

Salt Lake County Council

Committee of the Whole

~MINUTES~

Tuesday, October 3, 2017

[1:11:00 PM](#)

Committee Members

Present:

Jennifer Wilson
Richard Snelgrove
Jim Bradley
Arlyn Bradshaw¹
Michael Jensen
Aimee Winder Newton
Sam Granato
Max Burdick
Steven DeBry, Chair

Council Member DeBry opened the meeting with comments on the tragic shooting that occurred in Las Vegas and the heroic efforts made to save lives. He also read remarks by the president of the FBI National Academy, and asked for a moment of silence.



Citizen Public Input ([1:18:35 PM](#))

Mr. George Chapman spoke under “Citizen Public Input” asking the Council to fund the District Attorney’s request for additional FTEs to prosecute criminals arrested during Operation Rio Grande. These criminals are a threat to society, and need to be prosecuted. Without additional personnel, the District Attorney cannot do that. He suggested using the \$4 million budgeted for the TRAX S-Line double track, which would only provide 140 more passengers a day. Funding for that is not justifiable and would be better spent on public safety.



Mr. Sim Gill, District Attorney, spoke under “Citizen Public Input” commenting on mass shootings, which is defined as four people who are injured or killed in a single event. The Orlando shooting last June had the highest number of mass killings until the Las Vegas incident. Since the Orlando shooting, there have been 521 mass shootings in the United States, with almost 585 people killed and over 2,156 people injured. Everyone has a role in trying to stop these killings.



¹ Participated electronically.

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Review of New Hires ([1:23:08 PM](#))

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

<u>Agency</u>	<u>Position</u>
<i>Mayor's Office</i>	Budget Analyst 16
<i>Facilities Services Division</i>	Construction Project Manager 16
<i>Library Services Division</i>	3 Librarians 14 Customer Service Specialist 10 Library Shelver 7 (part-time)
<i>Salt Lake County Health Department</i>	Medical Billing Adjudicator 20
<i>District Attorney's Office</i>	Legal Secretary 12 – Justice Division
<i>Sheriff's Office</i>	Warehouse/Dockworker 10
<i>Youth Services Division</i>	Afterschool Program Coordinator 13
<i>Information Services Division</i>	IT Procurements & Contracts Manager 16
<i>Center for the Arts</i>	Eccles Event Manager 14 State Manager/Technical Director 13

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Budget Adjustment ([1:23:30 PM](#))

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

Community, Development & Engagement Services

Interim budget adjustment to reclassify a Communications Manager from a Grade 16 to a Grade 15.

Clark Planetarium

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Interim budget adjustment of \$142,305 to account for additional revenue, and to use that revenue to purchase inventory and equipment, for maintenance of the facility, and to align revenue and expenditures to actual amounts.

Interim budget adjustment of \$38,900 to reduce capital funding to account for two grants that were received for less than what was requested.

Interim budget adjustment to transfer \$20,585 from the Dome Seating project to the Exhibits Reengineering project.

Salt Lake County Health Department

Interim budget adjustment to reclassify a Health Educator 14 to an STD Investigator 14.

Interim budget adjustment to reclassify an Epidemiologist 15 to an STD Investigator 14, due to decreased grant funding.

Interim budget adjustment of \$35,000 for a new time-limited Project Coordinator 14 for a drug-free program for youth. Funding will come from a Drug-Free Communities grant.

Solid Waste Management Division

Interim budget adjustment of \$1,465,000 to change the way dividends and recycling revenue is handled. This will account for expenditures for landfill disposal, General Fund administration expenditures, which will be offset by revenue, and to transfer recycling education revenue to the Solid Waste Management Division.

Public Works Operations

Interim budget adjustment of \$147,500 to true-up 2017 depreciation expense in Public Works Operations and Street Lights Division's budget.

Council Member Jensen, seconded by Council Member Granato, moved to approve the interim budget adjustment requests and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Member Bradshaw was absent for the vote.

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Active Shooter Training ([1:25:37 PM](#))

Deputy James Bartlett provided the Council with Workplace Violence and Active Shooter training, mandated by Human Resources Policy 3-800 – Violence in the Workplace.



Intergenerational Poverty and Proposed Task Force ([2:29:13 PM](#))

Mr. Jon Pierpont, Executive Director, Department of Workforce Services, delivered a PowerPoint presentation demonstrating that thousands of Utah families are living in intergenerational poverty, defined as poverty in which two or more successive generations of a family continue in the cycle of poverty. Intergenerational poverty differs from situational poverty, which is when a person has suffered a significant event, i.e., job loss, illness, divorce, and has exhausted all their resources and needs temporary help. He explained the history of how the Department of Workforce Services became involved, and legislation creating the Intergenerational Poverty Litigation Act, which created an Intergenerational Welfare Reform Commission. The Intergenerational Welfare Reform Commission, Workforce Services is working with multiple state agencies and other key partners to understand intergenerational poverty and reduce the number of Utah families in the cycle of poverty, improve their quality of life, and help them become economically stable. By focusing on the children in four focus areas: early childhood development, education, family economic stability, and health, there is a higher likelihood of breaking the cycle of poverty. The Welfare Reform Commission did a five and ten-year plan that includes goals in each of the focus areas and indicators to track progress. The results of interventions will not present until these children are adults, but it is worth the effort to try to help them find a way out of poverty. This is a big challenge, and the State cannot solve it alone; it needs local entities to help generate solutions. He was here to ask for the County's support.

Ms. Tracy Gruber, Director, Utah Office of Child Care, Department of Workforce Services, continued the PowerPoint reviewing the data for Salt Lake County, which shows that 3 percent of adults are experiencing intergenerational poverty, 7 percent of kids are living in intergenerational poverty, and 24 percent are at-risk of remaining in poverty as adults. She reviewed statistics on the number of adults and children experiencing intergenerational poverty in Utah, where they reside, the relationship between poverty and the four focus areas, economic stability of the adults, and other factors, i.e. involvement with the juvenile justice system, and the percentage of children exposed to abuse and neglect.

Council Member DeBry asked what the State was asking for from the County.

Mr. Pierpont stated the State would like counties to get involved in looking at the four focus areas of child well-being to see if the right kids are being targeted to ensure they have an opportunity to graduate, get health care, and break the cycle. Thirteen counties have already developed plans. He recommended looking at what they have done, starting with the low-hanging fruit.

Council Member Newton stated she would be making a motion to create a Salt Lake County Intergenerational Poverty Task Force for the purpose of examining County funded anti-poverty efforts to better align those efforts, determining how data can be shared, and how resources can be reallocated. She put together the following list of people she thought would be good partners: the directors from the Behavioral Health Services Division, Salt Lake County Health Department, and Human Services Department, school superintendents from both the Granite and Murray School Districts, a municipal economic development expert, an expert in child psychology, a regional representative from the Department of Workforce Services, a juvenile judge, a regional representative from the Utah Division of Child and Family Services, and a representative from a religious organization for welfare services.

Council Member Burdick asked if the Mayor's Office had been notified of this task force.

Council Member Newton stated her senior policy advisor briefed the Mayor's Office on what she was looking to do, and talked to Karen Crompton, Director, Human Services Department, and Gary Edwards, Director, Salt Lake County Health Department. Ultimately, she wanted this to be a County Council decision since it was responsible for allocating resources.

Council Member Bradley stated he did not want to look at data forever. At some point, something has to be done. Two of the most important things to consider are education and housing. Focusing on children through their first five or six years of life would be valuable, as that is when they are most impressionistic. The County has done some things with childhood education, but the State has the resources. It should look into programs for children that have meaning, and programs that help low income or no income people get into housing. Currently, there is a housing crisis. It should also look at its healthcare policies in relationship to the Federal Government's.

Council Member Wilson stated the definition of intergenerational poverty rubbed her the wrong way. It did not seem compassionate and productive to use a measurement of how long someone was on welfare. The commitment needs to be the bettering of the child, not just the family getting off public assistance.

Council Member Snelgrove stated the last thing the County should do is advocate for public dependency. It should decrease dependency by helping people reach their full potential. If the measurement changed from a one-year to a two-year period, the numbers would be lower, so having a one-year matrix is beneficial.

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Council Member Wilson stated the measures she would like to see are domestic violence going down, children being fed, less abuse, not whether a family was getting a paycheck from the government.

Council Member Newton stated she would be willing to chair the task force, and any other Council Member who wanted to participate would be welcome. This is about making a better life for people, helping those who have had trauma in their life rise above it and get jobs, places to live, and have a successful life. It is also about how to better utilize resources and public dollars.

Council Member Newton, seconded by Council Member Granato, moved to create a Salt Lake County Intergenerational Poverty Task Force for the purpose of examining County funded anti-poverty efforts to better align and measure efforts being done in the County and find innovative ways to share data to improve outcomes of bettering people's lives. Council Member Jensen amended the motion to include two Council Members on the task force. Council Member Newton accepted the amendment.

Council Member Burdick asked if the task force would continue if goals were identified and met.

Council Member Newton stated there was no time limit for the existence of the task force. She would like it to report back to the Council annually.

Council Member Wilson asked how this task force would interface with the State and current organization.

Mr. Pierpont stated Workforce Services has created a subcommittee out of the Welfare Reform Commission, which reports to the commission. The county structure is made up of those 13 counties that have plans in place. Salt Lake County would be part of that structure. It would come to the commission for discussion and items it wanted to see addressed by the Welfare Reform Commission.

Council Member Wilson stated it would be better if the Wasatch Front Regional Council managed the task force, rather than the Council. This task force was beyond what she felt comfortable doing.

Council Member DeBry asked if the Council needed to vote on the compilation of the task force.

Council Member Bradley suggested the Council approve the creation of the task force, but have this back on next week's agenda for a decision on the compilation of it.

Council Member Newton stated she has been working on this for months and recommended the representatives be approved today because it will take a month or two to get them at the table. After it met, she would bring information back to the Council to weigh in on.

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Ultimately, no decision would be made without the Council's approval because it controls the \$17 million dollars the County spends on poverty.

Council Member DeBry stated this would be an advisory committee. It would do research and bring data back to the Council for how it wants to proceed. Its decisions are not binding.

Mr. Jason Rose, Legal Counsel, Council Office, stated that is correct.

Ms. Erin Litvack, Deputy Mayor of Community and External Affairs, stated she had not seen this prior to the meeting, and would like time to better understand the Mayor's role in it. These were things the County's Human Services Department worked on all the time, but it was worth exploring how it fit into the goals and objectives of the State.

Council Member Burdick, seconded by **Council Member Wilson**, made a substitute motion to postpone this for one week to give those involved a chance to meet with the Mayor's Office to make sure they fully understand it, and to determine what the structure of it would be as far as if there will be a chair, vice chair, and others. The motion passed 8 to 1, with **Council Member Snelgrove** voting in opposition.

Council Member Snelgrove stated he thought the Council was ready to make a decision today.

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Landfill Fee Waiver ([3:17:27 PM](#))

Ms. Karen Crompton, Director, Human Services Department, requested a waiver of the landfill fee for waste collected during homeless encampment cleanups.

Council Member Bradley, seconded by **Council Member Granato**, moved to approve the request and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. **Council Member Newton** was absent for the vote.

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Resolution & Interim Budget Adjustment Request to Provide Behavioral Health Services to Homeless Individuals ([3:18:50 PM](#))

Ms. Karen Crompton, Director, Human Services Department, reviewed a resolution and interlocal agreement, wherein Salt Lake City will contribute \$685,000 to the County to provide mental health and substance abuse treatment services to indigent, homeless individuals in the Salt Lake City downtown area. This will also require an interim budget adjustment be done to account for the contribution.

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Council Member Snelgrove, seconded by Council Member Granato, moved to approve the resolution and interim budget adjustment and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Member Newton was absent for the vote.

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Resolution Regarding Construction of the Jordan and Salt Lake Canal Bridge ([3:20:16 PM](#))

Ms. Tamaran Woodland, Flood Control Engineering Division, reviewed a resolution and cost sharing agreement with Salt Lake City, wherein Salt Lake County would contribute 30 percent, not to exceed \$30,000, of the costs to construct the Jordan and Salt Lake Canal Bridge, near 2100 East 5100 South, Holladay, Utah.

Council Member Jensen, seconded by Council Member Granato, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Member Newton was absent for the vote.

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Interim Budget Adjustment Request for District Attorney as a Result of the Impact of the Operation Rio Grande Project ([3:21:57 PM](#))

During the September 26, 2017, Committee of the Whole meeting, the Council voted to table for one week the request of the District Attorney's Office for an interim budget adjustment of \$78,385 to hire one Prosecuting Attorney and two Paralegal positions to support Operation Rio Grande.

Mayor Ben McAdams reviewed the budget adjustment request stating the demand placed upon the District Attorney due to Operation Rio Grande has created a need for an additional appropriation to help manage the caseload. This is a justified request out of the ordinary budget cycle. A crisis does not always lend itself to the budget cycle. The State has partnered with the County and made appropriations outside its ordinary budget cycle too. He asked that the Council support this request as a priority to maximize the benefit of Operation Rio Grande.

Council Member Snelgrove stated there has been an uptick in prosecution because of Operation Rio Grande, consequently lending itself to the need for more attorneys to prosecute the criminals involved. This is a clear-cut need, and he was supportive of it.

Council Member Granato stated he was the only one who voted for this last week. The purpose is to clean up a problem that has existed for years.

Council Member Granato, seconded by Council Member Burdick, moved to approve the interim budget adjustment so the District Attorney can prosecute the people who were arrested.

Council Member Jensen stated traditionally, the Council has not approved FTE requests outside the normal budget process, unless funding is attached, because it wants to compare requests with other competing needs. However, in talking with the Mayor and because of the commitments the State made to the County, he would support this, with the caveat that all of the District Attorney's requests during the budget be separate from this purpose. Currently, the District Attorney has three open FTE positions – two prosecutors and a paralegal, and he would want to prioritize them with everything else on the table.

Council Member DeBry stated the District Attorney received funding for 16 FTEs from the \$9.4 million jail bond tax extension, and was told not to ask for more. He asked if the District Attorney's Office could use its existing open allocations for this. Also, the District Attorney's Office sent an email to the Council saying if the Council denied the request, it would stop its participation in the operation. He was offended when he read that. The District Attorney's Office still has a responsibility to perform its duties.

Mr. Sim Gill, District Attorney, stated the result of Operation Rio Grande has created additional work for the District Attorney's Office separate from its baseline responsibilities and beyond the resources available. He had plenty of work to do without this added responsibility. In the last six weeks, his office has had 1,140 new cases, which require a different workload. The work entails tracking down people who were arrested during Operation Rio Grande and making sure they are sentenced and receiving treatment, and making sure they stay in treatment. That is not typical invested prosecution; it is additional work.

Council Member DeBry stated he was not adverse to the program, and was a huge proponent of drug court and law enforcement. However, the District Attorney is sitting on two attorney allocations and a paralegal position that are empty, and he wondered why he could not fill them right now to do the Operation Rio Grande work. He asked how long those positions had been empty.

Mr. Gill stated people were cut from those positions because they did not work out. He did not squander and sit on his resources. For the last seven years, he has brought data to the Council of his workload, but never gets enough resources for that workload. Each year, his office does more with less because the Council does not want to raise taxes. As for the \$9.4 million General Fund money, he did tell the Mayor his needs and the Sheriff did the same. It was the Council's decision to fund his needs from that pot of money.

Mr. Ralph Chamness, Deputy District Attorney, stated he sent the email, and the intent was not to say the District Attorney's Office would not prosecute crimes. It will always do its best to do that, but it cannot invest the resources necessary for the type of process that Operation Rio Grande has demanded. If the Council wanted to throw those cases into the general pot, they would get done as other cases do.

Council Member Burdick stated the County has tried to figure out some way to help with the situation at Rio Grande for some time now. Now that the State, County, and Salt Lake City are on the same page with the business owners and community, it is important to do this. The caseload is up in the District Attorney's Office, and it has the responsibility to prosecute those cases. Without resources, it will take longer to prosecute them. Some people in jail need to be prosecuted, but could be released, and others may have been arrested unfairly or need treatment. The Council can make adjustments during the budget process if necessary.

Council Member Wilson stated Operation Rio Grande did not occur during the traditional budget process, but a lot of smart people made that decision, and it has put a burden on the District Attorney's Office. It was one-off considering the time to ask for FTEs was during the budget process, but she was supportive.

Council Member Jensen stated this would probably have gotten approved during the normal budget process anyway, but this is exigent circumstances so he would support it. Other agencies in the County will be affected by Operation Rio Grande too – the Sheriff and all the Human Services Department divisions, and they do not get to say no to the added work. During the budget, all the elected officials will bring their data sets to the Council, and the Council will compare those. Approving this in isolation will make it harder to compare it against all the other requests.

Mr. Gill stated he did not come to the Council arbitrarily for resources out of budget cycles. At the same time, it was not fair to increase his workload when his employees were struggling under that weight. So, what he meant by saying his office would not participate in Operation Rio Grande, was it would not be able to follow through with the invested prosecution. His office could not sustain that. If he had waited to go through the normal budget process, given the demands from the additional cases, his office would be hammered. For example, one of his employees who delivered a baby less than a month ago was putting in 50+ hours a week to stay afloat with the caseload. So, it would be a disservice to his portfolio not to share this need.

Council Member Jensen stated if additional revenue was necessary and the County had to go to the taxpayers asking for a tax increase, it would be the Council Members who took the heat. However, he did not think the majority of the Council would want to raise taxes. Therefore, there will be winners and losers during the budget process because the Council will have to do some weighing.

Council Member Granato, seconded by Council Member Burdick, moved to approve the interim budget adjustment so the District Attorney can prosecute the people who were arrested, and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.

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Closed Session – Potential Litigation

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Council Member Jensen, seconded by Council Member Bradley, moved to close the open session of the Committee of the Whole meeting to discuss potential litigation. The motion passed unanimously.

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

Council Member Bradley, seconded by Council Member Jensen, moved to approve what was discussed during the closed session and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.

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CONSENT AGENDA ([3:54:41 PM](#))

Tax Matters

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

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

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Resolution

The Council reviewed the following resolution, which has been placed on the Council agenda for final approval and execution:

Oak Park regarding the lease of general office space for the Youth Services Division.

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

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Other Business ([3:54:41 PM](#))

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Approval of Minutes

Council Member Jensen, seconded by Council Member Bradley, moved to approve the Committee of the Whole minutes for Tuesday, September 19, 2017. The motion passed unanimously.

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The meeting adjourned at [4:01:05 PM](#).

Chair, Committee of the Whole

Deputy Clerk

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