

Date: June 15, 2023

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES (“BOARD”) MET ON THURSDAY, JUNE 15, 2023, AT 10:00 AM. THE PUBLIC WAS NOTIFIED THAT THEY MAY JOIN THE OPEN PORTIONS OF THE MEETING BY CALLING 1-720-707-2699 AND ENTERING MEETING ID 89624210951 AND PASSWORD 119591#. 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 DAVID BREMS, EMIGRATION CANYON		TRUSTEE PHILLIP CARDENAZ, WHITE CITY
TRUSTEE ALAN PETERSON, KEARNS		TRUSTEE DAVID OLSEN, COPPERTON
TRUSTEE CAROLYN KEIGLEY, BRIGHTON		
TRUSTEE DEA THEODORE, SALT LAKE COUNTY		
TRUSTEE STEVE PROKOPIS, MAGNA		

ALSO ATTENDED:

SHERIFF ROSIE RIVERA, SLCO SHERIFF

CHIEF OF POLICE JASON MAZURAN, UPD CHIEF OF POLICE

JAKE PETERSEN, SLCO UNDERSHERIFF

RACHEL ANDERSON, SLVLESA LEGAL COUNSEL

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 SLVLESA legal counsel, Rachel Anderson, if it was necessary to do a conflict-of-interest disclosure every meeting and she said probably not if it is done annually.

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- Introduction of SLVLESA legal counsel Rachel Anderson.

Action Requested: None

Discussion: Trustee Bradley introduced Rachel Anderson as SLVLESA's legal counsel and administrator. He said the last months have been chaotic, but she stepped up to the plate immediately and he is thankful for that.

Rachel Anderson said she appreciates the confidence in selecting her for the position and she is excited to be working with SLVLESA.

Trustee Bradley said he is turning the meeting over to Rachel Anderson.

Item #5- Expenditures for the Month of May 2023 and Other Financial Information.

Action Requested: None

Discussion: Richard Moon said they only had one check and that was to the Unified Police Department. He asked if there were any questions and there were none.

Item #6-Discussion of SLVLESA Budgetary Matters and Future Planning.

Action Requested: None.

Discussion: Trustee Bradley said he believes it is important that everyone understands what the future is leading to. He has asked Richard Moon if we don't have a property tax increase or a tax cap increase, when will we run out of money to provide the services they provide.

Richard Moon displayed the budget for the year and the forecasted budget. He said they know that there will be some budget amendments coming in the next month or two. The amended budget has a few increases because they now know their new growth. With all the changes that they have, the law enforcement fees will go up. In their budget they had a million and a half dollar TRAN, but they ended up doing a thirteen and a half million-dollar TRAN, so the interest for that is higher at 360. With all of that, their fund balance will be \$4.5 million at the end of this year. Next year for the budget, Rick put in a 5% increase, but he doesn't know what the actual increase will be yet. He took out the UPD admin fees because Marcie and Rick will no longer be on there, but he has increased professional fees to cover that. They will be using almost \$3.1 million of that \$4.5 million. That will leave less than \$1 million after 2024. Most likely, they will not get through 2025 with that and that is if they don't do anything this year and don't have a tax increase. The last column on the budget shows if they do a tax increase to their maximum, the cap, which will bring about \$2.5 million more into the revenue stream.

Trustee Bradley said the message is that the day is coming and there is some legislative strategy going on now. One is does SLVLESA want to try and raise the tax cap this year and do they want to try other ways in terms of generating income. He said he asked Frank Pignanelli to join them and give them his insight, but he is not on Zoom yet.

Paul Ashton addressed the SLVLESA Board. He said yesterday, Rep. Teuscher presented the joint letter that was signed by all the metro townships to the interim political subdivision committee at the legislature, asking for legislative help to convert the metro townships into city or towns based upon their population and it was explained that this is a necessary step toward the evolutionary process. The committee was very amenable to do that and at the end the motion passed unanimously that they would turn it into a committee bill. He said everything is moving forward and what they hope to do is work with Bob Reiss, who is the assigned attorney to that committee in coming up with language that they can present to the interim committee, hopefully in August or September. One of the things as it relates to SLVLESA is in the joint letter, the metro townships emphasize the fact that they are changing their status, but that does not change their membership in SLVLESA, they will continue to be members of SLVLESA.

Trustee Bradley said in a conversation with Frank Pignanelli earlier, he asked him about raising our cap and secondly, that they are aware of the mayors' letters to the committee and would it be possible to have both of those pass and Frank said probably not.

Paul Ashton said he thinks the best thing they can do this year is change the form of governments for the various entities and then the next year they can bring legislation addressing the tax cap.

Trustee Bradley said his concern is if they choose to not go for raising the tax cap this year and 2025 is looking like the last year, we will have the revenue to keep doing what we're doing, does that give the cities or townships time to go through a truth-in-taxation.

Trustee Keigley asked if everything went smoothly, would the revenues be in hand in 2025 or 2026?

Paul Ashton said he does not know for sure; it depends on what the legislature is willing to do.

Trustee Prokopis said the legislature would be reluctant to raise the cap, given that they haven't implemented the taxing authority, which is the utility franchise tax.

Trustee Keigley said the timing concerns her because the dates do not match with the separation dates from UPD, so how does SLVLESA go forward.

Trustee Prokopis said there is legislature being worked on now that is going to come out the next session to allow them to become a city, he thinks there is language in there that allows them to choose which form of government they want.

Paul Ashton said a town must be a five-member council. He said metro townships will be classified as towns with a population under 100,000 and they must have a five-member council form of government. Other cities that are higher than that in population, right now they can choose but he can see the legislature choosing a form as part of the bill and they could then change it themselves.

Trustee Prokopis asked if it passes next session, could they get that first election cycle on the following November?

Paul Ashton said that would be his hope.

Trustee Prokopis said given that the legislature created this problem, should they need a special session to adjust the cap because the timeline does not work.

Trustee Keigley asked if SLVLESA stays intact and SLVLESA chooses to go with the Sheriff, will the SLVLESA board stay as-is? Would that contract between SLVLESA and the Sheriff's Office be different than it is currently?

Sheriff Rivera said under the contract there is no governing board that governs the Sheriff. She said if that is the route they want to go, they would have an advisory board. Many sheriffs across the country do that. She said everyone has different needs, so the contract would be built around their needs.

Trustee Keigley asked if it would be built around the needs of SLVESA as a whole or each individual member city.

Rachel Anderson said it would be for SLVLESA as a whole and they would address their needs when they are negotiating the contract rather than on a monthly board.

Trustee Brems asked if they chose to go with UPD would they be members of the UPD Board?

The Sheriff said yes.

Trustee Brems asked who governs the budget for the Sheriff.

Sheriff Rivera said the County Council does.

Rachel Anderson said that their contract would be a line item in the budget, they would contract for everything want within the contract.

Item #7- Update on the Political Subdivisions Interim Committee Hearing.

Action Requested: None

Discussion: Trustee Bradley told Frank Pignanelli, who just joined the Zoom meeting, that Paul Ashton had updated them on the committee hearing yesterday and asked if he had anything to add.

Frank Pignanelli said they had a good committee hearing yesterday. They have discussed raising the tax cap in the past and if we ask to raise the cap questions will be asked by lawmakers. They will ask about the energy and

telecommunications tax and none of the metros have done that yet. He doesn't see how they are going to allow the cap to go up until they see why we need to do that.

Rachel Anderson said she has a concern about the ability of metro townships to tax via property tax or otherwise doesn't automatically equate to solving SLVLESA's budget issues because they are separate entities. SLVLESA could enter into agreements with the townships to have them provide more of their city/town funds but that is not an automatic thing.

Trustee Prokopis asked if the Salt Lake Valley taxing authority is for police, that should cover the entire cost. He said if the tax cap needs to be raised, he shouldn't have to subsidize it through a city tax. He said the reason they are in this (SLVLESA) is the benefit of subsidies of being part of the larger organization, to include the unincorporated areas. Does them incorporating, or becoming towns, jeopardize that in any way?

Trustee Keigley said the answer to that is to look at the fire district which has both independent cities but also includes townships, so if they can do that so can SLVLESA.

Rachel Anderson said all districts have their own independent boundaries, which are separate from cities or counties, and they can cross boundaries and include large swaths of area.

Trustee Prokopis said it is unique to him because the Sheriff is part of this organization, and she is going back to county-wide services. She is going to need a portion of their funding to go back and do what she is statutorily required to do. We don't know what that number is, and they don't know what they are going to be left with and there are a lot of unknowns.

Rachel Anderson said it is a unique issue that she has not encountered before.

Sheriff Rivera said one of the keys for SLVLESA is really to get more members.

Trustee Prokopis said there are only 14,000 residents in the unincorporated county. He said he would think that portion of their budget that the Sheriff takes back to the county, it shouldn't be that big of a number. He said it is tough for them to build 2.0 when they don't know what the Sheriff is taking back with her and what pot of money is left for them.

Trustee Brems said if Emigration Canyon wants to contract with the Sheriff, do they request SLVLESA to write a check to the Sheriff, as opposed to writing a check to UPD 2.0. He asked how that works.

Rachel Anderson said if they are in SLVLESA, this would have to be a group decision, that SLVLESA would have to decide.

Trustee Brems asked if SLVLESA as a whole would have to go with the Sheriff or UPD.

Rachel Anderson said unless they were to leave SLVLESA, they are part of the group right now and so the group must decide.

Trustee Bradley asked if it is in SLVLESA's best interest to silo the money according to where it was raised, and they can do with it what they want.

Rachel Anderson said in that case, they might as well just dissolve SLVLESA and have individual cities.

Trustee Brems said there is a taxing inequity in Emigration Canyon because they pay a lot more in taxes than they receive in services. They are wondering if that is going to be remedied in all this process. He asked if it is possible to withdraw from SLVLESA.

Trustee Keigley said yes, they can at any time.

Sheriff Rivera said she doesn't think that metro townships can right now but once they figure this out, then they could.

Rachel Anderson said there is a process to go through and it must be approved by this board and potentially the voters. She said Riverton and Herriman recently left UFSA but stayed within UFA, they went through a whole process with that. They had to come to an arrangement on how they would split assets.

Item #8- Update on the Unified Police Department.

Action Requested: None

Discussion: Sheriff Rivera invited everyone to the Office of the Sheriff Annual Awards ceremony next Wednesday that starts at 10 o'clock. She said herself and the mayor met with members of SLVLESA and their mayors, it was good conversation. She said she wanted to remind them that in 2019, Lisa Dudley brought this issue to the SLVLESA board and said that by this date, there will be no more money and you must do something, and she feels like it must get done. She said she thinks this legislation splitting the UPD triggered SLVLESA to take some action now.

Trustee Brems said they all agree to go back to their entities and approve the telecommunications and utility franchise tax, which Emigration Canyon did that and they may have been the only ones to do that.

Sheriff Rivera said she has had some of SLVLESA's mayors call and ask if she can give them actual numbers, but she can't get those to them right now. Undersheriff Petersen is working diligently to put together a plan. They didn't know that they were going to do contracts, so they had not built those in. The county is doing a market study and as they know, wages are the largest part of the budget, so until that market study is completed, they cannot complete what they are doing. It is going to take some time because they want to do it right the first time. Chief Mazuran is in the same situation where it is all unknown and it is trying to predict numbers as they go and at the same time, they are still running UPD. There are also a lot of legal pieces, the litigation, that will have to be addressed. When a police department splits, you still have litigation for years to come. She said whatever is best for public safety and their communities, is the way they want to go.

Trustee Prokopis said he was in the meeting two weeks ago and he thought the consensus among the townships was that they all wanted to stay together, and he has heard it more than once now that individual mayors have reached out to you and asked for numbers.

Sheriff Rivera said they can stay together but each one will have a separate contract in the sense of how much it is going to cost them. It sounds like SLVLESA is going to have one contract for law enforcement services but they have to build it so it serves each township well.

Trustee Bradley said having separate contracts with each member of SLVLESA would be a new way of doing business. He said to Trustee Prokopis's point, that has been an eternal issue of how to solve coverage problems if they exist and do they deal with that as SLVLESA and not as individual entities.

Item #9- Consider RESOLUTION NO. 23615-1 ADOPTING AN AD VALOREM TAX RATE LEVY ON THE TAXABLE PROPERTY IN THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA FOR 2023.

Action Requested: Motion, Second, and Vote.

Discussion: Richard Moon said last year their tax rate was .001984 and they didn't do a tax increase. As they know, with the way taxes work in Utah, it is all revenue based. Central assessed had a huge decrease, almost 24% percent, in their value and it pushed their tax rate to .002149.

Trustee Prokopis asked what the cap was.

Richard Moon said it was .0023, so the certified tax rate revenue that they will receive this year, after the new growth, will be \$23,429,247.

Trustee Bradley said that there isn't anything they can debate about it.

Rachel Anderson said no, the rate is what it is, and this is the formal adoption of it.

Trustee Bradley entertained a motion to adopt the resolution.

Trustee Prokopis motioned to adopt the resolution.

Trustee Petersen seconded the motion.

All voted in favor; none opposed.

The resolution passed.

Item #10- Consider RESOLUTION NO. 23615-2 ACCEPTING THE INDEPENDENT AUDIT OF SLVLESA FOR CALENDAR YEAR 2022 AND ORDERING THAT IT BE FILED WITH THE UTAH STATE AUDITOR.

Action Requested: Motion, Second, and Vote.

Discussion: Richard Moon said they worked again this year with HBME. He received the audit yesterday and right now it is in draft form. They need to go through it to make sure there are no grammatical errors and then they will have the final one, which they will send out at that point. Richard Moon said Todd from HBME was supposed to be in the Zoom meeting, but he must have been disconnected. He said there were no findings in the audit.

Trustee Bradley entertained a motion to adopt the resolution.

Trustee Prokopis motioned to adopt the resolution.

Trustee Keigley seconded the motion.

All voted in favor; none opposed.

The resolution passed.

Item #11- Approve Minutes for the May 18, 2023, Board Meeting and the May 30th, 2023, Board Meeting.

Action Requested: Motion, Second, and Vote

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

Trustee Keigley motioned to approve.

Trustee Prokopolis seconded the motion.

All voted in favor; none opposed.

The minutes were approved.

Item #12-Adjourn