

Date: January 19, 2022

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES ("BOARD") MET ON THURSDAY, JANUARY 19, 2022, AT 10:00 AM. THE PUBLIC WAS NOTIFIED THAT THEY MAY 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 BY PHONE OR ELECTRONICALLY 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 ALAN PETERSON, KEARNS		TRUSTEE DAVID OLSEN, COPPERTON
TRUSTEE DAVID BREMS, EMIGRATION CANYON		TRUSTEE CAROLYN KEIGLEY, BRIGHTON
TRUSTEE DEA THEODORE, SALT LAKE COUNTY		TRUSTEE PHILLIP CARDENAZ, WHITE CITY
TRUSTEE STEVE PROKOPIS, MAGNA		

ALSO ATTENDED:

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

CHIEF OF POLICE JASON MAZURAN, UPD CHIEF OF POLICE

RICHARD MOON, SLVLESA TREASURER

Item #1-Call to Order.

Trustee Bradley called the meeting to order. A roll call vote for attendance was then conducted.

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-Public Comment

Action Requested: None

Discussion: Trustee Bradley asked if there were any members of the public who wished to address the Board. There were none.

Item #4- Present 2022 Fourth Quarter Report, Expenditures for the Month of December 2022, and Other Financial Information.

Action Requested: None

Discussion: Trustee Bradley entertained a motion to move agenda item 7 up to the place of agenda item 4, to accommodate everyone's schedules.

Trustee Petersen motioned to approve.

Trustee Brems seconded the motion.

All voted in favor; none opposed.

The item was moved.

Richard Moon said he didn't get the financial documents sent out until this morning, but it is in their packets. He said the biggest check they cut was to pay off their tax revenue anticipation notes, which was 12.5 million dollars. Other than that, they had Unified, Pignanelli and Doug MacDonald. Moving to the fourth quarter, at the beginning of the year they had planned on using \$1.5 million in fund balance, they ended up putting \$1 million into fund balance thanks to the \$2.5 million new growth that they weren't expecting. He asked if there were any questions about the fourth quarter report and there were not. Their fund balance will be about \$5.7 million.

Item #5- Present Fraud Assessment Report.

Action Requested: None

Discussion: He said this was not something they did this year. He completed this before the end of the year, he just wanted to bring it to the Board. The only difference between last year and this year was because they lost Lisa, they lost that 40 hours she would do the continuing education, so that put them down to 315, instead of 355, which puts them in a moderate range. If they stay with the way they are doing things now, he will start doing those continuing education hours so they can get back into the very low risk but other than that, they are right where they have been.

Item #6- Report by Sheriff Rosie Rivera, SLVLESA Chief Executive Officer.

Action Requested: None

Discussion: Sheriff Rivera said she wanted to mention that they had an employee, Dennis Decker, who passed away recently. He was a UPD officer and worked for the Sheriff's Office. She said it was tragic that he had to retire because of the brain tumor.

She said they have been working on the budgets and they have met with every precinct and they have presented their budgets to the finance department, who are going through it now. They will be having meetings with all of them and the finance department to go over their individual budgets. She said they are going to bring some information to the benefits and compensation meeting concerning compensation for their civilians and their market study that they prepared for their sworn.

Item #7-Update Salt Lake County SLVLESA Creation Resolution.

Action Requested: None

Discussion: Sheriff Rivera asked Representative Laurie Stringham to help with this item on the agenda. Sheriff Rivera said they had discussed with the Board that Frank Nakamura has resigned from his position as the director of SLVLESA and they discussed how they are going to replace the director. During that conversation they discussed the Sheriff as the CEO of SLVLESA as well as UPD and she feels like that is a conflict and they want to fix that conflict. She said while discussing that she spoke with Councilperson Laurie Stringham, and she had a great idea of how we can fix that conflict.

Laurie Stringham said when SLVLESA was created there was a Resolution by Salt Lake County Council that required that the head of SLVLESA be the Salt Lake County Sheriff and it also had provisions on how each member of the Council here was selected. She said that it is no longer up to date because the selection process is no longer how that happens. She said she and the Sheriff have spoken and they agree that having the Sheriff as CEO of SLVLESA is a conflict of interest because of her position in the UPD. She said that leaves SLVLESA in a difficult position. They are going to take care of the conflict of interest on the council's side, she is proposing a resolution to amend the original resolution. They do not

want to mess with SLVLESA's creation, they are the taxing body of this, and it is important that they stay the taxing body. They are amending it, so it has language that allows for SLVLESA to either hire or contract the administrative services and that is all the resolution does and it clarifies and brings it up to date on the actual selection process of each member of SLVLESA. She said the ability to keep SLVLESA is important because it gives us the ability to fund the policing for each township, which they couldn't do if they weren't all together.

She said the idea that she would like to bring forward is an elegant solution and the Board can consider their decision. The idea that she proposes is to contract administrative services with the Metro Service District. The Metro Service District already does administrative services for all the Metro Townships. They would just keep it a separate entity, which is what they do for all of them anyway. They would keep the accounts separate and they would add the administrative arm at SLVLESA's behest and fulfill whatever services SLVLESA needs. She said she spoke with Marla Howard, who is over the MSD, and she said that she believes they could take on the administrative role without having to charge anything extra. She thinks there may be about \$130,000 savings in doing that. That is an option that she believes would be beneficial. They have been talking to a lot of attorneys recently to see if it is possible and right now, they do think it is possible because they are not extending or changing the services of the MSD.

She said if for some reason this new bill does go through, there is another option they may be able to work around if they need to. She doesn't want to bring that up yet because she rather just defeat the bill as it is current now because it would hurt SLVLESA, it will hurt the Metro Townships and unincorporated Salt Lake County. She said they are not dissolving SLVLESA in any way shape or form because they don't want to do that. She said there is not a legislative change that would need to happen, it would only be an interlocal agreement.

Trustee Prokopis asked if in their amendment, sometimes these boards are made up of only mayors, did they account for that.

Rep. Stringham said yes, it does not require them to be a mayor, it allows each of the jurisdictions to select who they want.

Trustee Prokopis said a continuing conversation in Magna, as they continue to grow, is that eventually they would like to become a self-providing city. He asked what happens in that instance if they no longer receive services from the MSD.

Rep. Stringham said it doesn't change that, they can choose to do an interlocal. She said even though they have SLVLESA right now, if something happens, each one of them has the authority to have police. They could choose at some point to contract that policing and form an interlocal agreement with a number of sources outside of this. This just changes the creation document of SLVLESA to allow them more freedom than what they had before.

Trustee Bradley said that he thinks the SLVLESA Board has to think about this for a little while, because with Frank leaving that does provide the opportunity to ask what they are doing and why are they doing it. Frank did a lot that wasn't necessarily in the job description and it was very helpful but it wasn't required to keep SLVLESA functioning. He said their existence is simple, they are here to tax people and give it to UPD and how do they do that. They need legal counsel when they go through truth-in-taxation, they need legal counsel on parliamentary procedures but other than that, there are not a lot of legal

challenges. Secondly, in terms of a director, that entails at the minimum to put together an agenda and be a conduit to communicate with their members of SLVLESA. He said part of the discussion would be, what does MSD do for them, how does that help them in the long-term and their roll collecting the dues UPD sends them be infringed in anyway by a merger with MSD.

Rep. Stringham said they are not talking about a merger, that's very different. She said in this case they are talking about contracting administrative services. They have the legal, they have the administrative, they do newsletters, they do all of the treasury, they do audits. She said they are already doing it for each of the entities.

Trustee Bradley asked if they need any state legislation to make this work.

Rep. Stringham said that's all they need to do, the County Resolution generated it. She said she believes this is the simplest way to handle the conflict of interest that is being perceived.

Trustee Bradley said what he would propose that they do is to put together a committee of people who are interested in this issue and would like to get together to talk about it. He said they need the opportunity to at least have a discussion about the pros and cons. He asked Rep. Stringham if she would be the one to represent this issue and she said it would be Dea Theodore.

She said Trustee Theodore is the member on SLVLESA, from the MSD side, Rep. Stringham is the County representative from the MSD but they would turn it over to their general manager and their attorney. She said the good news is that if it doesn't work out, SLVLESA does have other options. The only thing she can guarantee that they are addressing right now is the conflict of interest.

Trustee Prokopolis asked if there is a timeliness issue with this that they should be aware of.

She said yes, the legislation is going to move forward fast.

Sheriff Rivera said that they have things for SLVLESA that need to be addressed and right now they don't have an administrator, they don't have legal. Frank has offered, if they need him on a part-time basis to reach out to him but they have nothing in place and they have several things coming up with the UPD budget, SLVLESA that needs to be addressed, etc. So, if they are going to have a committee, she would suggest they get that done quickly and make a decision.

Rep. Stringham said she did have an opportunity to talk with their mayors, so they weren't sideswiped by all of this.

Trustee Keigley said if they were going to entertain the idea of going with the MSD, is it necessary for the SLVLESA director to have experience with policing. She said she knows MSD is capable of running the numbers and doing the legal but she also wants to know how much experience does this position need to understand the dynamics of policing.

Trustee Bradley said he thinks that is one of the key components and a conversation they will be having among SLVLESA members, a clarification of what they want and need in that position and he would invite Trustee Keigley to be part of that committee. He asked Rep. Stringham if the MSD cares if the Sheriff is CEO of SLVLESA.

Rep. Stringham said they don't care one way or the other. The only thing she asked MSD is would they have the capacity to be able to function with this. The Sheriff as CEO of SLVLESA is what they saw as a

conflict of interest, they had no problem with her being the CEO of UPD. She said if they were to take a straw poll right now, would be opposed to removing her as CEO of UPD because it would affect the Metro Townships in a negative way. She said to be aware that the Metro Service District is them, it's just their mayors sitting on it, instead of the SLVLESA members. She said they are used to working with a lot of different services.

Trustee Prokopis asked what would stop the MSD from wanting to take over the duties of the SLVLESA Board.

Rep. Stringham said legislation. She said the SLVLESA Board is legislatively authorized and the MSD is not and the MSD can only take on so many services that are allowed by law and she said it is not her intent to change that in any shape or form.

Trustee Prokopis asked how this would affect Richard Moon and the financial responsibilities. He asked if the MSD would take on that role.

Sheriff Rivera said SLVLESA would contract with the MSD, and they would take care of it all. She said they wouldn't need a full-time person. She said they would coordinate the meetings, the agendas, etc. and UPD would still come to those meetings.

Trustee Prokopis asked roughly what it was costing them for Frank and all of them.

Richard Moon said \$160,000 a year for all the services.

Rep. Stringham said that is what SLVLESA's savings would be.

Sheriff Rivera said they did meet with Frank and asked him to list his duties and if it is a full-time job, he said it was not.

Trustee Peterson said he knows that Richard Moon has a job with the UPD no matter what happens here, but asked if Marcie Kay did.

Sheriff Rivera said she is a UPD employee. This is just extra, so it would help UPD as well to be able to get their employees to focus on UPD.

Rep. Stringham said when the MSD met last time, and they clarified in their meeting with the Board, would this cost extra and the MSD said that they didn't believe it would cost anything extra. She said that regardless of what SLVLESA decides to do, they are bringing this forward to the council meeting on Tuesday unless they find any concerns from the DA's office. She said Tuesday's meeting will only take care of the conflict of interest.

Trustee Prokopis asked if what they are doing on Tuesday will impact the legislation.

Sheriff Rivera said it will show the state legislature that SLVLESA is taking action at a local level to fix the conflict of interest.

Rep. Stringham said they started the committee at the behest of Sheriff Rivera and they have received a lot of really good information. They have been able to understand where there is misinformation and misunderstanding and there is a lot of that. She believes part of that is the language they are using and it is confusing for those who are not part of UPD because they don't know how to separate that out. Those are some of the things they must help people understand and it's not an easy thing to explain.

She said there are going to be differences of opinion, they have some people that do have agendas. She said one of the big things that has come up is this is a way to go after and shut down the Metro Townships.

Item #8-Consider RESOLUTION NO. 23119-1 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) RENEWING AN AGREEMENT WITH A LOBBYIST.

Action Requested: Motion, Second and Vote.

Discussion: Sheriff Rivera said she will be presenting this since Frank is gone. She said their lobbyist is Foxley and Pignanelli and they have had them before. This Resolution is they have an agreement up to \$20,000. They have not used that amount in the past but they would like to continue to have that especially with this new legislation, they may need to have them do more.

Trustee Bradley said he thinks they have been quite fair in terms of their billing practices and responding to whatever needs they have.

Trustee Bradley entertained a motion to approve the Resolution.

Trustee Cardenas motioned to approve the Resolution.

Trustee Stavros seconded the motion.

All voted in favor; none opposed.

The Resolution passed.

Item #9- Election of Chair and Vice Chair of the SLVLESA Board of Trustees for Calendar Year 2023.

Action Requested: Nominations for Chair

Motion, Second and Vote to close nominations

Motion, Second and Vote on nominations

Nominations for Vice-Chair

Motion, Second and Vote to close nominations

Motion, Second and Vote on nominations

Discussion: Trustee Prokopolis said that much like they wanted to keep Frank, they want to keep Jim Bradley as Chair through this time period if he wouldn't mind. He thinks continuity is important through this transition.

Trustee Bradley said he would do it on the condition that they have Trustee Peterson be the vice-chair.

Trustee Bradley entertained a motion to nominate Trustee Bradley as SLVLESA chair.

Trustee Prokopis motioned to nominate Trustee Bradley as SLVLESA chair.

Trustee Brems seconded the motion.

All voted in favor; none opposed.

Jim Bradley was approved as Chair of SLVLESA.

Trustee Bradley entertained a motion to nominate Alan Peterson as SLVLESA Vice-Chair.

Trustee Prokopis motioned to approve.

Trustee Brems seconded the motion.

All voted in favor; none opposed.

Alan Peterson was approved as SLVLESA Vice-Chair.

Item #10-Approve Minutes for the December 15, 2022, meeting.

Action Requested: Motion, Second, and Vote.

Discussion: Trustee Bradley entertained a motion to approve the minutes.

Trustee Prokopis motioned to approve the minutes.

Trustee Peterson seconded the motion to approve the minutes.

All voted in favor; none opposed.

The minutes were approved.

Item#11- Adjourn

Trustee Bradley adjourned the meeting.