

Date: January 21, 2021

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES ("BOARD") MET ON THURSDAY, JANUARY 21, 2021 AT 10:00 AM. AS PROVIDED IN AN EXECUTIVE ORDER ISSUED BY GOVERNOR OF THE STATE OF UTAH AND A WRITTEN DETERMINATION BY THE CHAIR OF THE BOARD, THE BOARD HELD THE MEETING AS AN ELECTRONIC MEETING WITHOUT AN ANCHOR LOCATION. THE PUBLIC WAS NOTIFIED THAT THEY MAY JOIN THE OPEN PORTIONS OF THE MEETING BY CALLING 1-669 900-9128 AND ENTERING MEETING ID 99205183833# AND PASSWORD 087684#. THE PUBLIC WAS ALLOWED TO LISTEN TO ALL OPEN PORTIONS OF THE MEETING. USING ZOOM TECHNOLOGY, BOARD MEMBERS AND PERSONS PARTICIPATING BY PHONE WERE ABLE TO HEAR ALL DISCUSSIONS.

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

ALSO ATTENDED VIA ZOOM:

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

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

Item #1-Call to Order.

Jim Bradley called the meeting to order.

Item #2-Determination: Frank Nakamura, SLVLESA District Administrator/ Legal Counsel, stated that Board Chair, Jim Bradley, signed a written determination that due to the continuing public health risks and state of emergency as a result of the pandemic, the meeting on January 21, 2021 should be an electronic meeting without an anchor location so that Board members, staff and members of public will not attend in person.

Item #3- Consider RESOLUTION NO. 21121-1 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) ACKNOWLEDGING THE APPOINTMENT BY THE SALT LAKE COUNTY COUNCIL OF DEA THEODORE AS A SALT LAKE COUNTY REPRESENTATIVE TO THE SLVLESA BOARD OF TRUSTEES.

Action Requested: Motion, Second and Vote on the Resolution

Discussion: Trustee Bradley entertained a motion to acknowledge the appointment of Dea Theodore to the SLVLESA Board of Trustees as a representative from Salt Lake County.

Trustee Brems motioned.

Trustee Prokopis seconded.

All voted in favor; none opposed.

The Resolution passed.

Trustee Bradley welcomed Dea Theodore to the Board and thanked her for her willingness to serve.

Item #4-Consider RESOLUTION NO.21121-2 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) ACKNOWLEDGING THE DESIGNATION BY THE SALT LAKE COUNTY MAYOR OF CHRIS STAVROS, AS HER DESIGNEE, TO THE SLVLESA BOARD OF TRUSTEES.

Action Requested: Motion, Second and Vote on the Resolution

Discussion: Trustee Bradley entertained a motion to acknowledge the designation by the Salt Lake County Mayor of Chris Stavros, as her designee, to the SLVLESA Board of Trustees.

Trustee Brems motioned.

Trustee Prokopis seconded.

All voted in favor; none opposed.

The Resolution passed.

Trustee Bradley indicated that due to a conflict with another meeting, Trustee Stavros could not attend the SLVLESA Board meeting today.

Item #5-Disclosure of Conflicts of Interest

Action Requested: Identify any conflicts of interests

Discussion: Trustee Bradley asked if there were any conflicts of interest that any Board Member wanted to disclose. None were stated.

Item #6-Public Comment:

Trustee Bradley asked if anyone was calling in to the meeting who wanted to give public comment to the Board. Marcie Kay, SLVLESA Clerk, stated that there were no calls from the public. Public comment was closed.

Item #7-Present fourth quarter of 2020 Financial Report, expenditures for the month of December 2020 and other financial information.

Action Requested: None

Discussion: Richard Moon, SLVLESA Treasurer, asked if there were any questions on the check register or fourth quarter financial statement that was sent out to the Board Members and there were none. He said that these financials do not reflect the year-end accruals between SLVLESA and UPD and he estimates that will be another \$130,000 to \$140,000 in expenditures.

Item #8-Discuss status of efforts to work with the Utah Legislature to Modify the Tax Levy Cap.

Action Requested: None

Discussion: Frank Nakamura, SLVLESA District Administrator, stated that he informed the Board in September of the need to seek legislation to modify the tax rate cap on the tax rate SLVLESA can levy. He said that the certified tax rate for SLVLESA is at .00254. The tax rate cap is .0023. As a result, SLVLESA cannot increase its budgeted revenues in the future unless the tax rate cap is changed. He indicated that the tax rate cap was first implemented 14 years ago. The tax rate cap has not changed since. He wanted

to make sure that the Board understood that to change the tax rate cap is not increasing property taxes. Rather, the change in tax rate cap is to provide SLVLESA members the ability to determine their own law enforcement needs and whether they need to increase budgeted revenues.

Following the September meeting, he talked to the respective councils of the SLVLESA members about the need to change the tax rate cap. For the most part, the SLVLESA members were supportive of the effort to increase the tax rate cap.

Also, after the September meeting, SLVLESA formed a team to pursue the needed legislative change. The Team includes Robert Behunin, Government and Public Affairs Director at R & R Partners, Heather Anderson, Legislative Affairs Administrator for the Utah Association of Special Districts, Kara Trevino, Legislative Affairs director for the Salt Lake County Council, Under-Sheriff Jake Peterson and Frank Nakamura, SLVLESA District Administrator.

Frank Nakamura said, in talking to Senator Mayne and interested entities, the SLVLESA legislative team has determined that it would not be prudent to pursue the legislative change during the upcoming legislative session. He then deferred to Robert Behunin.

Robert Behunin said he wanted the SLVLESA Board to know the huge effort that Frank, Lance and Heather put into this to try and make it work. They did a great deal of groundwork. It was clear to the team that they needed to do more education for legislators and other interested parties. At the end of the day, they could not get this to be put in a priority category by any legislator to get it through. Also, competing legislation presented a problem for the effort. The competing piece of legislation is being sponsored by Senator Mayne and would provide utility franchise tax revenue to the metro townships. The team was told repeatedly that they were not going to get both pieces of legislation this session.

He said they met with The Taxpayers' Association and moved the needle on them to where they are clear about the fact that law enforcement and public safety needs to be funded at an appropriate level and they are not opposed to what SLVLESA is trying to do.

So, he said we must continue the effort and focus on getting this done in the 2022 legislature.

Heather Anderson said Frank did an excellent job working with all the members and getting them on board. She said the hiccup came when the metro township bill became Senator Mayne's priority. There was absolutely no appetite in the legislature to run two bills the same year that have tax increases on the same citizens. They were told bluntly that this year was not their year. However, in their discussions with the working group, she said they feel confident that in 2022 they can make sure there is a committee bill ready and prepared. They have discussed with Undersheriff Petersen and Frank Nakamura the best way to move forward. They have come a long way in the past year, they just need a little more time to get that last few hundred feet.

Trustee Bradley said he had a couple reflections on that. He asked why UAC would be in opposition to this.

Heather Anderson said it is not that they were in opposition, but the team wants UAC to be in firm support of it.

Trustee Bradley said he wanted to make sure it was not lost on all interested parties how critical this is. He said if they are unable to meet the increasing costs of providing law enforcement service, as well as any inflationary hit they take, that they are bankrupt. He said it is critical that this happens in 2022.

Robert Behunin said that Lance Brown's numbers have been invaluable, so that there is no guesswork involved in this.

Frank Nakamura asked if there were any questions from the Board.

Trustee Prokopis asked if Senator Mayne had committed to running the bill next year.

Robert Behunin said she has not committed yet but said to come back after the session and talk about it.

Trustee Olsen said he was not on the SLVLESA Board when Frank Nakamura made his presentation last year and indicated that it is his understanding that his predecessor on the Board was opposed to the effort to change the tax rate cap. He said he does not have enough information yet to form an opinion and asked if Frank Nakamura could inform him on that.

Frank Nakamura said that the current tax rate cap is .0023 and that was enacted 14 years ago. SLVLESA is at .002254, so it is very close to the cap. He said when they get into the discussion on the financial model, he will explain how that cap changes; it's not only property tax increases that change the rate but the reductions in centrally assessed values also change the rate as well. He said they are not trying to pursue a property tax increase and that is the main point. What they are trying to do is provide headspace so that if the SLVLESA members decide that they need to increase budgeted revenues for their law enforcement needs that they are able to go through the truth in taxation process to determine if they can increase budgeted revenues. So, the real issue is to ensure local control over the law enforcement needs of the SLVLESA member communities.

Item #9-Present and discuss financial model as a basis for strategic planning.

Action Requested: None

Discussion: Frank Nakamura stated that he wanted to introduce a financial model that the Board will reference throughout the year. The model allows the input of different assumptions to project the impact on the financial status of SLVLESA in future years. He said that he will be asking the Board to make policy decisions on such issues as to what a proper targeted fund balance should be for SLVLESA. Further, the Board can use the model to determine the tax rates that may need to be levied in the future to remain solvent. The model will be used to adjust costs and revenues to ensure the solvency of SLVLESA.

Lance Brown from Econowest submitted the financial model to the Board for their view and discussion. He reviewed how it works with the input of different assumptions. He discussed how the financial model could help in planning for future decisions by SLVLESA. Lance Brown said it was designed to allow multi-year projections. He said one specific aspect they were asked to include in the model was employee compensation. The model addresses revenues, expenditures, as well as fund balance. State statute requires a minimum fund balance which is 5 % of budgeted revenue. He said he and Frank Nakamura have been discussing what the target fund balance should be.

Recognizing that SLVESA is not increasing budgeted revenues for calendar year 2021 and may likely be unable to increase budgeted revenue in calendar year 2022 due to the tax rate cap, there will be a problem in calendar year 2023. The Board will need to work towards ensuring that SLVLESA is in a solvent position in 2023 and subsequent years.

Item #10- Report by Sheriff Rosie Rivera, SLVLESA Chief Executive Officer

Action Requested: None

Discussion: Sheriff Rivera presented her update report, which was the same information given in the UPD Board meeting.

Item #11-Elect the SLVLESA Chair and Vice-Chair for Calendar Year 2021.

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: Chair Jim Bradley opened nominations for Board Chair during calendar year 2021. Trustee Brems nominated Trustee Jim Bradley as SLVLESA Chair.

Trustee Keigley seconded.

Trustee Flint asked to cease all other nominations.

Trustee Keigley seconded that motion.

There being no further nominations, all voted in favor of Jim Bradley being the Board Chair for calendar year 2021; none opposed.

Trustee Jim Bradley was voted as SLVLESA Board Chair for the 2021 calendar year.

Board Chair Bradley opened nominations for Board Vice-Chair for calendar year 2021. Trustee Brems nominated Trustee Paulina Flint as SLVLESA Vice-Chair.

Trustee Flint asked what the responsibilities were for the position.

She accepted the nomination.

Trustee Keigley seconded the nomination.

Trustee Bradley closed the nominations.

All voted in favor of Trustee Flint being Board Vice-Chair for calendar year 2021; none opposed.

Trustee Flint was voted as SLVLESA Board Vice-Chair for calendar year 2021.

Item #12- Approve Minutes for the December 17, 2020 meeting.

Action Requested: Motion and Vote

Discussion: Trustee Bradley entertained a motion to approve minutes for the December 17, 2020 meeting.

Trustee Flint motioned to approve the minutes.

Trustee Brems seconded the motion.

All voted in favor; none opposed.

The minutes were approved.

Item 13- Adjourn.

Trustee Bradley adjourned the meeting.