

Date: December 16, 2021

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES (“BOARD”) MET ON THURSDAY, DECEMBER 16, 2021, AT 06:00 PM. THE PUBLIC WAS NOTIFIED THAT THEY MAY ATTEND THE MEETING AT THE SALT LAKE COUNTY SHERIFF/UNIFIED POLICE DEPARTMENT BUILDING, 3365 SOUTH 900 WEST, SALT LAKE CITY, UTAH OR JOIN THE OPEN PORTIONS OF THE MEETING BY CALLING 1-669 900-9128 AND ENTERING MEETING ID 92301763844# AND PASSWORD 259919#. THE PUBLIC WAS ALLOWED TO LISTEN TO ALL OPEN PORTIONS OF THE MEETING. BOARD MEMBERS AND PERSONS PARTICIPATING IN PERSON OR BY PHONE WERE ABLE TO HEAR ALL DISCUSSIONS.

<u>Present:</u>	<u>Excused:</u>	<u>Attended Via Zoom:</u>
TRUSTEE JIM BRADLEY, SALT LAKE COUNTY		TRUSTEE CHRIS STAVROS, SALT LAKE COUNTY
TRUSTEE DAVID BREMS, EMIGRATION CANYON		TRUSTEE STEVE PROKOPIS, MAGNA
TRUSTEE PAULINA FLINT, WHITE CITY		TRUSTEE CAROLYN KEIGLEY, BRIGHTON
TRUSTEE DAVID OLSEN, COPPERTON		
TRUSTEE ALAN PETERSON, KEARNS		
TRUSTEE DEA THEODORE, SALT LAKE COUNTY		

ALSO ATTENDED VIA ZOOM/IN PERSON:

SHERIFF ROSIE RIVERA, SALT LAKE COUNTY SHERIFF AND SLVLESA CHIEF EXECUTIVE OFFICER

UNDERSHERIFF JAKE PETERSEN, SALT LAKE COUNTY UNDERSHERIFF

CHIEF OF POLICE JASON MAZURAN, UPD CHIEF OF POLICE

FRANK NAKAMURA, SLVLESA DISTRICT ADMINISTRATOR/SLVLESA LEGAL COUNSEL

LISA DUDLEY, SLVLESA CHIEF FINANCIAL OFFICER

RICHARD MOON, SLVLESA TREASURER

MARCIE KAY, SLVLESA CLERK

FRANK PIGNANELLI, SLVLESA LOBBYIST

Item #1-Call to Order.

Trustee Bradley called the meeting to order.

Item #2- Conflict of interest disclosure.

Action Requested: Identify Conflicts; if any

Discussion: Trustee Bradley asked if there were any conflicts of interest. None were identified.

Item #3-Direction on Property Tax Rate Cap Legislation.

Action Requested: Motion, Second, Vote

Discussion: Trustee Bradley asked if Frank Pignanelli was on the Zoom call because they have been talking about various ways to increase revenues they need to be able to continue to operate. He said Frank Pignanelli will give them some insight into what their options are to raise revenues.

Frank Nakamura said that tonight's meeting is a very limited discussion, and it is just to get direction on whether they pursue legislation to increase the property tax cap.

Trustee Flint said she thinks it is important for Trustee Bradley to give a brief overview.

Trustee Bradley asked Frank Pignanelli if he could give a synopsis of his advice.

Frank Pignanelli said at the last Board meeting they discussed options and there was concern that they did not have enough information and the Board asked him to go back on some of the options, which were based on a call the legislative committee had with the Utah Taxpayers' Association. There was some discussion about whether they pursue an increase in the property tax rate cap with a three-to-five-year sunset provision. He said he had a discussion with the Utah Taxpayers' Association, with representatives from Rio Tinto and with Senator Karen Mayne, who is the traditional sponsor of legislation regarding metro townships, as requested by the SLVLESA Board. He said there was a real concern about what was happening here, and they all want to be part of the solution. However, the idea of having an increase in the property rate cap in the upcoming Legislative Session even with a sunset provision, they felt was problematic in the sense that it is on the heels of a 16.5% increase in property taxes, secondly, they believe that tax increase gets SLVLESA through the next year, so we are not in a crisis yet. They would also like SLVLESA to examine other possibilities. They asked what the availability of the franchise taxes was, and he explained that was yet to be enacted by the Townships. He said it is an election year and so that effects things politically. He picked up a lot of support from them to study and analyze the issue, he did not receive any inclination from the stakeholders that they were willing to do legislation to raise the property tax rate cap.

He suggests that a committee be formed by SLVLESA to start looking into all the available options. Secondly, they need to engage the leadership of the metro townships. By doing these things, they can tell the lawmakers we are going to be coming to you and we would like to have a report later in the year, at an interim committee in the fall, for legislation that is likely to be needed and he thinks they can accomplish all that.

Frank Nakamura asked for direction on Frank Pignanelli's memorandum which provided recommendations. He said it is his understanding that they are not directing Frank Pignanelli to pursue the increase in the property tax cap this year.

Trustee Bradley asked if there was anyone on the Board who objected to them not pursuing a property tax cap increase this year.

There were none.

Trustee Bradley entertained a motion to accept Frank Pignanelli's memorandum and recommendations.

Trustee Keigley motioned to approve.

Trustee Brems seconded.

All voted in favor; none opposed.

Motion passed.

Item #4- Consider RESOLUTION NO. 211216-1 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) APPROVING ITS ANNUAL REGULAR MEETING SCHEDULE FOR CALENDAR YEAR 2022 SUBJECT TO CHANGE CONSISTENT WITH THE UTAH OPEN AND PUBLIC MEETINGS ACT.

Action Requested: Motion, Second, and Vote.

Discussion: Frank Nakamura said Utah law requires SLVLESA to adopt a regular schedule for the upcoming calendar year and he presented to the Board the calendar stating that the Board will meet every third Thursday of each month at 10am.

Trustee Bradley entertained a motion to approve the regular schedule.

Trustee Flint motioned to approve.

Trustee Theodore seconded.

All voted in favor; none opposed.

The motion passed.

Item #5- Approve Minutes for November 18, 2021.

Action Requested: Motion, Second and Vote.

Discussion: Trustee Bradley entertained a motion to approve the minutes for November 18, 2021.

Trustee Flint motioned to approve.

Trustee Stavros seconded.

All voted in favor; none opposed.

The minutes were approved.

Item #6- Consider RESOLUTION NO. 211216-2 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) LEVYING A TAX RATE, WHICH EXCEEDS THE CERTIFIED TAX RATE, THAT WOULD INCREASE SLVLESA BUDGETED PROPERTY TAX REVENUE FOR CALENDAR YEAR 2022 BY SIXTEEN ONE HALF PERCENT (16.5%) OVER THE PRIOR YEAR'S BUDGETED PROPERTY TAX REVENUE.

Action Requested: Motion, Second and Vote to Open Public Hearing

Public Input

Motion, Second and Vote to Close Public Hearing

Discussion

Motion, Second and Vote on Proposed Resolution

Discussion: Frank Nakamura said the Board began truth-in-taxation process back in August with an intent resolution. Staff attended the legislative bodies of SLVLESA's members, and all SLVESA member councils approved the tax increase if the SLVLESA Board were to make that decision. The parcel specific notices were sent out in October. The truth-in-taxation notice was published in the Deseret News for two weeks, prior to this meeting. The main factor that is driving this increase is the cost of compensation for the officers and what is happening in the market and the need to stay competitive to recruit and retain officers.

Trustee Bradley entertained a motion to open the public hearing.

Trustee Flint motioned to open the public hearing.

Trustee Theodore seconded the motion.

All voted in favor; none opposed.

The public hearing was opened.

Trustee Bradley said he appreciates the members of the public who attended in person.

He asked the SLVLESA clerk if there was anyone online from the public who wanted to comment and there was not.

A member of the public, Dale Cox, who is a resident of Magna, addressed the Board. He said that he must oppose the tax increase because he retired in 2010 and since then his pension has been flatlined and his taxes are going up every year. He says he speaks not only for himself but for the underemployed and minimum wage workers, especially in Magna, who are struggling with all the tax increases they have had to deal with. His taxes have more than doubled since he retired. He is requesting that the Board consider retaining the current tax rate and not increasing it.

A member of the public, Gale Peckham who is a resident of Kearns, addressed the Board. He spoke about an incident where a young man he knew arrived at his house on drugs and it took the police 45 minutes to arrive. He said the police found the man but did not arrest him, said they would not take him to jail, so there was nothing they could do. He said there are people like that running the streets and they need help, but no one will help. He said the police came knocking on his door at 3 am. He said the people on drugs are the problem, not people like him, and he is tired of it.

Adam Penrod, who is a resident of Copperton, addressed the Board. He said he grew up in the Magna community. He said a tax increase can be a difficult financial burden on citizens. He said in Copperton there is a large elderly community, a lot of widows and most of their houses are over 100 years old. He has great respect and appreciation for law enforcement and what they do in serving the community. He said it would be greatly appreciated if there was not a tax increase.

Cody Cutler who is a resident of White City, addressed the Board. He said the Board, the UPD, County Sheriffs are all very much appreciated and make a difference in their lives. He said his question is he wants to know if this is a temporary fix or a long-term solution.

Frank Nakamura said originally, they had projected a 5-7% increase in cost of law enforcement costs but because of the law enforcement wage wars in the Salt Lake Valley, it has been very difficult to project. He said throughout the year they will be discussing other revenue options besides property tax. He said he would like to say it is as long-term solution but without knowing the future of the wage increases, it is impossible to say for sure. They will probably have to look at it again in two years.

Cody Cutler said it is obvious there are a lot of people who are opposed to the tax increase but personally he thinks the service they receive from law enforcement is excellent and he appreciates that.

Frank Nakamura said that the citizens deserve to have a high level of law enforcement services and they want to avoid reducing the quality of the law enforcement services and to do that they need to recruit and retain quality officers.

Dale Cox, resident of Magna again addressed the Board. He asked if the Board could offer a ballpark salary range that they want the law enforcement to be at. He asked if the officers are going to go to the highest bidder.

Trustee Bradley said that is what is happening.

Richard Moon said right now, for a number of reasons, there are very few people who want to become officers, so it is difficult to fill positions when officers leave or retire.

Dale Cox asked if they had a salary range for what a front-line officer would be paid now. He asked if that information was available online.

The Board said yes, it is.

Dale Cox said if they are in a bidding war with other agencies to get officers then it is him and other taxpayers who are the victims. He also said there are inflated property values in the valley and his taxes have more than doubled. He said it must stop eventually because one day he will be foreclosed on because he won't be able to pay the taxes on his house.

Trustee Flint said she believes it has much to do with circumstances of where everyone is in the U.S. right now. When police officers don't feel safe, it is a general culture that has happened that they have never experienced before and that is driving people out of wanting careers in law enforcement. Also, when Salt Lake City lost 70 officers, that is when this kicked in, after the riots last year. This is something we have not experienced before and to just keep things going they have had to use fund balance and they have pared and cut everything budget-wise that they can. She said there has been a hard decision that has had to be made. She said this will get us through a solid year, but they must come up with another mechanism of funding. She said it is a difficult situation and they are doing all they can to find alternative funding.

Trustee Keigley said she understands where Dale Cox is coming from because she is also retired and on a fixed income. She said before the wage wars began, the wage for a starting officer was \$22 per hour to risk their life every day.

Adam Penrod, a member of the public, addressed the Board again. He asked if there was a way for members of the public to donate to law enforcement to offset costs for equipment, etc.

Trustee Bradley says that does occur, but it is certainly not on the level where it would make it, so they did not have to increase taxes.

Frank Nakamura said pursuant to the mailed notices, he did receive 10 phone calls, and he submitted a list to the Board of those calls. He said out of the 10 calls, he only had one objection to the tax increase.

Trustee Bradley entertained a motion to close the public hearing.

Trustee Flint motioned to close the public hearing.

Trustee Theodore seconded the motion.

All voted in favor; none opposed.

The public hearing was closed.

Trustee Olsen said when UPD came to each individual member's council meetings and gave their presentation, it was a difficult conversation and not everyone on his council saw eye to eye. He said he expressed this to the Sheriff and to Chief Mazuran and he can't imagine that he is alone in that. He said it is tough to separate the moral aspect from the financial. He said they made that decision to do what is best for their community, but it was hard.

Trustee Flint said that by supporting this Resolution, she is also supporting trying to find alternate sources of funding.

Trustee Bradley said they know they cannot continue to raise property taxes and they must find other solutions. He said the bottom line is that every community needs a well-trained and well-funded law enforcement service and that means you must have trained officers who are adequately compensated.

Trustee Bradley entertained a motion to pass the Resolution.

Trustee Flint motioned to approve the Resolution.

Trustee Prokopis seconded the motion.

Frank Nakamura conducted a roll call vote.

Trustee Bradley voted aye.

Trustee Brems voted aye.

Trustee Theodore voted aye.

Trustee Flint voted aye.

Trustee Olsen voted aye.

Trustee Peterson voted aye.

Trustee Prokopis voted aye.

Trustee Stavros voted aye.

Trustee Keigley voted aye.

Item #7-Consider RESOLUTION NO 211216-3 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) ADOPTING THE CALENDAR YEAR 2022 FINAL BUDGET FOR SLVLESA.

Action Requested: Motion, Second and Vote to Open the public hearing.

Receive Public Input

Motion, Second and Vote to Close the Public Hearing

Discussion

Motion, Second and Vote on the proposed resolution

Discussion: Richard Moon said they did make one change to the tentative budget. Although they had new growth, they are going to wait until June or July, to budget new growth once they are sure of the actual new growth, and they will bring that back to the Board. Also, budgeted revenue for 2022

increased by \$2.9 million and budgeted law enforcement fees are just over \$3.1 million increase. The TRANs will be higher next year because of the increases. He asked if there any questions.

Trustee Brems said the fund balance in 2020 was \$5.3 million and 2021 is \$3.9 million and 2022 is \$2.1 million. When does it get to zero?

Richard Moon said in the UPD Board meeting they had earlier, they looked at the audit and if you look at the precinct fund balances, they are healthy.

Trustee Keigley said since they just did the 16.5% increase, and although the funding increase would make the UPD compensation first among other entities in the Valley, the UPD Board decided to increase compensation to move the UPD to the fourth position in terms of compensation, but they chose as a Board to not go to the first position but rather the fourth position, so she is wondering how that works.

Richard Moon said if they had gone with the first position, the tax increase would not have changed, it just would have been less in their fund balance.

Lisa Dudley said the reason it is at 16.5% is because that is the maximum that they could go. She said the hope was to get in the first position, but these discussions started long before the “wage wars.”

Trustee Keigley asked if anyone knew if there had been movement with other agencies’ compensation that has made us lower on the list.

Richard Moon said not that he is aware of, but he doesn’t know if HR has gotten any more information concerning that.

Trustee Bradley entertained a motion to open the public hearing.

Trustee Flint motioned to open the public hearing.

Trustee Theodore seconded the motion.

All voted in favor; none opposed.

The public hearing was opened.

Trustee Bradley asked if there was any public comment, there was not.

Trustee Bradley entertained a motion to close the public hearing.

Trustee Flint motioned to close the public hearing.

Trustee Theodore seconded the motion.

All voted in favor; none opposed.

The public hearing was closed.

Trustee Prokopis says when you hear 16.5% increase it perks your ears as a taxpayer but what does that bring to the organization in new revenue divided throughout the organization.

Richard Moon said the 16.5% which equals \$2,903,624 and per sworn officer is about \$7600.

Trustee Prokopolis said he wants it on the record that not every employee is receiving the same raise. He said those receiving the highest percentage of increase are the entry level police officers, which is the rank that was most out of market.

Trustee Bradley entertained a motion to approve the Resolution.

Trustee Flint motioned to approve the Resolution.

Trustee Theodore seconded.

Frank Nakamura conducted a roll call vote.

Trustee Bradley voted aye.

Trustee Brems voted aye.

Trustee Theodore voted aye.

Trustee Flint voted aye.

Trustee Olsen voted aye.

Trustee Peterson voted aye.

Trustee Prokopolis voted aye.

Trustee Stavros voted aye.

Trustee Keigley voted aye.

Item #8-Adjourn

Trustee Bradley adjourned the meeting.