**, Director, Planning and Development Services Division, reviewed a proposal for a planned community zone in County ordinances. It would apply to projects of 100 acres or larger in the southwest corner of the County, since that is where the last large parcels are.

**Council Member Wilson** stated it is critical to get ahead of the planning with so much growth in the County and so few large parcels remaining.

**Council Member Snelgrove** stated with growth in the southwest, there might be pressure to improve the seasonal access road to Butterfield Canyon, and make it year-round.

**Mr. Yoshinaga** stated this zone may trigger conversations between Tooele and Salt Lake County on such an initiative.

**Council Member Bradley** asked if the creation of planned communities of this size would take away from any public policy initiatives for affordable or low income housing, or if they would have to be open to things like that as well as certain public services, such as a fire station.

**Mr. Yoshinaga** stated all those details would get spelled out in future development agreements.

**Council Member Bradley** stated he wanted to make sure this did not create something that was to the County's disadvantage down the road.

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**Council Member Snelgrove** suggested keeping an eye out for opportunities with Rio Tinto and other large companies to acquire open space. If there are opportunities for open space on that side of the valley, it would take pressure off the Wasatch Range.

**Council Member Jensen** stated the County could consider having clusters for large developments of 1,000 acres. That way it could get open space and other amenities, and have the ability to offer affordable low-income housing, as well as mid-range and high-end housing. Rio Tinto had the idea of developing town centers, civic centers, and commercial nodes with the development of its lands. That could be a model moving forward.

**Council Member Burdick** stated it would be better to think about a master plan rather than piecemealing.

**Mr. Yoshinaga** stated the next step in creating this zone is to begin the public process of an ordinance change, i.e. discuss it in planning commission hearings.

**Council Member Burdick, seconded by Council Member Wilson, moved to allow the Planning & Development Services Division to move ahead with the next step in creating a Planned Community Zone and forward the request to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Snelgrove was absent for the vote.**

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#### Policy and Procedure

**Mr. Jason Yocom**, Director, Contracts and Procurement Division, reviewed the following Countywide Police and Procedure:

#7030 – Request for Proposals.

Substantive changes were made to Section 6, to allow for discussions to be conducted with responsible proposers during the Request for Proposal process. This will offer guidance to Contracts and Procurement in how to facilitate fair and open discussions with the proposers. It will allow for interviews, demonstrations, or on site visits to be conducted by the selection committee chair or designee. There is also a provision in Section 6 to allow for clarifying statements. Most of the policy changes are just to clean up language for consistency.

**Council Member Bradley, 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 Snelgrove was absent for the vote.**

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### Green Waste Debagging Fee

The Council reviewed a resolution adopting a Green Waste Debagging Fee of \$28.00 per ton for bagged green waste at the landfill.

**Mr. Scott Baird**, Director, Public Works & Municipal Services Department, stated the County has been composting leaves brought into the landfill. Large customers, like Salt Lake City, deliver the leaves without plastic bags. However, leaves collected throughout the Wasatch Front Waste & Recycling District arrive in bags. There is a cost to debag these leaves. The district used to have their own employees come onsite to do the debagging, but that has been discontinued for liability reasons. The County has picked up the cost of debagging. The cost for unbagged green waste is \$16 per ton. It costs an extra \$28 per ton to debag the leaves. The \$16 for green waste, plus \$28 for debagging would make it \$44 per ton for bagged leaves. The district has the following options to cover these costs:

1. Pay \$44 per ton for bagged leaves; the landfill debags and composts
2. Pay regular garbage rate of \$31.35 per ton; no composting
3. Debag their own leaves
4. District could use compostable bags
5. Find a way to collect leaves that does not require plastic bags

**Council Member DeBry** stated the County distributes the leaf bags that are now causing problems. The County should stop giving out the bags.

**Ms. Pam Roberts**, Executive Director, Wasatch Front Waste & Recycling District, stated the district assumed responsibility for the leaf bags in 2013. The bags are one way for the leaves to be hauled off. Salt Lake City no longer uses bags; every resident has a mandatory green waste bin.

**Council Member Burdick** asked if there was an option to hand out biodegradable bags.

**Ms. Roberts** stated yes, but biodegradable bags cost about three times more than plastic bags. This would also require educating residents. The district gives out 150,000 bags, but some residents use their own.

**Council Member Burdick** stated the landfill is not as green as it could be. He suggested adding extra green waste bins or biodegradable bags to the program.

**Ms. Roberts** stated the district has a green waste curbside program by subscription that pays for itself. To roll that out district-wide would require subscriptions to go from 5,000 to 83,000. The cost to manage the bagged leaves is \$20,000 per year, which is manageable on an ordinary year. If the volume of bagged leaves increases, the landfill will not have the resources to process and compost them.

**Mr. Baird** stated the County wants to commit to composting all the leaves.

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**Council Member Jensen** stated since he has been on the Council, the landfill has rebated \$14 million back to the County. Trying to cover the \$20,000 cost to debug leaves sends the wrong message. The County wants people to be green friendly.

**Mr. Baird** stated the challenge would be that Salt Lake City covers its costs for leaves, but the landfill would be subsidizing the district's leaves.

**Council Member Jensen** stated Salt Lake City has just chosen to have a higher level of service.

**Mr. Baird** stated Salt Lake City bore the cost by purchasing the cans and providing a way to bring the unbagged leaves into the landfill, whereas the district has not incurred that expense. The expense of debugging the district's bags falls to the County. If the County wants to absorb that, that could be the decision.

**Ms. Angela Lane**, Deputy District Attorney, stated there is an ordinance that provides that all interlocals should be at full cost. This issue involves an interlocal agreement with Wasatch Front Waste & Recycling District. This proposed fee is covering that requirement to be at full cost.

**Council Member Wilson** stated she recalled a dividend related to the landfill.

**Mr. Baird** stated there was a dividend for both the Salt Lake City and the County.

**Ms. Lane** stated the interlocal agreement that established the joint relationship to run the landfill provides a certain amount of dividend to the city and County.

**Council Member Wilson** asked why the debugging costs could not come out of the County's dividend.

**Mr. Baird** stated the cost should be covered by the agency that is creating the expense.

**Council Member DeBry** stated if fees are increased, the County will need to fully disclose to the public that they will be charged more if they use leaf bags.

**Ms. Roberts** stated she agreed. The leaf program came about in order to keep storm drains clean and keep leaves out of the Jordan River.

**Council Member Newton** stated paying the \$20,000 out of the County dividend makes perfect sense.

**Council Member Jensen** stated the County cannot legally do that because it is a co-owner of the landfill.

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**Council Member Wilson** moved that the County approach the Landfill Council to articulate that it is the County's intent to absorb the cost of debagging the leaves and not to pass it on to users.

**Council Member Jensen** said the term "dividend" is actually funding for closing of the landfill. Modernization has extended the life of the landfill, but these funds will eventually be needed to close the facility.

**Mr. Darrin Casper**, Deputy Mayor of Finance and Administration, stated the County and city still get annual dividends. The \$14 million dividend was a one-time thing. The annual dividend can be sacrificed to subsidize this program.

**Mr. Jason Rose**, Legal Counsel, Council Office, stated he would like to review the ordinance that requires the landfill to cover costs before the Council makes a decision.

**Council Member Jensen**, seconded by **Council Member Newton**, moved to table this matter until late August and ask the attorneys to review the ordinance. The motion passed unanimously.

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CLOSED SESSION – 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.

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

**Council Member Jensen**, seconded by **Council Member Newton**, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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CLOSED SESSION – Personnel and Litigation 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 personnel and litigation matter. The motion passed unanimously.

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

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## **CONSENT AGENDA**

### Tax Matters

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

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

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### Resolutions and Interlocal Agreements

The Council reviewed the following resolutions and agreements. The resolutions authorizing execution of the agreements have been placed on the Council agenda for final approval and execution:

- 1) *Holladay City* regarding contribution of TRCC Funds.
- 2) *Wasatch Front Regional Council* regarding Transportation and Land Use Connection Program.
- 3) *Millcreek* regarding park services
- 4) *Millcreek* regarding addressing services
- 5) *Millcreek* regarding engineering services.
- 6) *Millcreek* regarding animal control services.
- 7) *Millcreek* regarding public works services.
- 8) *Millcreek* regarding surveying services.
- 9) *City of Holladay* regarding bailiff and security services to the Holladay City Justice Court.

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

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Gift to Salt Lake County

The Council reviewed the following gift to Salt Lake County. The Declaration of Gift form has been placed on the Council agenda for final approval and execution:

*Animal Services Division*

*Sandra Chalstrom* has offered to donate \$3,500 to the Animal Services Division.

**Council Member Jensen, seconded by Council Member Granato, moved to accept the gift and forward the Declaration of Gift form to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

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Other Business

*Resignation Letter*

**Council Member DeBry** read the following letter from Sheriff Jim Winder:

*Council Chair DeBry:*

*On Sunday, July 16, 2017, I will conclude my 32-year career with the Salt Lake County Sheriff's Office. Words truly cannot express my deep appreciation for the opportunity this agency and the people who comprise it have afforded me. My single hope is that the effort and energy I provided over the course of my service has in some way benefited those I have been honored to serve with and for.*

*Respectfully,*

*James M. Winder*

That is the Council's official notice that the Sheriff will be leaving his office this Sunday. The law requires that the Council Chair notify the Salt Lake County Democratic Party Central Committee that a resignation letter has been received, including the date and time the office will be vacated. The Democratic Party has 30 days to come back to the Council with a single name for

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ratification. The County Council then has five days to convene a meeting and ratify that appointment to finish the Sheriff's term of office. If the Council does not convene a meeting or ratify that name, it automatically goes to Utah Governor Gary Herbert for ratification.

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*Mountain Accord*

**Council Member Snelgrove** stated it has been reported in the media that Third District Judge Laura Scott ruled that the Mountain Accord was not in compliance with the Utah Public Meetings Act. In light of this ruling from the court, he will be writing a letter to State Auditor John Dugall asking for an audit of Mountain Accord's dealings as well as its finances. He welcomed any other Council Members who would like to join him in this request.

**Council Member Newton** stated she would add her name to that letter.

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*Acceptance of Minutes*

**Council Member Jensen, seconded by Council Member Granato, moved to accept the June 20, 2017, Committee of the Whole minutes. The motion passed unanimously.**

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*Cancellation of Meetings*

**Council Member Jensen, seconded by Council Member Granato, moved to cancel the July 25, 2017, Committee of the Whole and Council meetings. The motion passed unanimously.**

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The meeting was adjourned at 3:30 PM.

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Chair, Committee of the Whole

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Deputy Clerk

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