



## CITY COUNCIL MEETING *Minutes*

**Tuesday March 26, 2024**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor Marcus Stevenson

**COUNCIL MEMBERS:** Council Member Paul Glover  
Council Member Bonnie Billings  
Council Member Dustin Gettel  
Council Member Bryant Brown  
Council Member Heidi Robinson

**STAFF:** Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Laura Magness, Communications Director; Wendelin Knobloch, Planning Director; Jonathan Anderson, Planner II; Cody Hill, Economic Development Manager; Kate Andrus, RDA Program Manager; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Director.

### **6:00 PM – WORKSHOP**

- Discuss Citizen Survey – **[Nate Rockwood, Assistant City Manager]**  
Jason Neumeyer, Survey Researcher with Polco, discussed the Midvale Citizen Survey recently conducted for the community.

#### Key findings:

Economic Health, Overall Feeling of Safety, and Quality of Parks and Recreation Opportunities were the top 3 areas of importance for livability for Midvale residents.

Ease of travel by public transportation system and attracting people of diverse backgrounds were ranked higher in Midvale than across the nation.

Safety is the top priority for Midvale Residents. 8 out of 10 residents felt very or somewhat safe in their neighborhoods during the day and very or somewhat safe in Midvale's Main Street/commercial areas during the day.

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### **7:00 PM – REGULAR MEETING**

Mayor Marcus Stevenson called the business meeting to order at 7:11 p.m.

**I. GENERAL BUSINESS**

**A. WELCOME AND PLEDGE OF ALLEGIANCE**

**B. ROLL CALL** - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, Bonnie Billings, and Paul Glover were present at roll call.

**C. UNIFIED POLICE AUTHORITY DEPARTMENT REPORT**

Chief Randy Thomas began by going over the February staff report since he was only able to deliver a partial report last time. He expressed thanks to UDOT for their response to the under-bridge deck lighting issue; they were able to resolve the problem a lot quicker than they had initially reported.

The Chief gave recognition to Sergeant Aaron Levin for putting together one of the largest multi-agency operations they've had; they expected 70 officers and 133 showed up. The valley wide operation was very successful and resulted in 69 arrests, 10 stolen vehicles recovered, and 33 individuals booked into jail. The goal of these operations is public safety.

Chief Thomas reported on a domestic violence incident that occurred at The Station at Midvale Apartment complex. Due to circumstances, they had to do a limited evacuation. The suspect safely surrendered and has been charged. The Chief wanted to thank the apartment manager, Bianca Lopez, for her willingness to help in the situation.

The department will be assisting in a Special Olympic event at Top Golf this Saturday. Also, this Friday at 10:15 the Catholic church is doing a Good Friday walk.

Chief Thomas provided the Council with a summary of the officer awards as well as the Officer of the Year, Officer Chase Hebert.

Councilmember Dustin Gettel asked for an update on the murder at the massage parlor.

Chief Thomas explained that the suspect is still in California awaiting extradition to Utah, and it could be some time before he is extradited; however, he will report as he gets more information.

**D. UNIFIED FIRE AUTHORITY DEPARTMENT REPORT**

Chief Brad Larson began by reporting on the UFA Camp 57 for new recruits. The recruits began training on February 1<sup>st</sup> and are currently entering week eight of training. He reported that the level of fitness required to do this job is eye opening. He encouraged the Council to visit the Fire Departments website and social media accounts to see what the training entails. He said the department is seeing great physical improvements in the short time they've been there, and the recruits have successfully completed PPE and SCBA competence drills, apparatus familiarization, driving, and hose management skills, as well as competence in the confined space maze. They had their first live fire experience

last week in the flash over simulation prop and first interior fire experience during a controlled burn in a construction burn exercise. They are coming together as a group.

Chief Larson reported that Station 125 is getting a new type 1 engine as well as six new ambulances with four-wheel drive. Also, the EMS division is moving CPR certification around to service areas to make the training more available. Individuals can sign up on the UFA website or coordinate through Chief Larson.

He emphasized that the March safety message is on cooking safety, cooking is the most common cause of fires in the home, he encourages everyone to visit UFA's social media site as well as Midvale's website to learn more about fire safety.

The Chief wished Division Chief Steve Ball well in his retirement which began March 1<sup>st</sup>. Chief Ball has been with UFA since 2000 and was instrumental in high quality arson training at Unified Fire Authority.

Chief Larson recognized Station 126 for a call they responded to in January that they were subsequently presented with a lifesaving award related to their efforts on that call.

Firefighter Trent Martin discussed two cases where fire medics and captains went above and beyond in order to save two individual's lives. Trent expressed that the crew at Station 126 are always looking for ways to go beyond the standard care protocol to meet and exceed the standards already in place.

## **II. PUBLIC COMMENTS**

Olivia Marron from District 1 asked Midvale City Council to pass a cease fire resolution. She expressed that other cities and states have passed a cease fire resolution. She asked for a call for a de-escalation and a cease fire. She said that we are 171 days into the genocide in Gaza, and the bombing is making it difficult to get medical supplies, fuel, food, and water into Gaza. She asked that the City immediately send adequate aid and supplies, pause all military aid to Israel and stop the shipment of weapons to the war zone, and secure the release of hostages and detained Palestinian prisoners.

Sara Anderson also asked for a resolution for cease fire in Gaza. Sara spoke of the stress and hardship mothers in Gaza are experiencing.

Jenna Martin said they are looking for some solidarity from Midvale City Council by passing a cease fire resolution. She believes that the money being sent should stay local instead of sending it elsewhere.

Megan agreed with the others that had spoken before her and asked for a cease fire. She pointed out that Utah was one of the first states to allow women to vote, one of the top states for accepting and resettling refugees within the US, and on the international stage having hosted the 2002 Olympics and with another Olympic bid. With that national exposure, she would like us to be a light on the hill and show our support of Palestine.

Sariah VanderVeur echoes her peers' sentiments. She asked for a declaration for a permanent cease fire and an end of US funding to Israel. She believes the city council has the voice necessary to influence leaders.

Weston Nichols, District 3, is concerned about the ongoing crisis in Gaza. A resolution asking for a ceasefire is imperative, but we must act with urgency to ensure a lasting peace. He is asking the Midvale City Council to pass a resolution asking for a cease fire.

Mayor Stevenson recapped the meeting he had earlier with the group commenting, he didn't feel like it was a good conversation, he doesn't want to misrepresent anything that was said, he is trying to connect how Midvale City making a resolution is going to make a difference for the people in Gaza. The issues surrounding the situation in Gaza aren't his expertise and he feels uncomfortable inserting himself into the subject. He is asking the group presenting the information and asking for the resolution to have a conversation with members of the Jewish community and ask for their help in drafting a joint resolution that can be presented to the different cities.

Council Member Bonnie Billings said she would like to keep an open mind about the conversation.

Council Member Dustin Gettel made it clear that what is going on in Gaza is not condoned. He agrees with the New Mexico Resolution; it is well written and to the point.

### **III. MAYOR REPORT**

Mayor Stevenson said he talked to 70 businesses along 70<sup>th</sup> South about concerns concerning crime in the area. Some feedback was collected, and any business that is having a challenge involving crime and homeless residents impacting their business should know that the homeless shelter officers will meet with any business owner experiencing issues. If the Council is hearing from these businesses, please put them in touch with the homeless shelter officers.

Mayor Stevenson announced that he has been appointed to the Utah Homeless Services Board representing Midvale City as well as all the other shelter communities in the state.

Mayor Stevenson attended a Unified Fire Authority meeting recently where they were evaluating Chief Burchett. Everyone recognized the recent challenges in the organization and while everyone didn't agree on every point, they did agree that Chief Burchett needs to take more vacation time.

Mayor Stevenson recounted his experiences while on a ride along with UPD on a 10-hour shift. It was a fascinating experience watching the officers enforce the law while treating those they encountered with dignity and respect.

### **IV. COUNCIL REPORTS**

**A. Council Member Paul Glover** – had nothing to report.

**B. Council Member Bonnie Billings** – reported that she met with constituents and will be hosting a conversation with the Casa Roja Street neighborhood regarding safety. It will be held April 9, at 6:30 pm here at city hall. Mayor Stevenson and Chief Thomas will be there as well.

**C. Council Member Dustin Gettel** – received calls from residents behind Top Golf reaching out regarding the trail at Bingham Junction Park wondering if there is a plan to connect to the Jordan River Trail. Further north that trail may be able to connect through Murray. He would like to look into the feasibility of connecting the trails and getting back to the residents. He would also like to see about drafting a resolution supporting a cease fire in Gaza. He is asking if there can be a discussion item added to talk about what that resolution might look like using the language from the resolution recently passed in New Mexico. Possibly a discussion item on April 2<sup>nd</sup> agenda and adoption at the April 16<sup>th</sup> meeting.

**D. Council Member Bryant Brown** – had nothing to report.

**E. Council Member Heidi Robinson** – thanked Public Works for making sure the streets are taken care of. A resident near Monroe and Princeton said thank you for adding silver lights to stop signs. And the No Parking signs on State Street have made a big difference.

**V. CITY MANAGER REPORT**

A. Matt Dahl, City Manager – had nothing to report.

**VI. PUBLIC HEARINGS**

**A. CONSIDER A REZONE REQUEST FOR TWO PROPERTIES LOCATED AT 8253 S MAIN ST. IT IS PROPOSED THAT THE PROPERTIES CURRENTLY ZONED REGIONAL COMMERCIAL BE REZONED TO MULTIFAMILY RESIDENTIAL – MEDIUM TO HIGH DENSITY (R-25). INFORMATION REGARDING THE PROPOSED REGULATIONS, PROHIBITIONS, AND PERMITTED USES THAT THE PROPERTY WILL BE SUBJECT TO IF THE REZONE IS ADOPTED CAN BE FOUND IN MIDVALE CITY CODE 17-7-4.**

Wendelin Knobloch said the rezone proposal is to change two parcels from RC to RM-25.

Council Member Bryant Brown said he doesn't think the parking map shown makes sense.

Wendelin Knobloch explained that this is just for the rezone, there is no development agreement presented. It's a concept right now.

-REZONE PROCEDURE-

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. ...rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or
3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The proposed rezone satisfies Goal #1 and #3 listed above. Please see the Reason for Rezone provided by the applicant in the attachments.

Public notice has been sent to property owners within 500 feet of the subject parcel. No written objections have been received as of the writing of this report.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed rezone complies with requirements outlined in Midvale City Code.

**MOTION: Council Member Paul Glover MOVED to open the public comment portion of the public hearing. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

Mitch Calgreen, McNeill Engineering, said he was representing the owner of the property, Darrell T. Smith Plumbing. His vision for the property is to have all the buildings tie together with a similar look and provide a legacy for the Smith family to the area. It will be called The Legacy Apartments. They considered asking for mixed use zoning, but to keep with the owner's vision of providing housing, they opted for high density residential similar to what is already there. The zoning allows for 1000 square feet of neighborhood commercial space, and they'd like to develop the ground floor of the north unit as

community commercial space. The south building has underground parking, and they'd like to do something similar with the new building. There will be green space between the buildings.

Council Member Bryant Brown said he would like the green space to be usable and not just a retention basin.

Kurt Smith, long time Midvale resident and son of Darrell Smith, said he wanted to assure the Council that they take pride in their buildings and apartments; they are local, and his wife manages the apartments. When they do develop, it will be something the family and city can be proud of.

**MOTION:** Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

**ACTION:** Approve Ordinance No. 2024-O-03 Rezoning Properties located at 8253 S Main Street from Regional Commercial (RC) to Multifamily Residential – Medium to High Density (RM-25).

**MOTION:** Council Member Dustin Gettel **MOVED** to Approve Ordinance No. 2024-O-3 Rezoning Properties located at 8253 S Main Street from Regional Commercial (RC) to Multifamily Residential – Medium to High Density (RM-25). The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

**B. CONSIDER A MIDVALE CITY INITIATED TEXT AMENDMENT REQUEST TO AMEND SECTION 17-7-4.10(B)(1)(D)(III) F THE MULTIFAMILY RESIDENTIAL – MEDIUM TO HIGH DENSITY (RM-25) ZONE ALLOWING A MAXIMUM OF 5,000 SQUARE FEET OF NEIGHBORHOOD COMMERCIAL IN THE MIDVALE CITY MUNICIPAL CODE.**

Wendelin Knobloch said that Midvale City requests an amendment to the above-listed chapter of the Midvale City Municipal Code. This section regulates Neighborhood Commercial in the RM-25 zone. The proposed amendment increases the allowable commercial square footage from 1,500 to 5,000 square feet. No other criteria will be

changed. Staff feels that due to the higher density of the zone, a larger commercial area would be feasible.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

**-AMENDMENTS TO THE ZONING CODE OR MAP-**

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan; **Response: The request is not for a rezone; rather, an amendment that increases the allowable amount of commercial space for Neighborhood Commercial in the RM-25 zone and satisfies ongoing community needs.**

2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or, **Response: This criterion is not applicable.**

3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area; **Response: This criterion is not applicable.**

Council Member Bryant Brown said he wants to make sure that the developer is tied to using the commercial space for commercial uses.

Wendelin Knobloch said that the developer would have to re-apply if they want the zoning changed.

**MOTION: Council Member Paul Glover MOVED to open the public comment portion of the public hearing. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

Mitch Calgreen said they are looking for a mixed-use type of development for the area. The planning staff suggested that they request mixed use because this is a better fit and benefit for the community.

**MOTION:** Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

**ACTION:** Approve Ordinance No. 2024-O-04 Approving a text Amendment to amend Section 17-7-4. 10(B)(1)(d)(iii) of the Multifamily Residential – Medium to High Density (RM-25) zone allowing a maximum of 5,000 square feet of neighborhood commercial in the Midvale City Municipal Code.

**MOTION:** Council Member Dustin Gettel **MOVED** to Approve Ordinance No. 2024-O-04 Approving a text Amendment to amend Section 17-7-4. 10(B)(1)(d)(iii) of the Multifamily Residential – Medium to High Density (RM-25) zone allowing a maximum of 5,000 square feet of neighborhood commercial in the Midvale City Municipal Code. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

## **VII. CONSENT AGENDA**

### **A. CONSIDER MINUTES OF March 12, 2024**

**MOTION:** Council Member Paul Gettel **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

## **VIII. ACTION ITEMS**

### **A. CONSIDER RESOLUTION NO. 2024-R-16 AUTHORIZING THE MAYOR TO EXECUTE THE REVISED AND RESTATED INTERLOCAL COOPERATION AGREEMENT BETWEEN PUBLIC ENTITIES**

## **GOVERNNG THE UNIFIED POLICE DEPARTMENT OF GREATER SALT LAKE**

Garrett Wilcox said in 2023, the Utah State Legislature passed HB 374. HB 374 repealed statutory language requiring a county sheriff to lead a police interlocal entity in their county effective July 1, 2025. It was communicated by the bill sponsor, Rep. Teuscher, that the Legislature expected the Unified Police Department Board to remove the Salt Lake County Sheriff as its CEO by July 1, 2025. The passage of this bill required the UPD Board to consider changes to its governance structure and, consequently, its foundational interlocal agreement.

Rather than adopting a tenth amendment to UPD's foundational interlocal agreement, the UPD Board decided to draft a revised and restated agreement. During its existence, UPD's interlocal agreement has been amended nine times. UPD has also had members join and leave. Salt Lake County has indicated it will be withdrawing from UPD with the Salt Lake County Sheriff's departure as CEO of UPD. The UPD Board believes, and City staff agrees, that a revised and restated interlocal agreement will improve the accessibility and functionality of the agreement for its members.

Over the last seven months, the UPD Interlocal Committee met regularly to draft the revised and restated interlocal agreement. This Committee was composed of members' elected officials and attorneys. The Committee's goals were to (1) maintain the existing UPD entity, (2) incorporate the previous nine amendments, (3) strengthen UPD governance and organization, and (4) provide the framework for future members to join UPD. The attached Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake is the culmination of the Committee's efforts. It represents a compromise document that was negotiated among its members. It was formally recommended for adoption by the UPD Board in a special meeting on March 13, 2024.

Many things remain the same under the revised and restated interlocal agreement. The division of precinct and shared services remains the same. Members can expect a continuation of the same police service they have been receiving. Member fees, voting (including weighted voting), the preliminary budget increase maximum, the merit system, and the process for UPD dissolution all remain the same under the revised and restated agreement.

However, the revised and restated interlocal agreement includes some significant differences. Most notable is the governance of UPD. Instead of an independently elected sheriff automatically taking the role as CEO of UPD, the UPD Chief/CEO will be appointed by and will be directly accountable to the UPD Board. Additionally, UPD's executive staff must be approved by and are subject to removal by the UPD Board. They owe an independent duty to report to the Board. Several other notable changes include the recognition of member fund balances, the process to amend the interlocal agreement, the process to admit new members, and the withdrawal formula.

Several members, including Brighton, Copperton, Magna, Kearns, and White City, have already passed resolutions stating that they will remain members of UPD. They and other members are now in the process of adopting and executing the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake prior to July 1, 2024.

City staff recommended adoption of the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake. After carefully considering the available options, City staff believe that remaining a member of the Unified Police Department is in the best interest of the City. Residents, businesses, and visitors will continue to receive a high level of service by qualified, trained, and experienced officers. The City will receive the support of other member communities and specialized officers during emergencies. The City will financially benefit from economies of scale of sharing services with other member communities. And, with the changes to the governance of the organization, the City will benefit from a UPD Chief/CEO that is solely accountable to the UPD Board

Mayor Stevenson thanked everyone involved with getting to this point in the UPD Interlocal Agreement.

Council Member Paul Glover asked how the assets are divided and how we really know what the costs will be.

Mayor Stevenson explained that the equipment belongs to Midvale. Based on the negotiations, he is confident Midvale can stay within the original budget.

Council Member Dustin Gettel asked for clarification on the role of Chief Jason Mazuran and who he actually works for.

Mayor Stevenson explained that Chief Mazuran is a UPD employee.

**MOTION:** Council Member Heidi Robinson **MOVED** to Approve the Resolution No. 2024-R-16 Authorizing the Mayor to Execute the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

**B. CONSIDER RESOLUTION NO. 2024-R-17 APPROVING AN EVENT SPONSORSHIP POLICY**

Matt Dahl said that Midvale City has not regularly sought out sponsorships from businesses for city-run events. Currently, Midvale City Code does not prohibit sponsorships, however, Midvale City staff are required to come before the City Council prior to the acceptance of each monetary donation.

This year, the Harvest Days Festival Committee would like to pursue sponsorships to enhance the offerings at the Harvest Days Festival, without additional cost to the taxpayers. This also gives Midvale businesses an opportunity to actively engage in the Harvest Days Festival, of which businesses have requested more ways to participate. The request to sponsor events has been growing for many of Midvale's city-run events, as well as throughout the valley. Many municipalities have adopted policies or procedures to allow for event sponsorships.

After reviewing how sponsorships could be beneficial to Midvale, and researching how other communities have approached sponsorships, Midvale City staff have drafted a sponsorship policy for city-run events. The sponsorship policy authorizes the city manager to consider and accept sponsorships that are under \$5,000 in value. This policy outlines:

- Accepting a proposed sponsorship is at the discretion of the City.
- Proposed sponsorships will not be accepted from entities with business before the City, that have violated State or Local laws, or that violate community standards.
- The City reserves the right to terminate sponsorships that violate the sponsorship policy.
- Other terms, as furthered outlined in the attached Event Sponsorship Policy.

Council Member Dustin Gettel asked Matt Dahl if he is the staff member that would make the final decision on sponsorship.

Matt Dahl explained that he can approve any sponsorship under \$5000. If he feels like there is a conflict, he can take it to the Council. He also said that any appeal can be heard by the Council.

Council Member Dustin Gettel asked about allowing political Sponsorship.

Matt Dahl said that political sponsorship will not be approved.

**MOTION: Council Member Bonnie Billings MOVED to Approve Resolution No. 2024-R-17 Approving the Midvale City Event Sponsorship Policy. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

<b>Council Member Bonnie Billings</b>	<b>Aye</b>
<b>Council Member Paul Glover</b>	<b>Aye</b>
<b>Council Member Heidi Robinson</b>	<b>Aye</b>

**Council Member Bryant Brown**                      **Aye**  
**Council Member Dustin Gettel**                      **Aye**  
**The motion passed unanimously.**

**C. CONSIDER RESOLUTION NO. 2024-R-18 MODIFYING THE AUTHORIZATION OF MITIGATION FUNDS FOR THE ROAD HOME**

Matt Dahl said that the State Homeless Shelter Cities Mitigation (HSCM) Fund was established in 2018 through legislation (HB 499) with the objective to alleviate the impact of year-round and emergency shelters on the host cities throughout the State. The HSCM Restricted Account is funded through sales tax revenue from cities that do not host eligible shelters and direct funding from the state. Host cities must reapply for HSCM funds each year, and funds awarded must be used within the fiscal year in which they are awarded. The Office of Homeless Services (OHS) is responsible for reviewing the applications from eligible municipalities to ensure funding requests are directed to eligible services (public safety, direct services, or emergency services which mitigate the impacts of the eligible shelter on the municipality) and disbursing funds to eligible entities (municipalities and designated service providers, like shelter operators) from the Homeless Shelter Cities Mitigation Fund, following the guidelines and formula outlined in Utah State Code 35A-16-4.

This fiscal year, Midvale City received \$2,893,318, which was approved to fund the FTE for 6 Shelter Resource Officers, 3 patrol officers, 0.5 victim advocate, insurance and supplies needed for these FTEs, a weekly clean-up of the 7200 S Corridor, and a sidewalk and crosswalk along 700 W (from where the sidewalk ends in front of Pro Storage Midvale to Midvale City Hall).

In December, OHS notified Midvale City that more funds than expected were available in the HSCM Restricted Account and an additional \$228,000 (one-time) would be awarded to Midvale City, which must be used by June 30, 2024. Since Midvale City cannot expect these funds in future fiscal years, Midvale Staff worked with stakeholders and service providers to identify the greatest needs that are non-programmatic (or could be achieved through a one-time funding). Midvale City plans to purchase daily bus passes and Narcan for our patrol and shelter resource officers to assist homeless individuals when they are working in the ½ mile radius surrounding the Midvale Family Resource Center (MFRC).

With the remaining \$205,000, Midvale City Council approved Resolution 2024-R-05 on January 16, 2024, to authorize OHS to work directly with The Road Home (shelter operator for MFRC) to fund specific types of facility improvements and housing programs.

Recently, The Road Home has had an influx of shelter-seeking families who are not eligible to receive services funded by the Federal Temporary Assistance for Needy Families Program (TANF). TANF is the primary source of funding for MFRC operations. The significant number of TANF ineligible families currently receiving services at the MFRC will reduce the overall revenue received by the facility. The Road Home is working with partners throughout Utah to find alternative temporary housing options for the

families that are not eligible for TANF and are seeking to utilize some of the HSCM funding transferred to The Road Home, as directed in Resolution No. 2024-R-05, to help in this effort. The Road Home is able, according to Utah State Code 35A-16-401(4), to use the HSCM funds to cover the costs of temporary housing for these families. To utilize these funds for temporary housing, the Midvale City Council would need to modify the eligible uses listed in Resolution 2024-R-05. Staff is proposing to adopt a new resolution authorizing the transfer of HSCM funds to The Road Home and adding that up to \$100,000 of the transferred funds may be used for any mitigation efforts allowable under 35A16-401(4), Utah Code Ann.

Council Member Paul Glover asked if this, being one-time money, will they see us allocating it for other uses and not grant the money again.

Matt Dahl stated that he doesn't believe it will be viewed that way. The legislative sponsor agrees with how we are using the money.

Mayor Stevenson added that if we can cover other police-related costs, that leaves us with extra funds and we are allowed to use the money for other areas.

**MOTION: Council Member Heidi Robinson MOVED to Approve Resolution No. 2024-R-18 a Resolution Modifying the Authorization of the Mayor to direct Additional State Homeless Shelter Cities Mitigation Program Funds to The Road Home. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

<b>Council Member Bonnie Billings</b>	<b>Aye</b>
<b>Council Member Paul Glover</b>	<b>Aye</b>
<b>Council Member Heidi Robinson</b>	<b>Aye</b>
<b>Council Member Bryant Brown</b>	<b>Aye</b>
<b>Council Member Dustin Gettel</b>	<b>Aye</b>

**The motion passed unanimously.**

**D. CONSIDER RESOLUTION NO. 2024-R-19 AUTHORIZING THE MAYOR TO EXECUTE THE FESTIVAL LIGHTING AND CITY HALL IMPROVEMENT CONSTRUCTION ACCESS AND TRANSFER AGREEMENT WITH THE REDEVELOPMENT AGENCY OF MIDVALE CITY**

Kate Andrus said that this spring, the Redevelopment Agency of Midvale City ("Agency") is initiating two significant construction projects within the Main Street Community Development Area (CDA): the City Hall Plaza and the Festival Lighting Project. Although funding for both projects come from the Agency's budget, they provide improvements to property owned and maintained by Midvale City. Therefore, Agency staff are requesting City Council approval to enter into the agreement with the Agency. This agreement will grant the Agency access to improve the designated City-owned properties. Furthermore,

it outlines the transfer of ownership and maintenance responsibility for the improvements back to the City upon completion of construction and the warranty period.

[ACTION ITEM VIII. D AND E.pptx](#)

**MOTION:** Council Member Heidi Robinson **MOVED** to suspend the rules and Approve Resolution No. 2024-R-19 Authorizing the Mayor to Execute The Festival Lighting and City Hall Improvement Construction Access and Transfer Agreement with The Redevelopment Agency of Midvale. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	<b>Aye</b>
Council Member Paul Glover	<b>Aye</b>
Council Member Heidi Robinson	<b>Aye</b>
Council Member Bryant Brown	<b>Aye</b>
Council Member Dustin Gettel	<b>Aye</b>

The motion passed unanimously.

**E. CONSIDER ORDINANCE NO 2024-O-05 AMENDING CHAPTER 9.32.09 OF THE MIDVALE MUNICIPAL CODE REGARDNG ALCOHOLIC BEVERAGES IN PUBLIC PARKS AND PUBLIC PLACES**

Kate Andrus discussed proposed amendments to the Midvale City Municipal Code that modify existing regulations concerning the consumption of alcoholic beverages in public parks and public places. Currently, Code 9.32.090 prohibits the consumption and possession of alcohol on all public property and public right-of-way. The catalyst for this code amendment includes the recent ability for restaurant and entertainment businesses on Midvale Main to enter use agreements for the use of bulb outs and other publicly owned property on Midvale Main to enable outdoor dining. This amendment would allow those businesses with appropriate liquor licenses to serve alcohol in these leased areas. In addition, it will provide the opportunity for events to host beer gardens or other related activities. This will be pivotal in activating Midvale Main through events, creating a controlled environment for the consumption of alcohol when appropriate.

The proposed amendment follows models adopted by similar cities, including Salt Lake City, Ogden, Park City, and Moab. This amendment provides a framework for allowing alcohol consumption in public parks and public places under the following conditions and requirements:

1. Approved Site Plan Requirement: The proposed amendment allows the consumption and possession of alcoholic beverages in specified public areas if the location is included in an approved site plan filed with the City by a licensee.
2. Compliance with State and Local Regulations: The amendment specifies that any licensee wishing to allow alcohol consumption must adhere to all state and local regulations related to the sale and distribution of alcoholic beverages. If

approved, this proposed code amendment will enable certain permitted events and businesses to serve, sell, and allow the consumption of alcohol on City-owned property. This will only be allowed under the conditions and requirements stated above.

City staff believes that the proposed code amendment provides an approach that allows for controlled and regulated alcohol consumption within specific public areas. It offers potential benefits for local businesses and events while maintaining public safety and adherence to both state and city regulations.

Council Member Paul Glover stated that he has heard from citizens who are on board with alcohol on Main Street but not in public parks, and he shares their concerns.

Council Member Dustin Gettel said he is also concerned about alcohol in a city park.

Kate Andrus explained that a business would have to present their plan and liquor license to DABS to obtain a temporary permit.

Garret Wilcox said that there would be a site plan for the event that the business would be getting the temporary permit for, and that site plan would outline where the alcohol would be permitted.

Kate Andrus explained that DABS has strict regulations such as the alcohol service and consumption must be contained in a fenced in area.

Matt Dahl explained that the City also can approve or reject an application.

Council Member Dustin Gettel said he assumed that the request to change the ordinance was so a vendor could have a beer garden at Harvest Days.

Council Member Bryant Brown gave a couple of hypothetical situations of what someone may request a permit for.

Garret Wilcox explained that the DABS has strict rules relating to proximity to schools, churches, and youth clubs and centers.

Council Member Dustin Gettel said he would like to see “parks” removed from the ordinance completely or table the ordinance until later.

Council Member Bonnie Billings suggested that applications be considered on a case-by-case basis since we can’t know every single situation before it is requested.

Council Member Dustin Gettel said he doesn’t understand the point of the change to the ordinance yet.

Mayor Stevenson said he anticipates alcohol permits being requested as more people use Midvale's open spaces.

Garret Wilcox reminded the Council that any changes to the request as presented cannot be made on the spot, the ordinance will have to be tabled and then changes made. The State Code states any changes have to be presented in writing.

Matt Dahl said that by leaving the parks in the ordinance, the City has more control over what they will and will not allow.

Council Member Heidi Robinson said that the way the ordinance is written, the safeguards are in place so the City is protected.

**MOTION: Council Member Dustin Gettel MOVED to Table this Ordinance No. 2024-O-05 pending clarification of questions. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

<b>Council Member Bonnie Billings</b>	<b>No</b>
<b>Council Member Paul Glover</b>	<b>Aye</b>
<b>Council Member Heidi Robinson</b>	<b>No</b>
<b>Council Member Bryant Brown</b>	<b>Aye</b>
<b>Council Member Dustin Gettel</b>	<b>Aye</b>

**The motion passed 3-2 in favor.**

Matt Dahl asked if those that voted to table the ordinance just want parks removed or other adjustments made.

Council Member Paul Glover said he wants parks removed.

Council Member Dustin Gettel said he doesn't feel like his questions were sufficiently answered and wants more discussion. He wants to hear from residents on whether they want alcohol in the park. He also believes that once the City says yes to a group, they won't be able to ever say no.

Garret Wilcox used St. George City as an example, stating that if a group meets all the safety requirements to hold a special event, we don't have grounds to deny the event. The alcohol issue is a grayer area with a little more flexibility, but we still don't have unlimited discretion.

**MOTION: Council Member Dustin Gettel MOVED to recess to hold the RDA meeting. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

The Council recessed at 10:06 and reconvened at 10:14 p.m.

**IX. CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**

**MOTION:** Council Member Dustin Gettel **MOVED** to go into a closed session to discuss the purchase, exchange, or lease of real property. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

The Council went into closed session at 10:16 p.m.

**MOTION:** Council Member Dustin Gettel **MOVED** to reconvene into open session. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened into open session at 11:08 p.m.

**X. ADJOURN**

**MOTION:** Council Member Paul Glover **MOVED** to adjourn the meeting and re-enter the Redevelopment Agency meeting. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 11:08 p.m.



**Rori L. Andreason, MMC**  
**H.R. DIRECTOR/CITY RECORDER**



Approved this 16<sup>th</sup> day of April, 2024

# THE NCS™

THE NATIONAL COMMUNITY SURVEY™

## Midvale, UT

The National Community Survey™

2024 Results

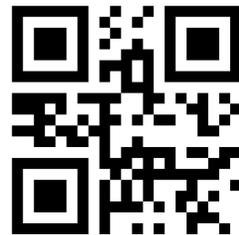




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## Exclusive Partners



# Resident Surveys in Local Governance



**Monitor trends  
in resident  
opinion**



**Measure  
government  
performance**



**Inform budget,  
land use,  
strategic  
planning  
decisions**



**Benchmark  
against other  
communities**

# The NCS™ Facets of Community Livability



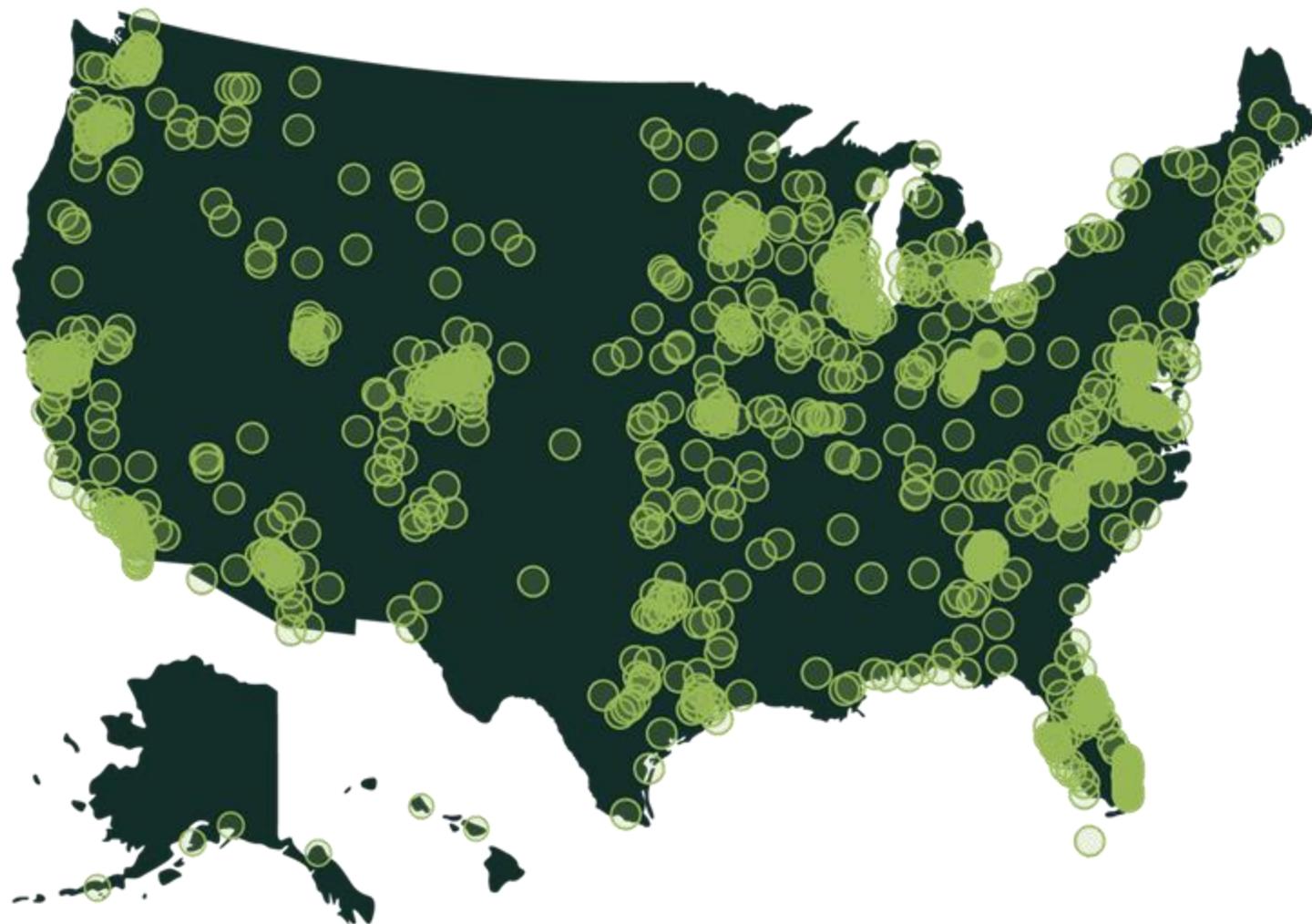
# The National Community Survey™ in Midvale



## The NCS™ for Midvale, UT

- 1<sup>st</sup> time conducting The NCS
- Survey conducted from January 11, 2024 – February 22, 2024
- Mailing approach employed:
  - Probability-based sample of 3,000 randomly selected households
  - 223 total responses received
  - 8% overall response rate
  - Non-probability, open-participation survey: 64 responses
- Results statistically weighted to reflect Midvale overall
- 95% confidence interval with a +/- 6.6% margin of error

# Polco's Benchmarking Database



More than  
**500**  
comparison  
communities  
across the  
nation.

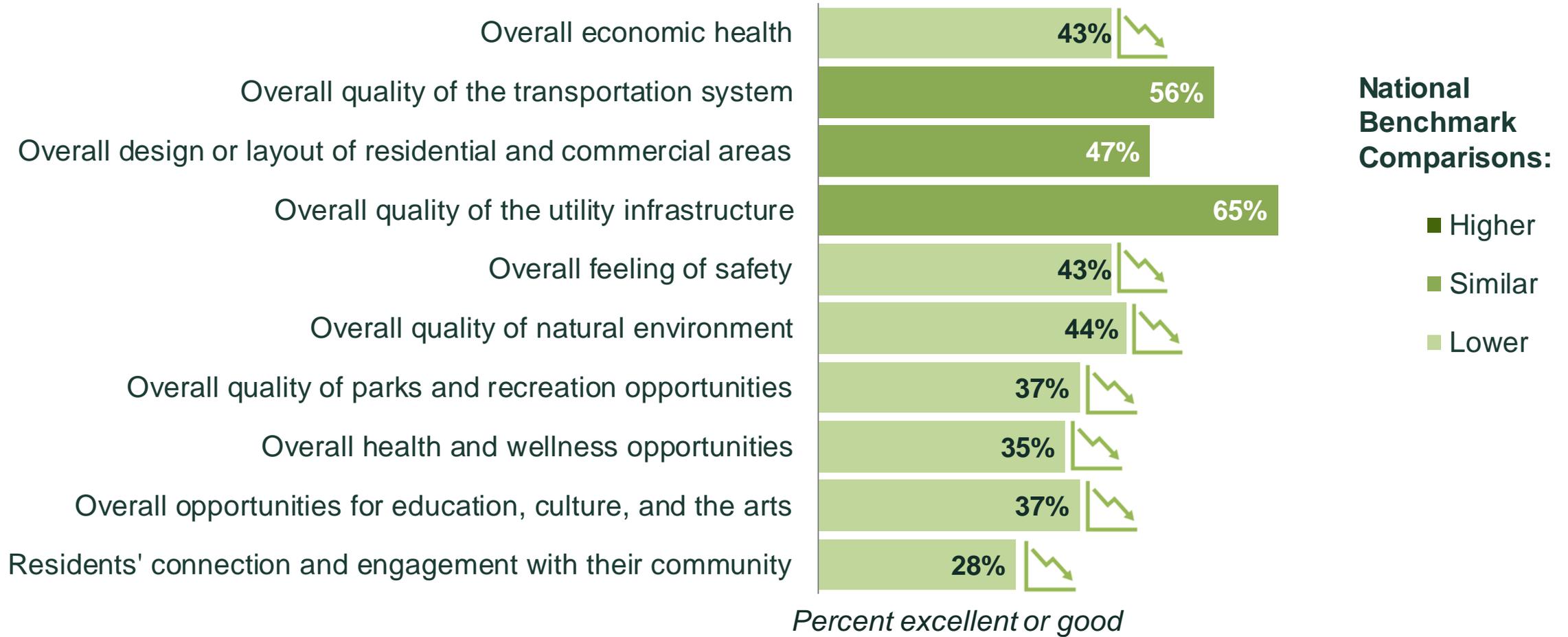
Representing  
the opinions  
of more than  
**50 million**  
residents.



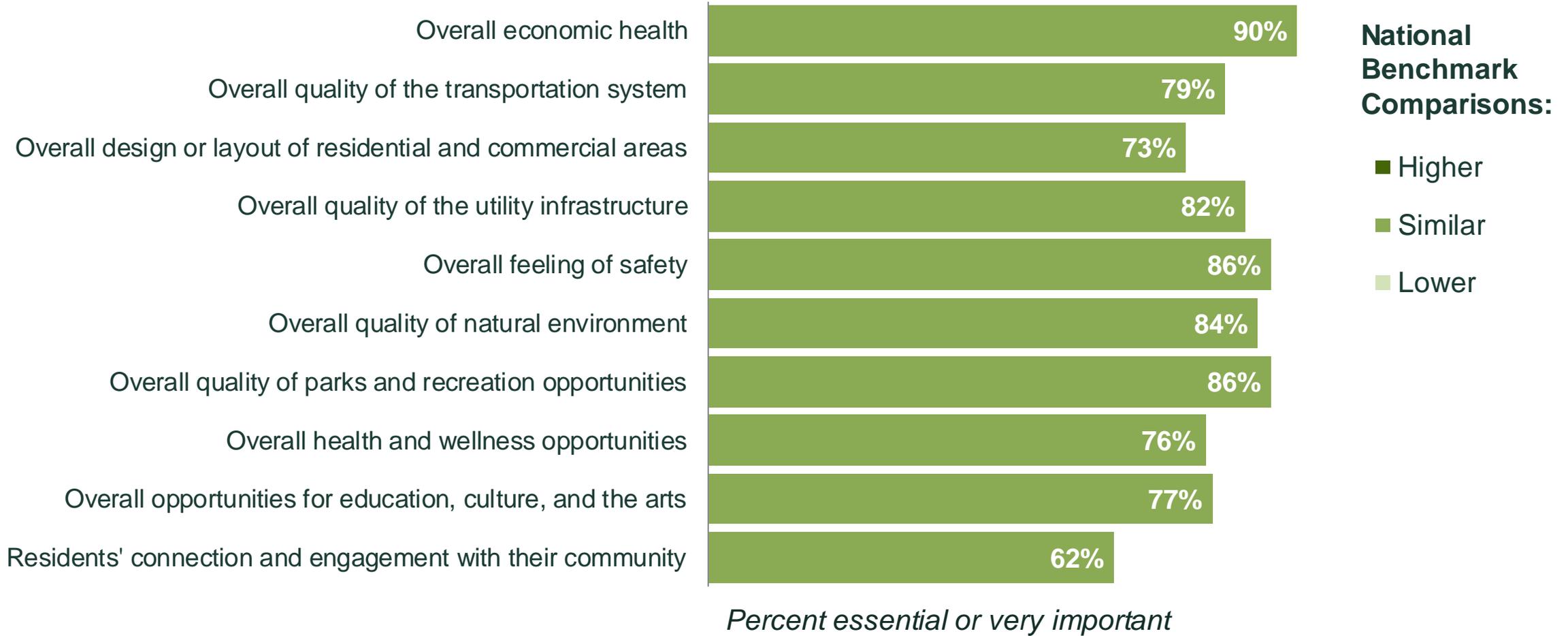
# Overview of Survey Results



# Facets of Community Livability: Quality

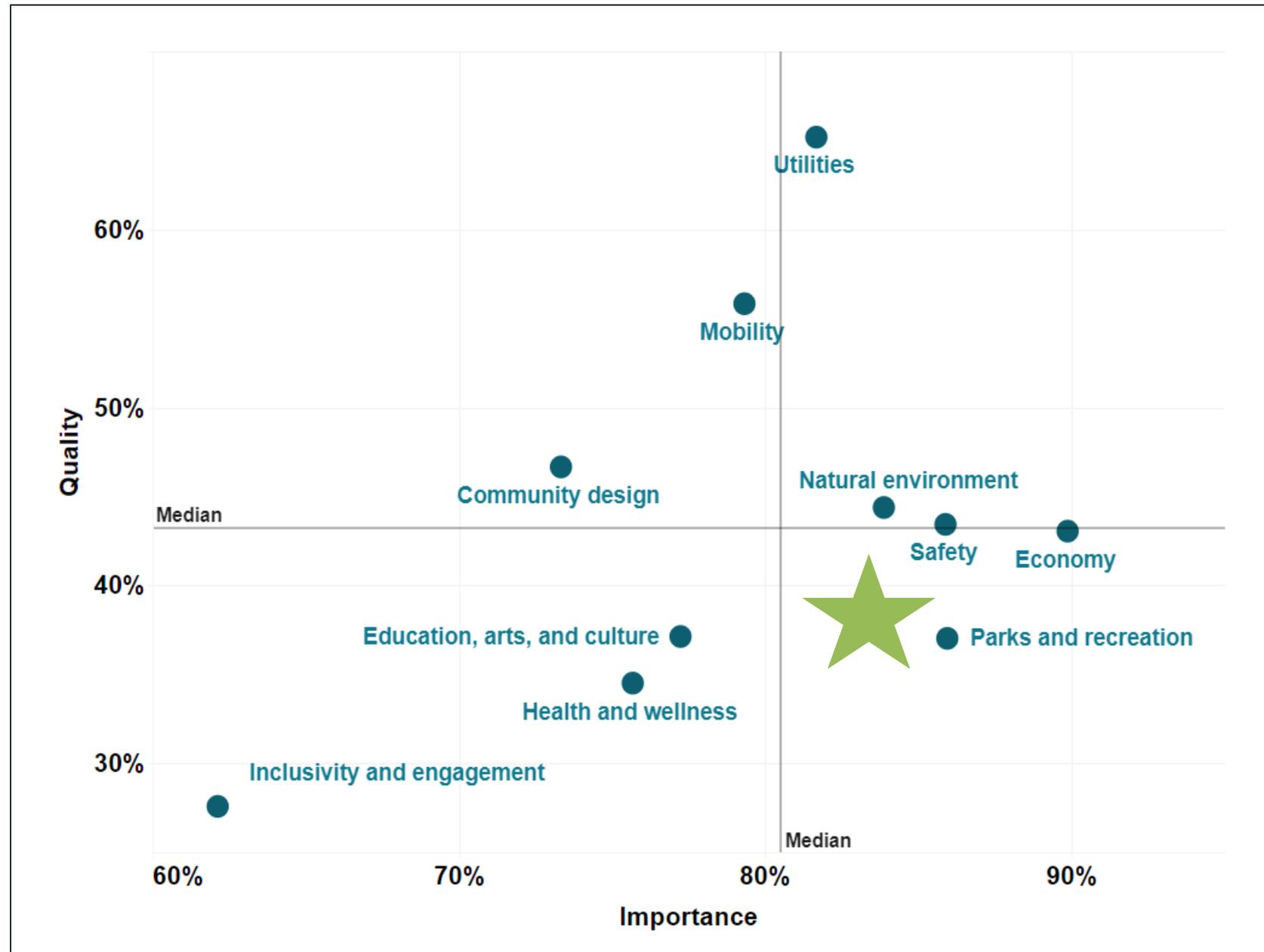


# Facets of Community Livability: Importance





# Balancing Quality and Importance





## Comparisons to National Benchmarks

2 received **higher** ratings

72 received **similar** ratings

49 received **lower** ratings





# Comparisons to Custom Benchmarks



**0** received **higher** ratings

**67** received **similar** ratings

**56** received **lower** ratings





# Key Findings



“ “ ” √ ” “ “ ” bb “ ee ee “ bb “ “ ee ee // ee “ ” bb ee // ee  
ee // ee “ ” bb ee // ee “ ee ee bb “ ee ee “ bb “ ee  
bb “ ee ee ee “ bb “ ee “ “ ” √ ” “ “ ” “ “ ” “ “ ”

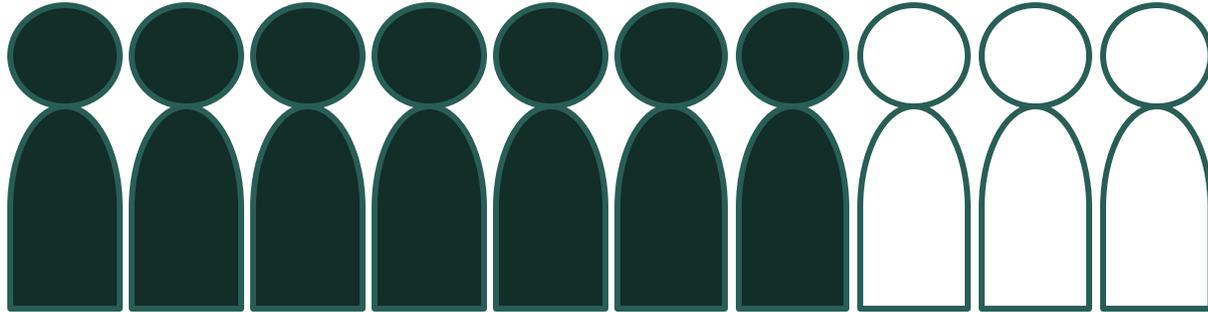


**Safety is a top priority for Midvale residents.**

1



# Feelings of Safety in Midvale



About

**7 in 10**

residents gave **excellent** or **good** ratings to:

- Feeling safe from fire, flood, or other natural disaster

**8 in 10 residents**

- *Felt very or somewhat safe in their neighborhoods during the day*
- *Felt very or somewhat safe in Midvale's Main Street/commercial areas during the day*

# Safety Services in Midvale



**86%**

Fire services



**74%**

Ambulance/  
Emergency  
medical  
services



**61%**

Police  
services



**60%**

Fire  
prevention/  
education

*Percent excellent or good*

**52%** Animal Control



**46%** Crime prevention



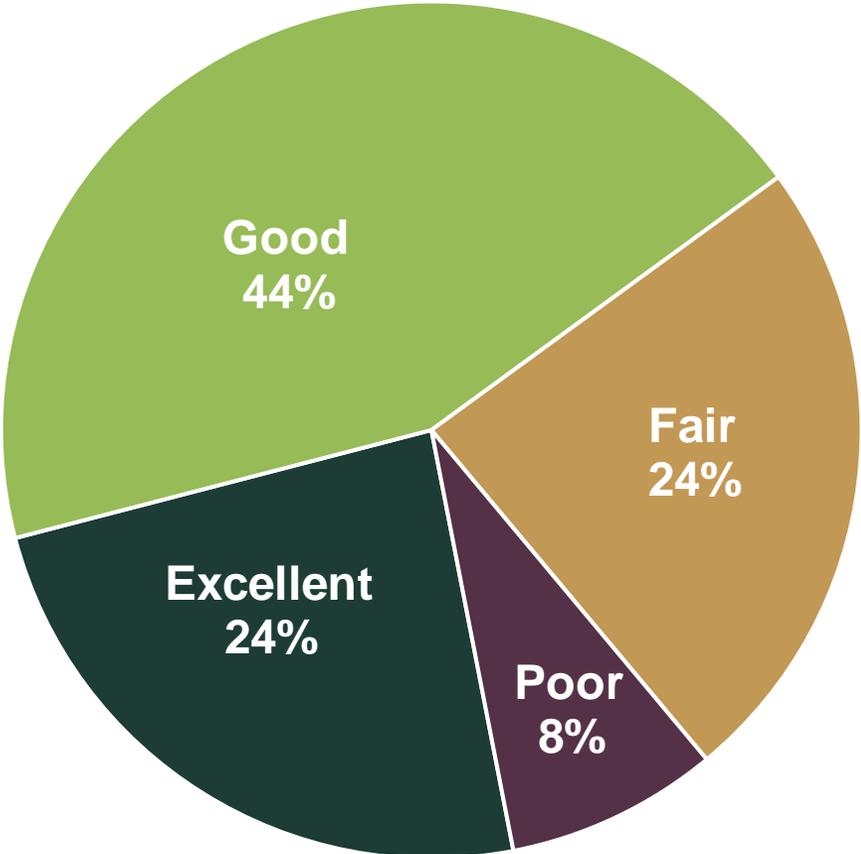
**28%** Emergency preparedness



# Custom Question: Quality of Services



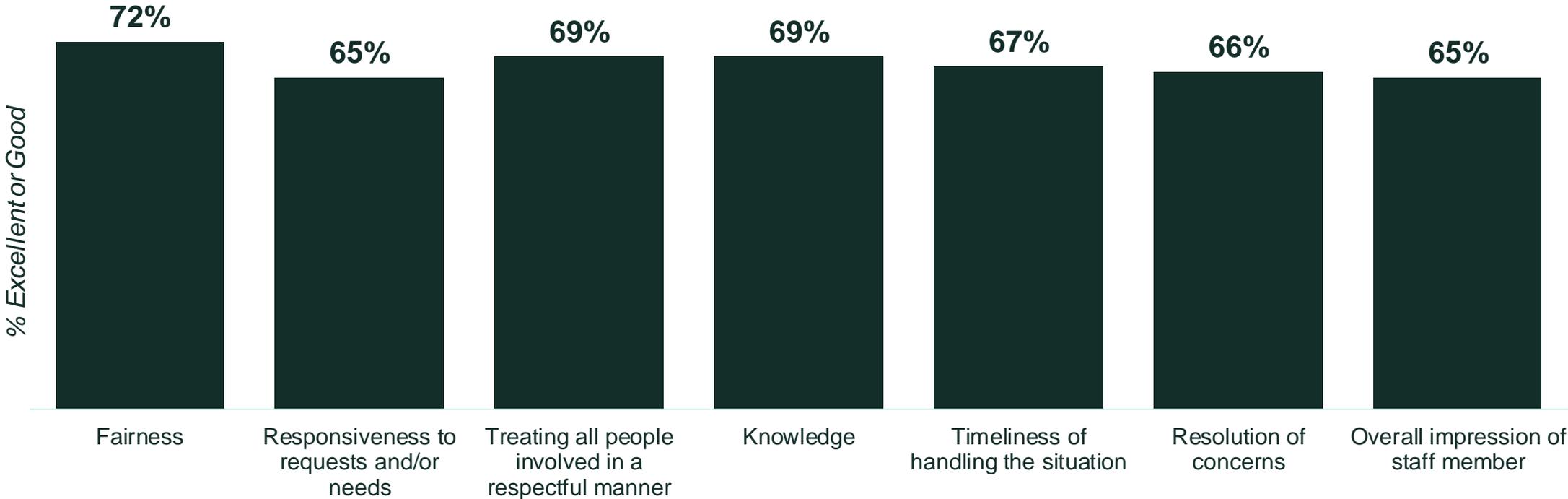
**How would you rate the quality of the services provided by the Unified Police Department in Midvale City?**



# Custom Question: Rating Police Interactions



**Based on your most recent interaction with a member of the Unified Police Department, please rate each of the following aspects of the last employee with whom you had contact.**





**Midvale's economy is a community strength, with a few areas of opportunity.**

2



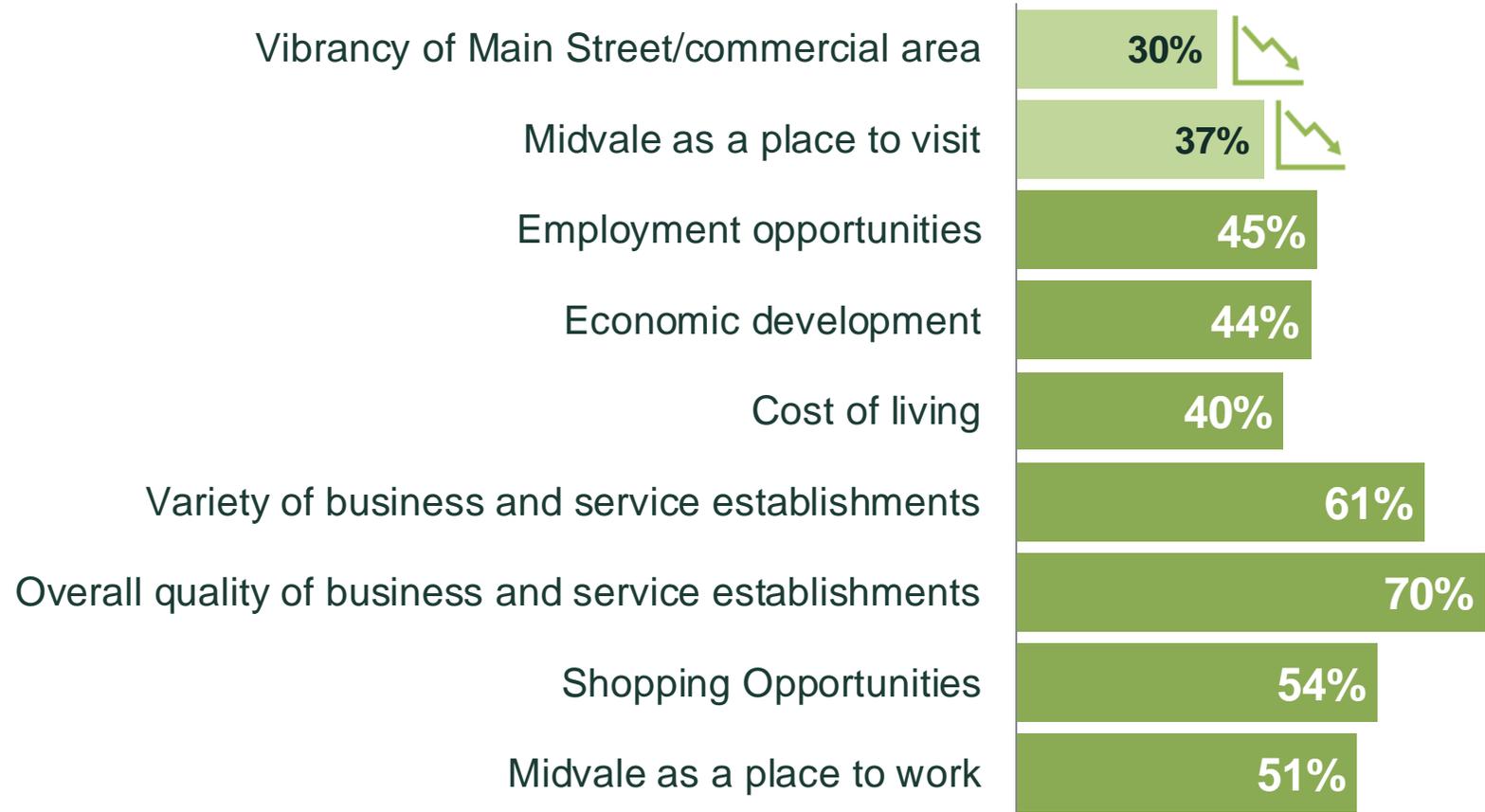
# The Economy in Midvale



Please rate each of the following in the Midvale community:

## National Benchmark Comparison

- Higher
- Similar
- Lower



Percent excellent or good



**Residents identify opportunities for improvement in the local natural environment and recreational opportunities.**

3



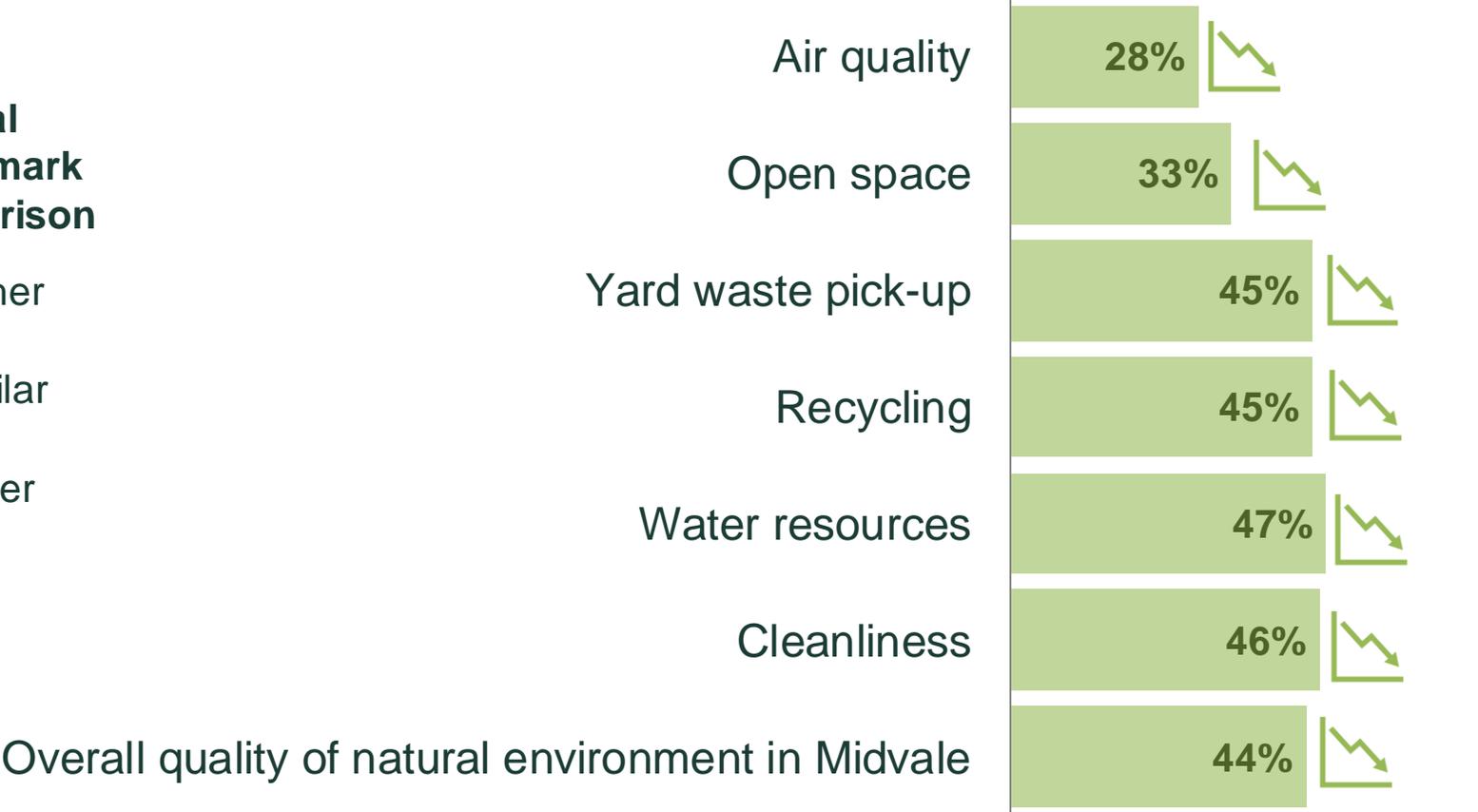
# Natural Environment in Midvale



Please rate the following categories:

### National Benchmark Comparison

- Higher
- Similar
- Lower



Percent excellent or good

# Parks and Recreation in Midvale



Please rate the following categories:

**National Benchmark Comparison**

- Higher
- Similar
- Lower



*Percent excellent or good*



Alternative modes of transportation shine in Midvale.



4



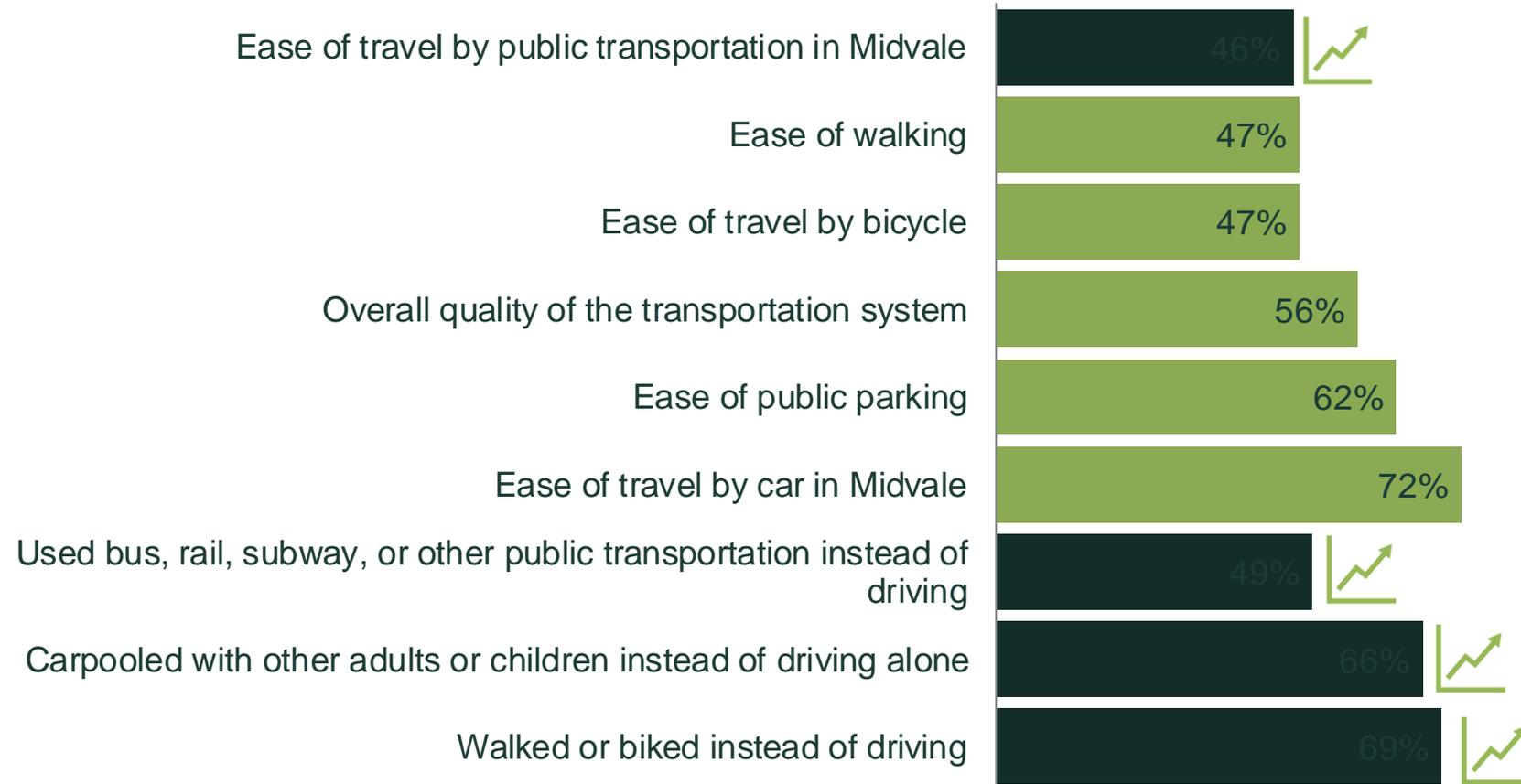
# Mobility in Midvale



Please rate each of the following:

## National Benchmark Comparison

- Higher
- Similar
- Lower

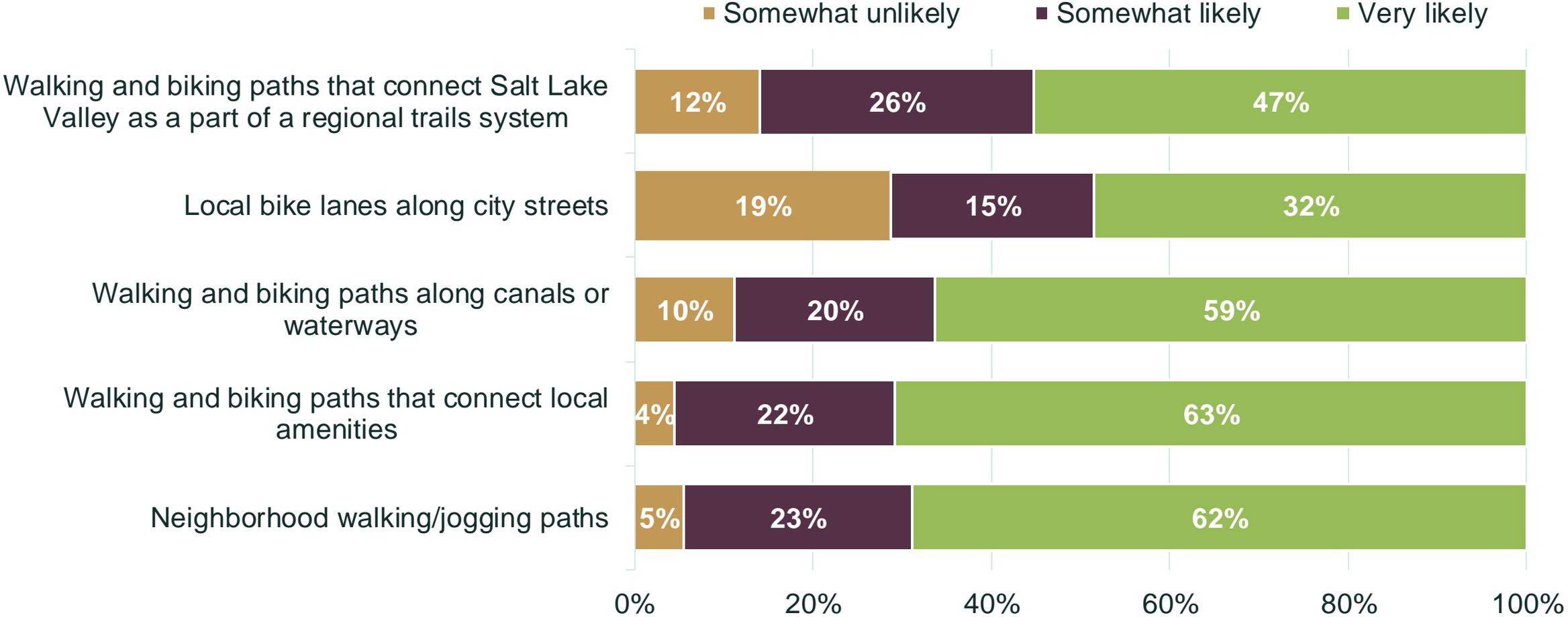


Percent excellent or good

# Custom Question: Mobility



Please indicate how likely or unlikely you would be to use each of the following if they were available.





# Summary of Conclusions

1. Safety is a priority for Midvale residents.
2. Midvale's economy is a community strength, with a few areas of opportunity.
3. Residents identify opportunities for improvement in the local natural environment and recreational opportunities.
4. Alternative transportation shines in Midvale.



# Next Steps: ENGAGE With Community Members



This library contains curated surveys and polls created by survey scientists at National Research Center, Polco's dedicated research team. You can use these as they are, look around for inspiration, or make a copy and customize to fit your needs.

All content in the Polco Library is proprietary and is for exclusive use on the Polco platform. The use of Polco Library content in unsolicited ways is prohibited. Please refer to our [Terms of Use](#) for details.

We also have toolkits which cover a range of questions based around certain topics. The modules in our toolkit can be used individually by your organization over time to provide an environmental scan.

**Available toolkits:**

- COVID-19
- Libraries
- School Districts



- ENGAGE
- Participants
- Content
- Outreach
- Polco Library**



### Public Safety Communications

**Governance Safety**

As part of our ongoing efforts to better serve the community, we need input from you! Take this quick survey to share your feedback about the (XYZ)'s communication pertaining to public safety issues and news. Your responses will be kept confidential, and no identifying

communications governance safety outreach  
information public safety emergency communication

[View](#)

### Emergency Communications

**Safety Governance** Used by 2 profiles

As we continue our efforts to meet the dynamic needs of (ABC) residents, we need your critical input. Please take this quick survey to share your thoughts on emergency preparedness and related (XYZ) communications. The results will help us improve our

information alert urgent public safety  
communications emergency preparedness alerts news  
disaster emergency 311 disaster preparedness safety  
communication governance

[View](#)

### Search

Filter or search to find the content you are looking for.

Content Type: **All**

Domain: **All**

Text search: communication

Popular tags: communications, government, information, communication, news, media, customer service, governance, safety, public safety

[Clear all tags](#)

State of Wisconsin | WI

**Post** [Read Post](#)

### Do we need a new park?

Contains: text, image, data points, survey, prioritization



### Park Initiative Survey

Text about the new park initiative and a quick summary of what this entails or whatever message the city wants to provide for the residents to read. Text about the new park initiative and a quick summary of what this entails or whatever message the city wants to provide for the residents to read. Text about the new park initiative and a quick summary of what this entails or whatever message the city wants to provide for the residents to read. Text about the new park initiative and a quick summary of what this entails or whatever message the city wants to provide for the residents to read. Text about the new park initiative and a quick summary of what this entails or whatever message the city wants to provide for the residents to read.

### Map of projected park



Included in Current Subscription



Optional Add-on

# Next Steps: TRACK Midvale's Data



## ✓ Performance Summary

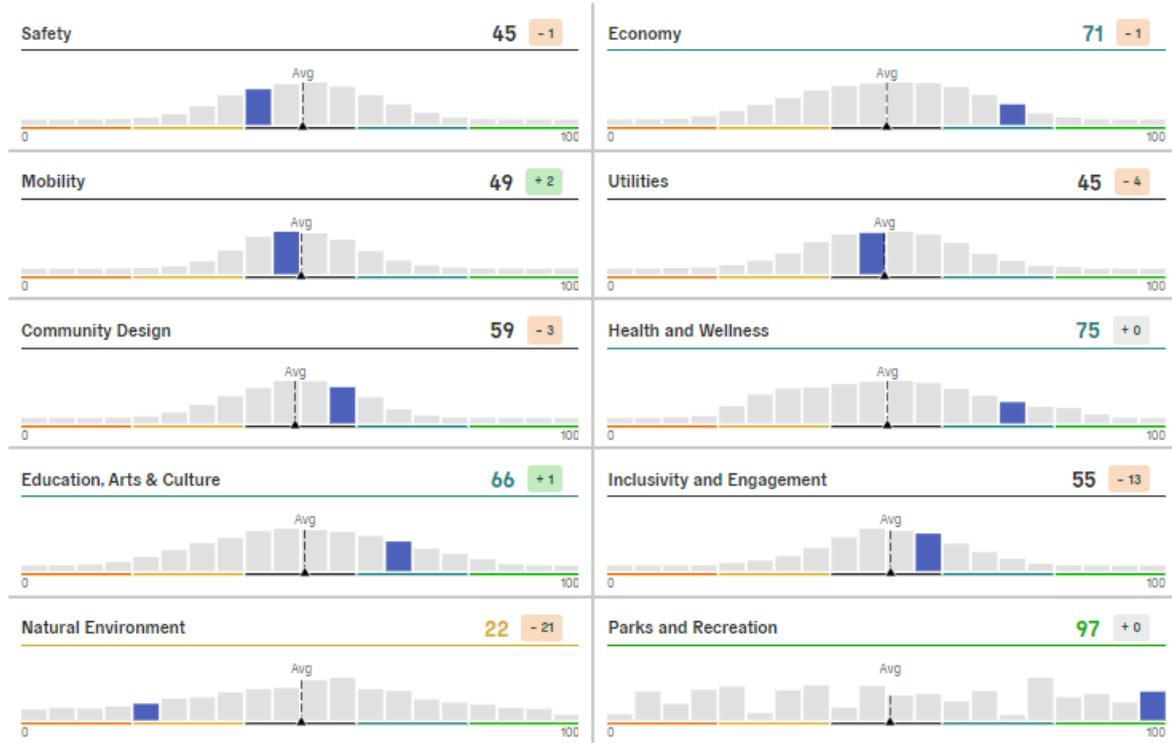
Score last updated December 2023

**Benchmarking** [Reset Filters](#)

My State  
Compare my score to communities within my state

Population Size  
Compare my score to communities with a similar population

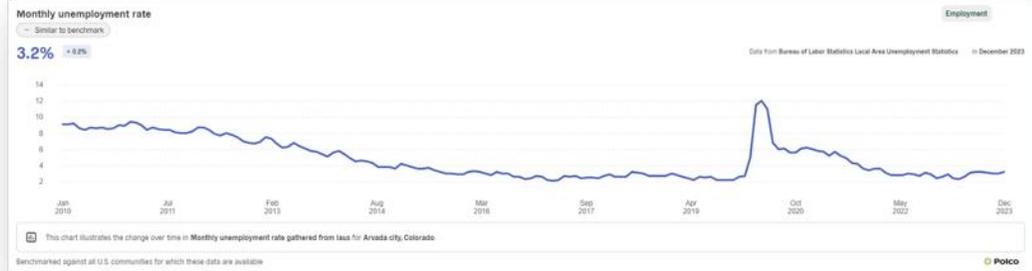
### Domain Index Scores



## + Economy

### Economy

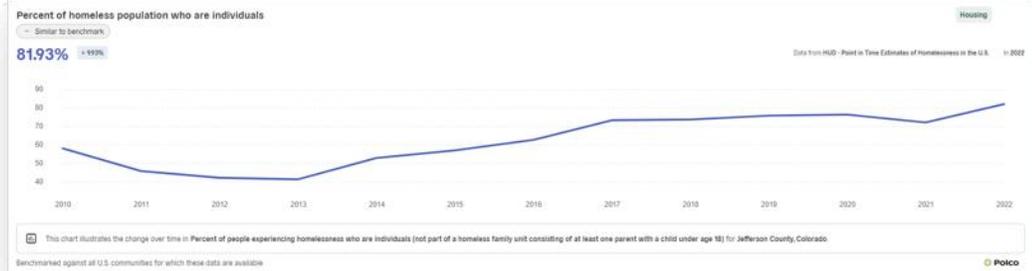
71 / 100 -1



## + Community Design

### Community Design

59 / 100 -3



✓ Included in Current Subscription

+ Optional Add-on

# Additional Offerings: Continue to ASSESS



**THE NCS™**  
THE NATIONAL COMMUNITY SURVEY™



**CASOA®**  
COMMUNITY ASSESSMENT SURVEY FOR OLDER ADULTS™

**THE NBS™**  
THE NATIONAL BUSINESS SURVEY™

**THE NLES**  
THE NATIONAL LAW ENFORCEMENT SURVEY

**THE NES™**  
THE NATIONAL EMPLOYEE SURVEY™

**THE NES-LE**  
THE NATIONAL EMPLOYEE SURVEY LAW ENFORCEMENT

## BalancingAct™ BY POLCO



Selected: \$961,000 Available: \$239,000

**City Hall Accessibility** \$315,000

**Tourism Renovation** \$398,000

**Bandshell Roof Repair** \$125,000

**Beacon Park Pathway** \$340,000

**Archaeological Reporting**

**Window Repair**

**Park Street Light Poles** \$74,000

**You are balanced.**

**Where the Money Goes**

**Revenue**

- Taxes: \$4.6m
- Fines: \$435,000

**More Information**

Some research suggests that lower-cost, non-sworn officers could perform some services currently done by sworn officers, saving money that could be used in other parts of the budget.

**Police Department**

Role of Civilians: \$90,000

Should civilians be used to take most police reports instead of sworn officers??

Continue to use sworn officers

Use civ-ilians where appropriate

**Submit**

Please be sure to attend the budget open house on Friday, October 30 at 6:00. We will be using Meeting Mode so that everyone can see the entire group's responses. City staff will be on hand to answer questions and facilitate.



**YOUR CITY AND COUNTY OF DENVER TAX RECEIPT**

<b>Affordable Housing</b>	
Dedicated Affordable Housing Property Tax Mill	\$1.89
Housing Investment Fund Transfer	\$0.00
Office of Housing and Opportunities for People Everywhere (HOPE)	\$0.81
Social Impact Bond	\$0.18
<b>Capital Projects</b>	
Bond Principal and Interest Property Tax Mill	\$0.90
Capital Improvement Projects	\$13.50
Improvement and Maintenance Property Tax Mills	\$0.00
<b>Community Planning and Development</b>	
Board of Adjustment for Zoning Appeals	\$8.23
Planning, Permitting, Inspections and Administration of Community Planning & Development Dept	\$0.10
<b>Courts/Legal</b>	
City Attorney	\$8.13
County Court & Municipal Public Defender	\$15.79
<b>Economic Development</b>	
Economic Development	\$8.71
Excise and Licenses	\$7.08
<b>Finance</b>	
Contingency	\$3.52
Finance/Payments for Public Buildings	\$2.14
<b>Governing</b>	
City Council	\$1.38
Mayor's Office	\$33.31
	\$7.33
	\$25.98
	\$2.16
	\$1.70
	\$0.46
<b>TOTAL:</b>	<b>\$76.62</b>

**BalancingAct**

# Questions?

# Thank you!

Jason Neumeyer  
Survey Researcher  
Polco/National Research Center  
[jason.neumeyer@polco.us](mailto:jason.neumeyer@polco.us)



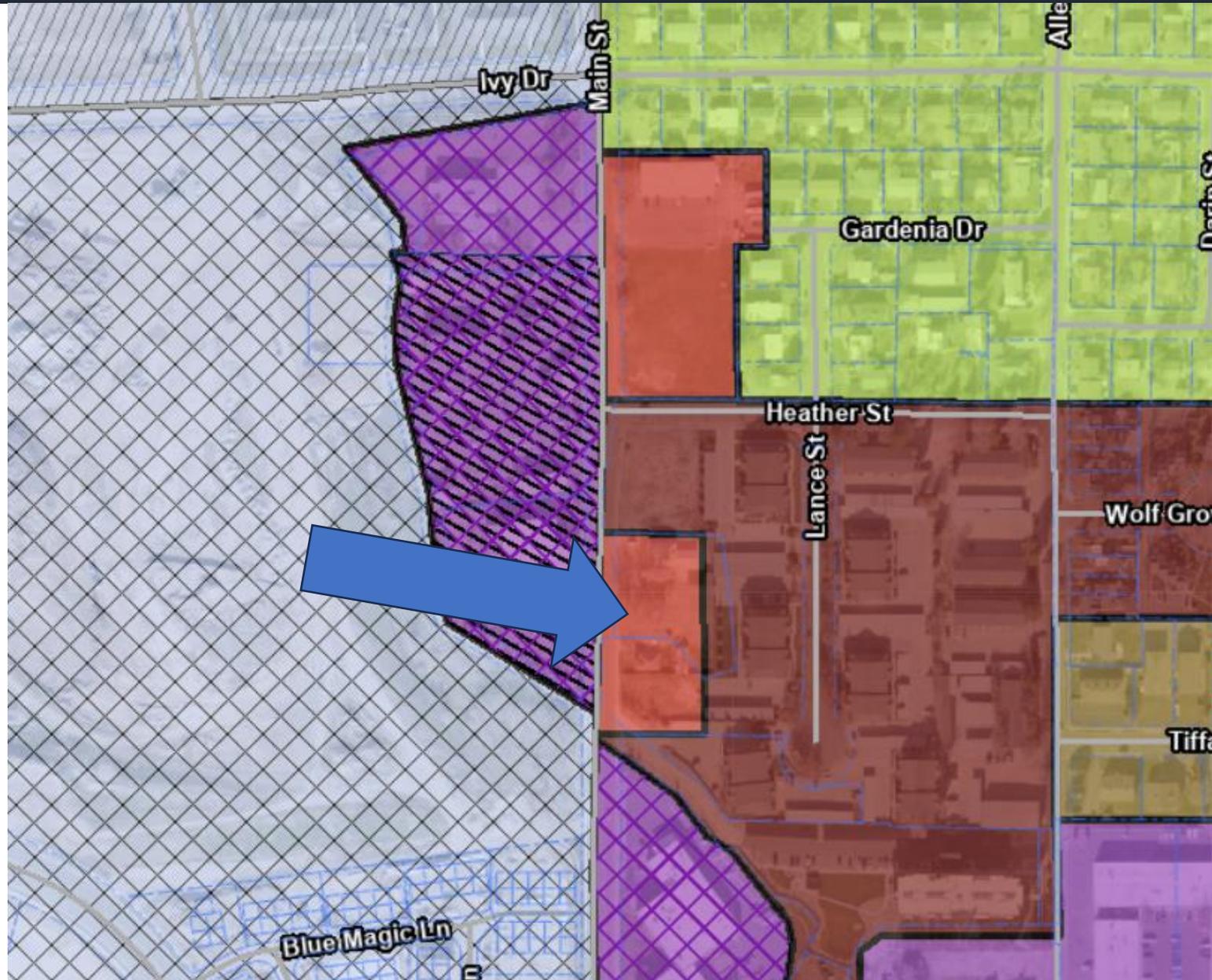
# Rezone Request

Vicinity of 8253 S Main St

# Vicinity Map



# Rezone RC to RM-25





# Rezone Criteria

## Rezone Criteria

1. Proposed rezoning is necessary either to **comply with the general plan proposed land use map** or to provide land for a **community need** that was not anticipated at the time of adoption of the general plan;
2. Existing zoning was either the result of a **clerical error or a mistake of fact**, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or
3. Land or its **surrounding environs has changed** or is changing to such a degree that it is in the **public interest to encourage redevelopment** of the area or to recognize the changed character of the area.

## Recommended Motion

“I move that we approve the rezone located at 8253 S Main St with the findings noted in the staff report.”



## Amend RM-25 Zone

Allow a maximum of 5,000 square feet of neighborhood commercial

# RM-25 Amendment

## Amendment

### 1. *Conditional Use.*

d. *Neighborhood Commercial Uses.* Each application for a neighborhood commercial use shall demonstrate that the proposed use:

i. Is pedestrian oriented and shall primarily serve the neighborhood in which it is located;

ii. Is located on a lot at the intersection of two surface streets, each with a minimum right-of-way width of fifty feet;

iii. Is limited in size to a maximum footprint of ~~one thousand~~ five thousand square feet;

iv. Has a maximum of four on-site parking spaces that shall be located in the rear of the building;

v. Is architecturally compatible with the underlying zone;

vi. Shall operate no earlier than seven a.m. and no later than nine p.m.;

vii. Includes no outdoor storage nor an outdoor display of merchandise, but may include outdoor dining;

viii. Includes a delivery plan which adequately mitigates its impact on the residential neighborhood in which it is located;

## Recommended Motion

“I move that we approve to increase the Neighborhood Commercial square footage in the RM-25 Zone from 1,000 sq.ft. to 5,000 sq.ft., with the finding noted in the staff report.”





**Consideration  
of Resolution  
2024-R-16:  
Approval of the  
Revised and  
Restated UPD  
Interlocal  
Agreement**

Garrett Wilcox  
City Attorney

Presented on March 26, 2024

# Background

## **2023 HB 374 County Sheriff Amendments**

HB 374 repealed language requiring a county sheriff to lead a police interlocal entity in their county, effective July 1, 2025. It was communicated by the sponsor, Rep. Teuscher, that the Legislature expected UPD to remove the Salt Lake County Sheriff as their CEO by July 1, 2025.

## **Anticipated Salt Lake County Withdrawal**

The Salt Lake County Sheriff has indicated that she will be ending her role as its CEO on July 1, 2024. Salt Lake County has indicated that it will be withdrawing from UPD.

## **UPD Membership Changes**

Several communities have joined, and several communities have left UPD since its formation.

## **Numerous Amendments**

The original UPD interlocal agreement has been amended 9 times.

# Goals

## **Unified Police Department is Not Dissolving and Reforming**

UPD will be the same interlocal entity on July 1, 2024, as it was on June 30, 2024.

## **Put the Amendments in One Agreement**

After 9 amendments, it is time to restate the agreement with all of the changes in one place.

## **Strengthen UPD**

The changes to governance of UPD permit an opportunity to strengthen the organization and learn from past mistakes and issues.

## **Provide the Framework for Future Members**

Changes should improve the attractiveness of partnering with UPD member entities and provide for the organization's stability during periods of growth.

# Process

## UPD Interlocal Committee

The UPD Interlocal Committee met six times between the beginning of August through this morning. Harry Souvall, UPD's Chief Legal Counsel, used the UFA interlocal as a framework and integrated the existing UPD agreement and amendments. In each meeting, members of the committee and representatives of member entities discussed at length the contents of the revised and restated agreement. This document contains compromises that all of the representatives present believed their communities could live with.

### Current Interlocal Committee:

1. Chair – Mayor Jeff Silvestrini, Millcreek
2. Mayor Rob Dahle, Holladay
3. Deputy Mayor Erin Litvack, Salt Lake County
4. Councilmember David Olsen, Copperton
5. Nathan Bracken, Kearns and Copperton Attorney
6. Garrett Wilcox, Midvale City Attorney

# Scope

- Name of Interlocal Entity
- Summary of Services
- Service Delivery (Precinct vs. Shared)
- Member Fee
- Fiscal Year and Budget Deadlines
- Department and Member Fund Balances
- Preliminary Budget Increase Max. Override
- Enhanced Services
- Governance and Administration
  - Board
  - Voting
  - Executive Staff
  - Policies
  - Facilities
- Employees
- Merit System
- Reports, Audits, and Performance Measures
- Indemnification
- Term
- Admission of New Members
- Withdrawal
- Coverage Area
- Remittance
- Breach or Failure to Pay
- Termination
- Dissolution
- Amendment
- Other boilerplate provisions

# Same

## Precinct Services

- Patrol officers
- Traffic enforcement
- Community-oriented policing
- Property crimes investigations



## Shared Services

- Administrative services
- Crime prevention services
- Investigative services
- Training services
- Logistics services
- Special operation services



# Same

## Member Fees

The method for determining the member fee is unchanged in the proposed revised and restated interlocal agreement. The revised and restated interlocal agreement explicitly provides that a member fee consists of the member's precinct costs and its portion of the shared services costs. The UPD Board determines the shared services formula.

FY 2023 Member Assessment - Tentative Budget

5% COLA 5% Market - Civilians Surgical Approach - SWORN	Millcreek Fund 22	Holladay Fund 26*	Midvale Fund 28	Total SLVLESA	Total CW - SLCo Fully Funded	Total UPD Budget
Project Direct SWORN Wages	4,871,500	2,749,000	3,854,500	9,480,750	4,883,750	25,566,999
Project Direct Civilian Wages (including Advocates)	156,750	79,500	131,250	271,750	1,551,000	2,190,251
Part Time Employees	-	-	23,000	23,000	49,950	72,949
Project Direct Crossing Guard Wages	311,500	115,500	81,850	604,850	-	1,117,500
Overtime	228,000	63,000	253,000	267,400	391,300	1,184,700
Employee Benefits (88% Officers)	3,201,750	1,791,000	2,533,750	6,149,500	3,846,750	17,522,750
<b>FY 2022-23 Precinct / District Wages &amp; Benefits Budget</b>	<b>8,769,500</b>	<b>4,802,000</b>	<b>6,861,150</b>	<b>16,702,250</b>	<b>10,520,250</b>	<b>47,655,150</b>
<b>FY 2022-23 Precinct Direct Operating Costs</b>	<b>1,349,950</b>	<b>574,350</b>	<b>833,950</b>	<b>2,240,800</b>	<b>2,793,630</b>	<b>6,568,280</b>
School District contributions to SDC	(130,000)	(97,500)	(90,000)	(162,500)	-	(480,000)
Records Fees	-	-	-	-	(62,500)	(62,500)
Gang Conference Registration Fees	-	-	-	-	(120,000)	(120,000)
Choose Gang Free	-	-	-	-	(570,500)	(570,500)
Grants and Other Revenue	(50,000)	-	-	-	(422,000)	(472,000)
<b>FY 2022-23 Precinct Revenue Totals</b>	<b>(180,000)</b>	<b>(97,500)</b>	<b>(90,000)</b>	<b>(182,500)</b>	<b>(1,175,000)</b>	<b>(1,705,000)</b>
<b>FY 2022-23 Budgetary Use of Precinct/District Fund Balance</b>	<b>(1,350,000)</b>	<b>(490,000)</b>	<b>(1,550,000)</b>	<b>(3,000,000)</b>	<b>(3,000,000)</b>	<b>(3,690,000)</b>
<b>FY 2022-23 Total Precinct / District Direct Budgets</b>	<b>8,489,950</b>	<b>4,798,850</b>	<b>7,807,100</b>	<b>17,230,620</b>	<b>10,820,880</b>	<b>46,942,415</b>
<b>FY 2023-24 Total Precinct Direct (Amended) Budgets</b>	<b>8,801,248</b>	<b>5,010,148</b>	<b>8,118,398</b>	<b>17,929,794</b>	<b>11,134,428</b>	<b>49,992,616</b>
Difference	-	-	-	-	-	-
% Increase	-	-	-	-	-	-
*includes budget cuts 1 year to FY2024/25						
Shared Services SWORN Wages	1,002,378	-	-	1,002,378	-	-
Shared Services Civilian Wages	746,502	-	-	746,502	-	-
Shared Services Part Time Wages	34,221	-	-	34,221	-	-
Shared Services Overtime	161,990	-	-	161,990	-	-
Shared Services Employee Benefits	1,054,092	-	-	1,054,092	-	-
<b>FY 2022-23 Shared Services Wages &amp; Benefits Budget</b>	<b>3,999,182</b>	-	-	<b>3,999,182</b>	-	-
<b>FY 2022-23 Shared Services Operating Cost</b>	<b>2,626,095</b>	-	-	<b>2,626,095</b>	-	-
<b>FY 2022-23 Shared Services Revenues</b>	<b>(139,492)</b>	-	-	<b>(139,492)</b>	-	-
<b>FY 2022-23 Shared Services Allocation to Members</b>	<b>5,485,785</b>	-	-	<b>5,485,785</b>	-	-
<b>FY 2022-23 Budgetary Use of General Fund Balance</b>	<b>(1,471,765)</b>	-	-	<b>(1,471,765)</b>	-	-
<b>FY 2022-23 Adj. Shared Svcs. Allocation to Members</b>	<b>3,999,182</b>	-	-	<b>3,999,182</b>	-	-
<b>FY 2021-22 Shared Svcs. Costs (after mid-yr wage increase)</b>	<b>4,799,207</b>	-	-	<b>4,799,207</b>	-	-
<b>FY 2021-22 Budgetary Use of General Fund Balance</b>	<b>(775,187)</b>	-	-	<b>(775,187)</b>	-	-
<b>FY 2021-22 Shared Svcs. Allocation to Members</b>	<b>4,024,020</b>	-	-	<b>4,024,020</b>	-	-
Difference	1,471,765	-	-	1,471,765	-	-
% Increase	36.33%	-	-	36.33%	-	-
Total FY2022-23 Estimated Member Assessment	13,983,735	-	-	13,983,735	-	-
FY2021-22 Member Assessment	12,825,268	-	-	12,825,268	-	-
Difference	1,158,467	-	-	1,158,467	-	-
% Increase	9.03%	-	-	9.03%	-	-
FY2021 Ending Fund Balance	1,582,252	-	-	1,582,252	-	-
FY2022 Proj. Tax over Exp	(689,685)	-	-	(689,685)	-	-
Less: Budgetary Use of Fund Bal (FY2022 Precinct Budget)	-	-	-	-	-	-
<b>FY2022 Projected Ending Member Fund Bal</b>	<b>2,271,937</b>	-	-	<b>2,271,937</b>	-	-
FY2021 Audited Ending Member Fund Bal - Prepaid	(10,279)	-	-	(10,279)	-	-
FY2021 Ending Member Fund Bal - Restricted for Grants	(76,037)	-	-	(76,037)	-	-
FY2021 Audited Ending Member Fund Bal - Committed	(201,250)	-	-	(201,250)	-	-
<b>FY2022 Projected Ending Member Fund Bal - Available</b>	<b>1,984,371</b>	-	-	<b>1,984,371</b>	-	-
<b>FY2023 Allocation of Budgetary Use of Fund Bal (Shared Svcs)</b>	<b>-</b>	-	-	<b>-</b>	-	-
<b>FY2023 Adjusted Beginning Fund Bal (after allocation)</b>	<b>1,984,371</b>	-	-	<b>1,984,371</b>	-	-
Any Budgetary Use of Fund Balance is a	-	-	-	-	-	-
e.g., FY 2023 Budgetary Use of Gen Fund Bal	(775,187)	-	-	(775,187)	-	-
e.g., FY 2023 Budgetary Use of Precinct Fund Bal	-	-	-	-	-	-
<b>FY2022 Reduction to (Discounted) Member Assessment</b>	<b>(775,187)</b>	-	-	<b>(775,187)</b>	-	-

## Shared Service Formula FY 2022-23

Population*		Cases Assigned			Tax Value 2021			Total	Total with SLCo	
Population	%	20%	Cases	%	70%	Tax Value	%	10%	%	
30,719	14.90%	2.98%	3,764	8.32%	5.82%	4,448,778,080	19.71%	1.97%	10.77%	8.62%
34,419	16.69%	3.34%	11,735	25.94%	18.16%	2,687,040,589	11.90%	1.19%	22.69%	18.15%
60,169	29.18%	5.84%	13,695	30.27%	21.19%	6,519,046,772	28.88%	2.89%	29.91%	23.93%
80,905	39.23%	7.85%	16,047	35.47%	24.83%	8,919,271,452	39.51%	3.95%	36.63%	29.30%
<b>206,212</b>	<b>100.00%</b>	<b>20.00%</b>	<b>45,241</b>	<b>100.00%</b>	<b>70.00%</b>	<b>22,674,136,893</b>	<b>100.00%</b>	<b>10.00%</b>	<b>100.00%</b>	<b>80.00%</b>

Population		Cases Assigned			Est Tax Value 2021*			Total	Total with SLCo	
Population	%	7.85%	Cases	%	24.83%	Tax Value	%	3.95%	%	
34,727	42.92%	3.37%	6,492	40.46%	10.04%	2,059,086,025	23.09%	0.91%	14.33%	11.46%
27,179	33.59%	2.64%	6,251	38.95%	9.67%	1,485,268,719	16.65%	0.66%	12.97%	10.37%
9,311	11.51%	0.90%	1,154	7.19%	1.79%	778,441,349	8.73%	0.34%	3.03%	2.43%
5,512	6.81%	0.53%	571	3.56%	0.88%	363,510,674	4.08%	0.16%	1.58%	1.26%
799	0.99%	0.08%	127	0.79%	0.20%	81,102,386	0.91%	0.04%	0.31%	0.25%
1,601	1.98%	0.16%	230	1.43%	0.36%	330,287,150	3.70%	0.15%	0.66%	0.53%
1,516	1.87%	0.15%	153	0.95%	0.24%	2,943,221,488	33.00%	1.30%	1.69%	1.35%
260	0.32%	0.03%	1,069	6.66%	1.65%	878,353,661	9.85%	0.39%	2.07%	1.65%
<b>80,905</b>	<b>100.00%</b>	<b>7.85%</b>	<b>16,047</b>	<b>100.00%</b>	<b>24.83%</b>	<b>8,919,271,452</b>	<b>100.00%</b>	<b>3.95%</b>	<b>36.63%</b>	<b>29.30%</b>

\* Value is based off a % increase from 2020 to 2021 SLVLESA total tax value

\* Population estimates from Kem C. Gardner Policy Institute - <https://gardner.utah.edu/demographics/population-estimates/demographic-county-profiles-2010-2019/>

Changes in Shared Services revenues w

City populations are expected to be updated in May

Fiscal Year 2022-2023 Sharing Formula Factors							FY 2022	Change in %
Member	Population	Cases	Taxable Valuation	Allocation %	Allocation %	Allocation %	%	+/-
Holladay	30,719	3,764	\$ 448,778,080	8.62%	8.61%	8.61%	0.01%	
Midvale	34,419	11,735	\$ 2,687,040,589	18.15%	18.39%	18.39%	-0.24%	
Millcreek	60,169	13,695	\$ 6,519,046,772	23.93%	24.63%	24.63%	-0.70%	
SLVLESA	80,905	16,047	\$ 8,919,271,452	29.30%	28.37%	28.37%	0.93%	
SLCo	N/A	N/A	N/A	20.00%	20.00%	20.00%	0.00%	
<b>Totals</b>	<b>206,212</b>	<b>45,241</b>	<b>18,574,136,893</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>0.00%</b>	

# Same

## Weighted Voting

For governance matters, each member of the board receives one vote. For budgetary matters, two board members may request a weighted vote. Each member entity's weighted vote is determined as follows:

$$\left( \frac{\text{Member Population}}{\text{Total UPD Population}} \times .5 \right) + \left( \frac{\text{Member Fee}}{\text{Total UPD Fees}} \times .5 \right) = \text{Weighted Voting Percentage}$$

A vote passes with 60% or more of the total weighted vote.

## Board of Directors



David Olsen  
Copperton



Carolyn Keigley  
Brighton



David Brems  
Emigration



Robert Dahle  
Holladay



Alan Peterson  
Kearns



Steve Prokopis  
Magna



Marcus Stevenson  
Midvale



Jeff Silvestrini  
Millcreek



Erin Litvack  
Salt Lake County



Jim Bradley  
Salt Lake County



Phillip Cardenaz  
White City

# Same

## Preliminary Budget Increase Maximum

The UPD administration, prior to budgeting for a fiscal year, proposes a preliminary budget increase maximum (PBIM). Once the UPD Board has adopted a PBIM, the administration develops a budget in line with PBIM. If the administration brings back a budget that exceeds the PBIM, the Board may only adopt the budget with a 75% weighted vote.

**FY 2023 Member Assessment - Tentative Budget**

5% COLA 5% Market - Civilian Suppl. Approach - SWORN	Millcraft Fund 22	Holiday Fund 26*	Michelle Fund 28	Total SUVLESA	Total CW - SUCs Sub-funded	Total UPD Budget
Precinct Direct SWORN Wages	4,871,500	2,749,000	3,856,500	9,480,750	4,681,250	25,566,999
Precinct Direct Civilian Wages (including Advocates)	156,750	79,500	131,250	271,750	1,551,000	2,190,251
Part Time Employees	-	-	23,000	-	49,950	72,949
Precinct Direct Crossing Guard Wages	311,500	119,500	81,650	604,850	-	1,117,500
Overtime	228,000	63,000	235,000	267,400	391,300	1,184,700
Employee Benefits (98% Officers)	3,201,750	1,791,000	2,533,750	6,149,500	3,846,750	17,522,750
<b>FY 2022-23 Precinct / District Wages &amp; Benefits Budget</b>	<b>8,769,500</b>	<b>4,802,000</b>	<b>6,861,150</b>	<b>16,700,250</b>	<b>10,320,250</b>	<b>47,655,150</b>
<b>FY 2022-23 Precinct Direct Operating Costs</b>	<b>1,248,450</b>	<b>574,350</b>	<b>835,950</b>	<b>2,246,880</b>	<b>1,783,635</b>	<b>6,683,265</b>
School District contributions to SRD	(130,000)	(97,500)	(90,000)	(162,500)	-	(480,000)
Records Fees	-	-	-	-	(62,500)	(62,500)
Gang Conference Registration Fees	-	-	-	-	(120,000)	(120,000)
Choose Gang Free	-	-	-	-	(670,500)	(670,500)
Grants and Other Revenue	(100,000)	(97,500)	(90,000)	(162,500)	(422,000)	(142,000)
<b>FY 2022-23 Precinct Revenue Totals</b>	<b>(180,000)</b>	<b>(97,500)</b>	<b>(90,000)</b>	<b>(162,500)</b>	<b>(1,175,000)</b>	<b>(1,705,000)</b>
<b>FY 2022-23 Budgetary Use of Precinct District Fund Balance</b>	<b>(1,150,000)</b>	<b>(490,000)</b>	<b>(490,000)</b>	<b>(1,550,000)</b>	<b>(500,000)</b>	<b>(1,690,000)</b>
<b>FY 2022-23 Total Precinct / District Direct Budget</b>	<b>6,439,950</b>	<b>4,214,850</b>	<b>5,277,100</b>	<b>12,293,580</b>	<b>8,323,880</b>	<b>35,743,115</b>
<b>FY 2021-22 Total Precinct Direct (Amended) Budgets</b>	<b>6,801,236</b>	<b>4,746,567</b>	<b>5,865,787</b>	<b>15,613,630</b>	<b>5,714,833</b>	<b>45,748,973</b>
<b>Difference</b>	<b>(361,286)</b>	<b>468,287</b>	<b>711,313</b>	<b>3,679,950</b>	<b>2,613,650</b>	<b>10,243,862</b>
<b>% Increase</b>	<b>-5.31%</b>	<b>9.87%</b>	<b>12.12%</b>	<b>23.45%</b>	<b>45.73%</b>	<b>22.39%</b>
<i>*Includes sub-budgets from the 2018-19-2020</i>						
Shared Services SWORN Wages	1,002,378	361,031	760,185	1,227,346	819,610	4,170,530
Shared Services Civilian Wages	746,502	268,871	566,134	914,043	500,950	2,996,500
Shared Services Part Time Wages	34,221	12,326	25,953	41,901	28,000	143,000
Shared Services Overtime	163,990	58,345	122,850	198,346	134,820	676,350
Shared Services Employee Benefits	1,024,023	583,259	806,688	1,300,911	810,750	4,367,500
<b>FY 2022-23 Shared Services Wages &amp; Benefits Budget</b>	<b>3,869,114</b>	<b>1,283,831</b>	<b>2,291,110</b>	<b>4,684,546</b>	<b>2,294,130</b>	<b>12,133,899</b>
<b>FY 2022-23 Shared Services Operating Cost</b>	<b>2,626,205</b>	<b>945,853</b>	<b>1,391,583</b>	<b>3,211,480</b>	<b>2,179,855</b>	<b>10,968,865</b>
<b>FY 2022-23 Shared Services Revenues</b>	<b>(139,492)</b>	<b>(50,241)</b>	<b>(105,788)</b>	<b>(170,799)</b>	<b>(106,280)</b>	<b>(572,400)</b>
<b>FY 2022-23 Budgetary Use of General Fund Balance</b>	<b>3,495,785</b>	<b>1,379,442</b>	<b>1,586,905</b>	<b>4,720,227</b>	<b>2,367,695</b>	<b>12,740,864</b>
<b>FY 2022-23 Adj Shared Svcs Allocation to Members</b>	<b>5,495,785</b>	<b>1,379,442</b>	<b>1,586,905</b>	<b>4,720,227</b>	<b>2,367,695</b>	<b>12,740,864</b>
<b>FY 2021-22 Shared Svcs Costs (after mid-yr wage increase)</b>	<b>4,799,207</b>	<b>1,677,712</b>	<b>3,583,561</b>	<b>5,520,584</b>	<b>3,091,011</b>	<b>19,281,115</b>
<b>FY 2021-22 Budgetary Use of General Fund Balance</b>	<b>(775,187)</b>	<b>(270,991)</b>	<b>(578,831)</b>	<b>(893,160)</b>	<b>(629,542)</b>	<b>(3,147,711)</b>
<b>FY 2021-22 Shared Svcs Allocation to Members</b>	<b>4,024,020</b>	<b>1,406,721</b>	<b>3,004,730</b>	<b>4,627,424</b>	<b>2,461,469</b>	<b>16,133,404</b>
<b>Difference</b>	<b>1,471,765</b>	<b>577,711</b>	<b>1,163,175</b>	<b>3,092,800</b>	<b>1,306,495</b>	<b>6,066,861</b>
<b>% Increase</b>	<b>36.57%</b>	<b>40.71%</b>	<b>38.71%</b>	<b>66.88%</b>	<b>53.44%</b>	<b>37.59%</b>
<b>Total FY2022-23 Estimated Member Assessment</b>	<b>13,983,735</b>	<b>6,968,293</b>	<b>11,775,005</b>	<b>23,959,857</b>	<b>15,196,890</b>	<b>71,683,779</b>
<b>FY2021-22 Member Assessment</b>	<b>12,625,268</b>	<b>6,532,888</b>	<b>9,874,517</b>	<b>21,253,360</b>	<b>12,776,344</b>	<b>62,882,377</b>
<b>Difference</b>	<b>1,358,467</b>	<b>435,405</b>	<b>1,900,488</b>	<b>2,706,497</b>	<b>2,420,546</b>	<b>8,801,402</b>
<b>% Increase</b>	<b>10.7%</b>	<b>6.7%</b>	<b>19.2%</b>	<b>12.7%</b>	<b>18.8%</b>	<b>14.0%</b>
<b>FY2021 Ending Fund Balance</b>	<b>1,582,232</b>	<b>677,569</b>	<b>834,063</b>	<b>2,834,734</b>	<b>1,697,918</b>	<b>7,626,536</b>
<b>FY2022 Proj Rev over Exp</b>	<b>689,685</b>	<b>425,920</b>	<b>665,445</b>	<b>1,056,873</b>	<b>384,473</b>	<b>3,222,396</b>
<b>Less: Budgetary Use of Fund Bal (FY2022 Precinct Budget)</b>	<b>(157,000)</b>	<b>(37,500)</b>	<b>(37,500)</b>	<b>(157,000)</b>	<b>(30,000)</b>	<b>(224,500)</b>
<b>FY2022 Projected Ending Member Fund Bal</b>	<b>2,271,917</b>	<b>946,489</b>	<b>1,462,008</b>	<b>3,891,607</b>	<b>2,052,391</b>	<b>10,624,432</b>
<b>FY2021 Audited Ending Member Fund Bal - Proposed</b>	<b>(10,279)</b>	<b>(76,037)</b>	<b>(102,991)</b>	<b>(300)</b>	<b>(42,029)</b>	<b>(52,608)</b>
<b>FY2021 Ending Member Fund Bal - Restricted for Grants</b>	<b>(76,037)</b>	<b>(76,037)</b>	<b>(76,037)</b>	<b>(76,037)</b>	<b>(76,037)</b>	<b>(309,582)</b>
<b>FY2021 Audited Ending Member Fund Bal - Committed</b>	<b>(201,250)</b>	<b>(128,935)</b>	<b>(189,065)</b>	<b>(421,301)</b>	<b>(472,891)</b>	<b>(1,413,442)</b>
<b>FY2022 Projected Ending Member Fund Bal - Available</b>	<b>1,964,371</b>	<b>817,354</b>	<b>1,272,943</b>	<b>3,436,461</b>	<b>1,537,471</b>	<b>9,048,800</b>
<b>FY2023 Allocation of Budgetary Use of Fund Bal (Shared Svcs)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>FY2023 Adjusted Beginning Fund Bal (after allocation)</b>	<b>1,964,371</b>	<b>817,354</b>	<b>1,272,943</b>	<b>3,436,461</b>	<b>1,537,471</b>	<b>9,048,800</b>
<b>Any Budgetary Use of Fund Balance is a reduction to the Member Assessment</b>						
<b>e.g., FY 2022 Budgetary Use of Gen Fund Bal</b>	<b>(775,187)</b>	<b>(270,991)</b>	<b>(578,831)</b>	<b>(893,160)</b>	<b>(629,542)</b>	<b>(3,147,711)</b>
<b>e.g., FY 2022 Budgetary Use of Precinct Fund Bal</b>	<b>(157,000)</b>	<b>(37,500)</b>	<b>(37,500)</b>	<b>(157,000)</b>	<b>(30,000)</b>	<b>(224,500)</b>
<b>FY2022 Reduction to (Discounted) Member Assessment</b>	<b>(775,187)</b>	<b>(270,991)</b>	<b>(578,831)</b>	<b>(893,160)</b>	<b>(629,542)</b>	<b>(3,192,211)</b>
<b>Changes in Shared Services revenues will also affect the Member Assessment</b>						

# Same

## Merit System

Even though the existing merit system will no longer be required after UPD separates from the Sheriff, UPD will continue the existing merit system for its officers and civilian staff.

2260

### PEACE OFFICER MERIT COMMISSION POLICY AND PROCEDURE CONSOLIDATION OF PEACE OFFICERS FROM ENTITIES JOINING THE UPD

#### PURPOSE

To establish the qualifications and procedures for who have been admitted as Members of the UPD

#### POLICY

One of the founding principles of the UPD is to gr UPD Interlocal Agreement provides that new mer and conditions as the original members." Further another municipality or entity becomes a member enforcement employees who become employees terms and conditions as described herein." The L terms under which new members will be admitt

#### APPLICATION

This policy only applies to instances in which swc admitted as members of the UPD are being cons This policy supersedes any other Merit Commiss

#### DEFINITIONS

**CONSOLIDATE/CONSOLIDATION:** The proces become a member of the UPD are integrated into established by the UPD Board. This process is di 17-30-6 - 17-30-11 in that the employees being i contemplated in those statutes.

#### PROCEDURES

##### 1.0 QUALIFICATIONS FOR SPECIAL CERTIFIC

The Merit Commission may, upon request from tl category of employees of an entity that has been individuals who meet Merit Commission and UPD P.O.S.T. certified.

2270

### PEACE OFFICER MERIT COMMISSION POLICY AND PROCEDURE HIRING OF PEACE OFFICERS FROM THE UNIFIED POLICE DEPARTMENT TO THE SALT LAKE COUNTY SHERIFF'S OFFICE

#### PURPOSE

To establish the qualifications and procedures for hiring merit system officers from the Unified Police Department (UPD) to the Salt Lake County Sheriff's Office.

#### POLICY

To hire merit system officers from UPD to the Sheriff's Office in an accelerated manner ensuring continuity of law enforcement services, public safety, and hiring preference to current UPD merit system members using the procedures outlined in this policy.

#### APPLICATION

This policy only applies to instances in which merit officers from the UPD become employees of the Salt Lake County Sheriff's Office during the return of services, lasting no longer than July 1, 2025.

This policy supersedes any other Peace Officer Merit Commission (POMC) policy in conflict herewith.

#### DEFINITIONS

**HIRING OF UPD OFFICERS (HIRING):** The process by which merit officers from the UPD are integrated into the Sheriff's Office merit system through employment with the Salt Lake County Sheriff's Office.

#### PROCEDURES

##### 1.0 SENIORITY

- 1.1 UPD merit officers hired by the Sheriff's Office Law Enforcement Bureau (LEB) will retain their seniority in their current UPD rank. This provision will remain in effect until the return of services from UPD to the LEB is complete or until July 1, 2025, whichever comes sooner.
- 1.2 Merit officers serving in a temporary appointed rank, according to section 6.0 in this policy, will accrue seniority service time in their current merit rank.

# Same

## Dissolution

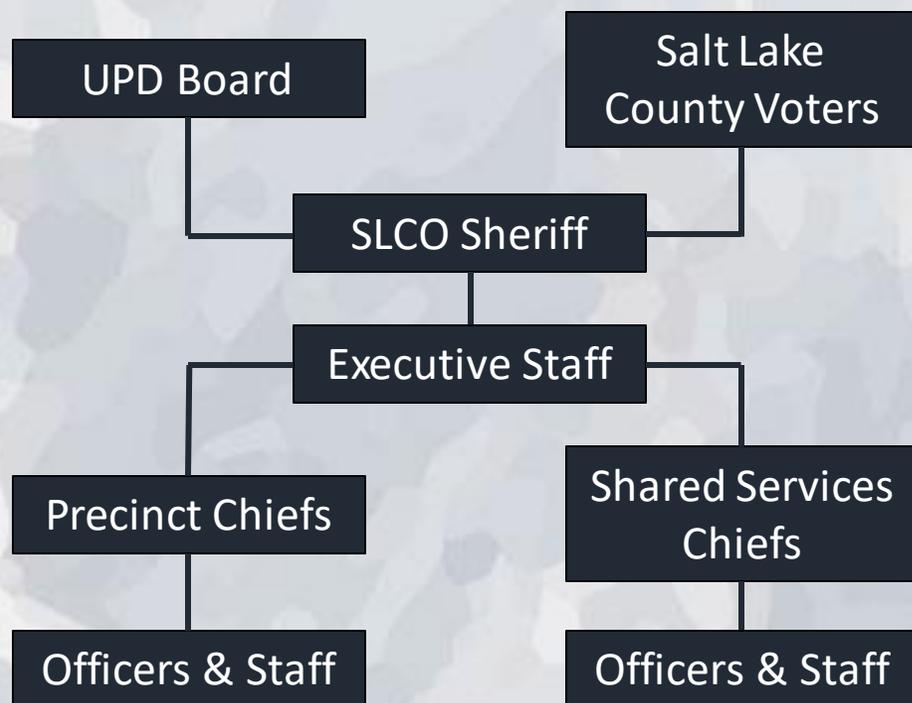
In the event UPD dissolves by unanimous consent of its members, assets that were contributed by a member and are still identifiable will be returned to the contributing member. All other assets and liabilities will be distributed proportionately to the members based on their respective member fee.



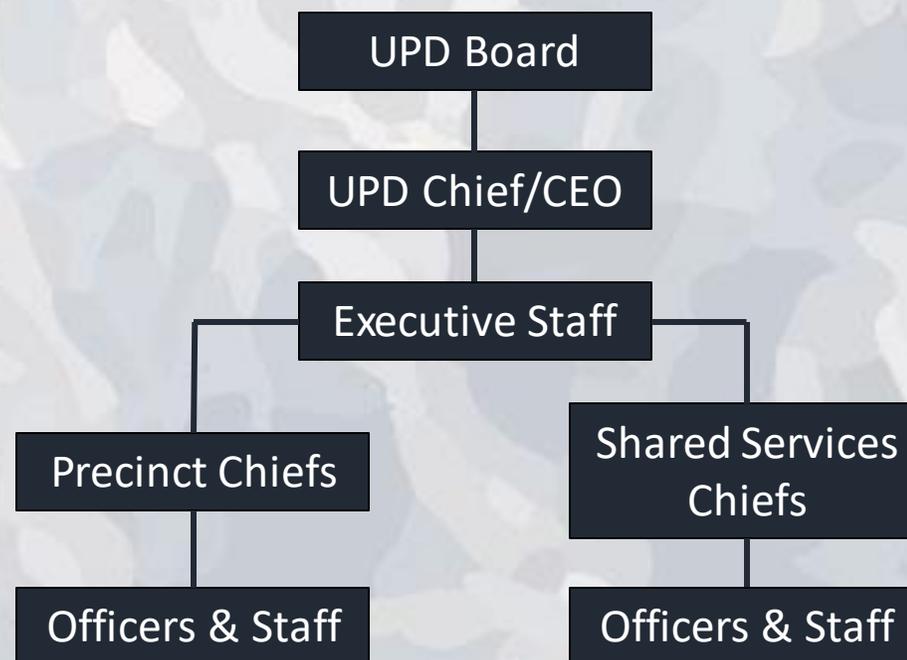
# Different

## Governance

Current



Proposed



# Different

## Governance

Under the proposed interlocal, the CEO/UPD Chief will be appointed by the UPD Board. The CFO and CLO must be approved by the Board. They will also report to and may be removed by the UPD Board. While supervised by the CEO/UPD Chief, they explicitly have an independent duty to report to the UPD Board.

### Executive Management



Sheriff Rosie Rivera  
CEO



Wayne Dial  
Chief of Police



Debra Sanchez  
CFO



Mark Olsen  
HR Chief



Harry Souvall  
Chief Legal Counsel

The elected Sheriff of Salt Lake County serves as CEO. The UPD provides all financial and HR management resources under the direction of the Board of Directors.

# Different

## Precinct Chiefs

Under the proposed interlocal, precinct chiefs will be appointed by the UPD Chief with the approval of the Board and the affected member(s). Both the UPD Chief and affected member(s) may request that the precinct chief be reassigned. If there is a disagreement about a request, the UPD Board will make the final decision.

Precinct	Precinct	Precinct	Precinct	Precinct
 City of Holladay				
				
Chief Justin Hoyal	Chief Levi Hughes	Chief Del Craig	Chief Randy Thomas	Chief Christine Petty-Brown

# Different

## Member Fund Balances

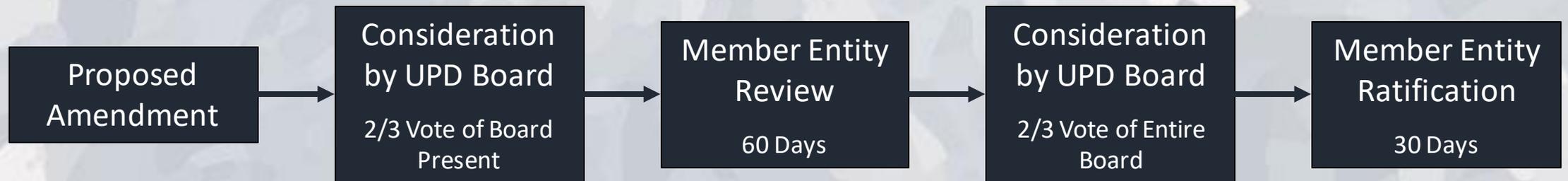
Member fund balances are recognized in the revised and restated interlocal agreement. Existing balances will be carried over. The member may use their fund balance to pay for their member fee or request that it may be returned. The fund balance will also be paid out to a vested departing member. The UPD Board will have the ability to adopt policies that limit or eliminate member fund balances moving forward.

Midvale - Budgetary Use of Precinct Fund Balance Options			
	Precinct	Shared Services	Total
<b>Revenues</b>			
School district pymt for SRO	90,000	-	
Other Revenues		105,788	
Budgetary use of precinct fund bal	-	-	
<b>Totals</b>	<b>90,000</b>	<b>105,788</b>	<b>195,788</b>
<b>Expenditures</b>			
Salaries - sworn	3,856,500	760,185	
Salaries - civilians	131,250	566,134	
Salaries - part-time	23,000	25,953	
Salaries - crossing guards	81,650	-	
Overtime	235,000	122,850	
Benefits	2,533,750	806,988	
Operations	835,950	1,991,583	
Transfers - out for new FTE (vehicle & equip)	-	-	
Transfers - out (Fund Bal to Shared Svcs)	-	-	
<b>Totals</b>	<b>7,697,100</b>	<b>4,273,693</b>	<b>11,970,793</b>
<b>Revenues needed to balance</b>	<b>7,607,100</b>	<b>4,167,905</b>	<b>11,775,005</b>
<b>Precinct Fund Balance</b>			
FY2022 Projected Ending Fund Bal (rounded)	1,272,950	(proj includes any CY Use of Fund Bal)	
8.5% retained (rounded)	(588,400)		
<b>Amount available to mitigate increases</b>	<b>684,550</b>		
Fund bal transferred to Shared Svcs	-		
Fund bal used to for precinct operations	-	(8.5% + additional amt retained)	
<b>Fund bal retained in addition to 8.5%</b>	<b>684,550</b>	<b>1,272,950</b>	<b>Proj Fund Bal</b>
<b>FY2023 member assessment</b>	<b>7,607,100</b>	<b>4,167,905</b>	<b>11,775,005</b>
<b>FY2022 assessment (reduced by Use of Fund Bal)</b>	<b>6,869,787</b>	<b>3,004,730</b>	<b>9,874,517</b>
<b>Difference</b>	<b>737,313</b>	<b>1,163,175</b>	<b>1,900,488</b>
<b>% Difference</b>	<b>10.73%</b>	<b>38.71%</b>	<b>19.25%</b>
<b>FY2023 member assessment</b>	<b>7,607,100</b>	<b>4,167,905</b>	<b>11,775,005</b>
<b>FY2022 assessment (reduced by Use of Fund Bal)</b>	<b>6,869,787</b>	<b>3,004,730</b>	<b>9,874,517</b>
<b>FY2022 Budgetary Use of Fund Bal</b>	<b>37,500</b>	<b>578,831</b>	<b>616,331</b>
<b>True FY2022 member assessment</b>	<b>6,907,287</b>	<b>3,583,561</b>	<b>10,490,848</b>
<b>True Increase in Member Assessment</b>	<b>699,813</b>	<b>584,344</b>	<b>1,284,157</b>
<b>% Difference</b>	<b>10.13%</b>	<b>16.31%</b>	<b>12.24%</b>

# Different

## Amendments

Under the current interlocal, the UPD Board can vote to amend the interlocal agreement with a 2/3 vote. Each member entity is then required to execute the amendment. Under the proposed interlocal, an amendment will follow the process laid out below:



If a member fails to ratify an approved amendment, it will be considered a notice to withdraw.

# Different

## Admission

Under the current interlocal agreement, new members may be added by a majority vote of the UPD Board. Under the proposed revised and restated interlocal, UPD staff will first conduct a feasibility study to evaluate the effect of adding a new member. The feasibility study will look at the employees, assets, liabilities, population, growth, and other factors. The UPD Board can require a separate agreement requiring a minimum period of membership. A 2/3 vote by the UPD Board is required to add a new member and ratification by the member entities' respective councils.

### Second Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and

THIS AMENDMENT is made and entered into this 3rd day of May, 2011, by and between SALT LAKE COUNTY, a body corporate and politic (the "County"), CITY OF HOLLADAY, a municipal corporation and political subdivision of the State of Utah ("Holladay"), RIVERTON CITY, a municipal corporation and political subdivision of the State of Utah ("Riverton"), HERRIMAN CITY, a municipal corporation and political subdivision of the State of Utah ("Herriman"), and MIDVALE CITY, a municipal corporation and political subdivision of the State of Utah ("Midvale") and the SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA, a service area and political subdivision of the State of Utah ("SLVLESA"). In this Amendment, Holladay, Riverton, Herriman, and Midvale are collectively referred to as the "Cities" or individually as the "City," and the County, SLVLESA, Holladay, Riverton, Herriman, and Midvale are collectively referred to as the "Members."

A. The Members formed the UPD with the understanding that at a future date other municipalities and governmental entities may want to join the UPD.

B. The UPD desires to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement.

C. Midvale desires to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement.

D. Midvale has complied with its ordinances in seeking to join the UPD.

E. Midvale is a "public agency" and "instrumentality" of the State of Utah for purposes of UTAH CODE ANN. § 11-13-203 and desire to join the UPD and become a signatory to the UPD Formation Interlocal Agreement.

NOW, THEREFORE, in consideration of the promises, the mutual covenants and undertakings of the Members, the receipt and sufficiency of which is hereby acknowledged, and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Members hereby agree as follows:

1. **Midvale Admitted as Member.** Upon the signing of this Amendment by Midvale and acceptance of Midvale's request to join the UPD by the UPD Board, Midvale shall be a Member of the UPD subject to all the terms and conditions of the UPD Formation Interlocal Agreement and shall be entitled to a seat on the UPD Board and shall have full voting rights on said Board.

### First Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance

THIS AMENDMENT is made and entered into this 3rd day of May, 2011, by and between SALT LAKE COUNTY, a body corporate and politic (the "County"), CITY OF HOLLADAY, a municipal corporation and political subdivision of the State of Utah ("Holladay"), RIVERTON CITY, a municipal corporation and political subdivision of the State of Utah ("Riverton"), HERRIMAN CITY, a municipal corporation and political subdivision of the State of Utah ("Herriman"), and MIDVALE CITY, a municipal corporation and political subdivision of the State of Utah ("Midvale") and the SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA, a service area and political subdivision of the State of Utah ("SLVLESA"). In this Amendment, Holladay, Riverton, Herriman, and Midvale are collectively referred to as the "Cities" or individually as the "City," and the County, SLVLESA, Holladay, Riverton, Herriman, and Midvale are collectively referred to as the "Members."

#### RECITALS:

A. All of the initial Members have been receiving law enforcement services from the Unified Police Department ("UPD") pursuant to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance ("UPD Formation Interlocal Agreement").

B. The initial Members formed the UPD with the understanding that at a future date other municipalities and governmental entities may want to join the UPD.

C. Midvale desires to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement.

D. Midvale has complied with its ordinances in seeking to join the UPD.

E. Midvale is a "public agency" and "instrumentality" of the State of Utah for purposes of UTAH CODE ANN. § 11-13-203 and desire to join the UPD and become a signatory to the UPD Formation Interlocal Agreement.

NOW, THEREFORE, in consideration of the promises, the mutual covenants and undertakings of the Members, the receipt and sufficiency of which is hereby acknowledged, and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Members hereby agree as follows:

1. **Midvale Admitted as Member.** Upon the signing of this Amendment by Midvale and acceptance of Midvale's request to join the UPD by the UPD Board, Midvale shall be a Member of the UPD subject to all the terms and conditions of the UPD Formation Interlocal Agreement and shall be entitled to a seat on the UPD Board and shall have full voting rights on said Board.

# Different

## Withdrawal

Under the current interlocal, a member was entitled to its proportional share of assets and liabilities as determined by a withdrawal formula set by the UPD Board. This formula has changed numerous times over the years. Under the proposed interlocal, a withdrawing member who has met their minimum term is entitled to receive their precinct-level inventory, vehicles, and equipment. The withdrawing member is also required to engage in an employee selection process for UPD personnel before opening their recruitment generally. Hired UPD officers may take their PPE with them.



# Different

## Failure to Pay/Budget

Under the proposed revised and restated interlocal, if an entity does not pay its member fee, it will be given 30 days to pay the fee. If it still has not paid its fee, it will be considered in default and UPD will proceed with legal action to collect its fee and any costs. If a member fails to budget for its member fee, it will be required to exit UPD and forfeit its fund balance, vehicles, and equipment. It may also be subject to additional legal consequences and fees.



# Questions?



# Recommended Motion

**I move to adopt Resolution 2024-R-16 Authorizing the Mayor to Execute the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake.**



# Midvale City Event Sponsorship Policy

March 26, 2024

# Sponsorship Process & Harvest Days

- **Current Sponsorship Process**

- Midvale may receive sponsorships, but is required to have them approved by City Council.
- Midvale has not had a specific policy regarding sponsorships or a strategy for seeking private support of events.

- **Harvest Days**

- Harvest Days Committee has requested permission to pursue sponsorships to enhance event offerings and to provide an opportunity for local businesses to participate.

# Shaping Sponsorship Policies for Midvale

## **Staff researched how other municipalities approached sponsorships for events.**

- Many municipalities have adopted policies or procedures to allow for event sponsorships, including: Millcreek City, Draper City, Murray City, Herriman City, and West Valley City. These policies consider:
  - Conflict of interest,
  - The best interest of the city,
  - Government speech,
  - City's right to accept, reject, or cancel sponsorships,
  - Reciprocity.

## **Staff sought Midvale City Council direction. City Council provided staff the following feedback:**

- Sponsorships under \$5000 fall under the discretion of the City Manager,
- Make good faith effort to prioritize businesses owned and operated in Midvale,
- Have clear conflict of interest guidelines,
- Limit value-based criteria for acceptance.

# Proposed Policy for Midvale

## **Midvale City staff developed the Midvale City Event Sponsorship Policy, which includes:**

- The City Manager is authorized to accept sponsorships and monetary donations up to \$5,000 on behalf of the City, anything valued above \$5,000 requires City Council approval.
- Accepting a proposed sponsorship is at the discretion of the City.
- Proposed sponsorships will not be accepted from entities with business before the City, that have violated State or Local laws, or that are not appropriate for all audiences.
- The City reserves the right to terminate sponsorships that violate the sponsorship policy.

# Staff Recommendation

**RECOMMENDED MOTION: I move to approve Resolution No. 2024-R-17**

**Approving the Midvale City Event Sponsorship Policy.**

# Questions





# Midvale City Event Sponsorship Policy

March 26, 2024



**Modifying the  
Authorization of  
Mitigation  
Funds for The  
Road Home**

**March 26, 2024**

# The State Homeless Shelter Cities Fund

**The State Homeless Shelter Cities Mitigation (HSCM) Fund was established in 2018 through legislation (HB 499) with the objective to alleviate the impact of year-round and emergency shelters on the host cities throughout the State.**

- Each year HSCM funds are awarded to cities hosting eligible shelters to reduce the impact of the shelter in three ways: public safety, emergency services, and direct services.
- The HSCM Restricted Account is funded by cities who do not have an eligible shelter and direct funding from the State.
- The amount awarded each year is based on funds available and distributed by the formula outlined in Utah State Code 35A-16-4.
- The Office Of Homeless Services (OHS), a department within Utah's Department of Workforce Services is responsible for the distribution and oversight of the HSCM program.

# Funds Awarded to Midvale City FY 2023-24

**This fiscal year, Midvale City received \$2,893,318 of HSCM funds, these funds were approved for:**

- FTE of 6 Shelter Resource Officers,
- FTE of 3 Patrol Officers,
- FTE of 0.5 Victim Advocates,
- Insurance and supplies needed for these FTEs,
- A weekly clean-up of the 7200 S Corridor, and
- A sidewalk and crosswalk along 700 W (from where the sidewalk ends in front of Pro Storage Midvale to Midvale City Hall).

# Additional Funds Awarded in Second Half of 2023-24 Fiscal Year

**In December, OHS notified Midvale City that more funds than expected were available in the HSCM Restricted Account and an additional \$228,000 (one-time) would be awarded to Midvale City. On January 16, 2024, Midvale City Council approved Resolution 2024-R-05 recognizing the following uses for the funds:**

- Daily bus passes from UTA (for Shelter Resource Officers and shelter staff to hand to folks who need them),
- Narcan for our patrol and Shelter Resource Officers (to administer to folks experiencing opioid overdoses),
- Property improvements for Midvale Family Resource Center:
  - Kitchen Renovation and Appliances
  - Facility improvements
- Permanent Flexible Housing for Midvale Family Resource Center Families

# HSCM Funding Transfer

**The Road Home is seeking to use part of the HSCM funds transferred to them from the City to help fund alternative housing for TANF ineligible families. For The Road Home to utilize HSCM funds, Midvale City Council would need to modify the eligible uses listed in Resolution 2024-R-05.**

- Using HSCM funds for alternative housing is allowed under State law and has received a pre-approval by the Office of Homeless services.
- Staff is proposing to adopt a new resolution authorizing the transfer of HSCM funds to The Road Home, but adds that up to \$100,000 of the transferred funds may be used for any mitigation efforts allowable under Utah Code Ann. § 35A-16-401(4).

# Recommended Motion

**Recommended Motion: I Move that we Approve Resolution No. 2024-R-18 A Resolution Modifying the Authorization of the Mayor to Direct Additional State Homeless Shelter Cities Mitigation Program Funds to The Road Home.**

# Questions





**Modifying the  
Authorization of  
Mitigation  
Funds for The  
Road Home**

**March 26, 2024**



# Midvale City Council

Festival Lighting and  
City Hall Improvement  
Construction Access and  
Transfer Agreement with  
The Redevelopment  
Agency of Midvale City

# Summary

This spring, the Redevelopment Agency of Midvale City (“Agency”) is funding and managing two significant construction projects taking place within Midvale Main:

1. The City Hall Plaza and Streetscape Improvements
2. Festival Lighting Project

However, both projects are taking place on City-owned property.

This agreement will grant the Agency access to improve the designated City-owned properties. Furthermore, it outlines the transfer of ownership and maintenance responsibility for the improvements back to the City upon completion of construction and the warranty period.

# Recommended Motion

“I move that we suspend the rules and adopt Resolution No. 2024-R-19 authorizing the Mayor to execute the Festival Lighting and City Hall Improvement Construction Access and Transfer Agreement with the Redevelopment Agency of Midvale City.”



# Midvale City Council

Amendments to Chapter  
9.32.090

# Summary of Amendment

Chapter 9.32.090 of the Midvale Municipal Code currently prohibits the consumption and possession of alcohol on all public property and public right of ways.

This amendment would allow the consumption of alcohol on public property and public right of ways under certain regulations and conditions as follows:

## Forms & Documents:

### Restaurant - Limited Service Application - Begin Here

- Application fee - \$330 non-refundable
- Initial licensing fee - \$1,275
- Renewal fee - \$750
- [License Fee Schedule](#) ↗
- [Application Document Checklist](#) ↗
- [Restaurant - Limited Service Handbook](#) ↗
- [Restaurant - Limited Service Annual Audit](#) ↗
- [Alcohol Beverage Combinations - two-drink limit](#) ↗
- [Bars Dispensing to Adjoining Restaurants](#) ↗
- [New Restaurant Dispensing Area Application](#) ↗
- [Confirming Intent to Order Food](#) ↗
- [Consuming Alcohol only at a Dining Table](#) ↗
- [Dispensing Area \(the bar\) vs. Storage Only](#) ↗
- [Shared Kitchen information](#) ↗

The following documents are incorporated in the application form, but are also available for individual download:

- [Restaurant - Limited Service Surety Bond Form](#) ↗ - \$5,000
- [Restaurant - Limited Service Local Consent Form](#) ↗

# Summary of Amendment



Approved Site Plan Requirement: The proposed amendment allows the consumption and possession of alcoholic beverages in specified public areas if the location is included in DABS approved site plan filed with the City by a licensee.

Compliance with State and Local Regulation: The amendment specifies that any licensee wishing to allow alcohol consumption must adhere to all state and local regulations.

# Recommended Motion

“I move that we approve Ordinance No. 2024-O-05 Amending Chapter 9.32.090 of the Midvale Municipal Code Regarding Alcoholic Beverages in Public Parks and Public Places”