



SPECIAL CITY COUNCIL WORK MEETING MINUTES

Tuesday, March 29, 2016
Approved April 27, 2016

The following are the minutes of the Special City Council Work Meeting of the Herriman City Council. The meeting was held on **Tuesday, March 29, 2016 at 7:00 p.m.** in the Herriman City Community Center Front Conference Room, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

Presiding:

Mayor Carmen Freeman

Council Members Present:

Jared Henderson, Nicole Martin, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Tami Moody, Director of Administration and Communication
John Brems, City Attorney
Jackie Nostrom, City Recorder
Dwayne Anjewierden, Chief of Police
Cody Stromberg, UPD Lieutenant
Sheriff Winder, Salt Lake County Sheriff
Andrew Keddington, SLVLESA Administrator/UPD Finance Director

7:00 PM - WORK MEETING: *(Front Conference Room)*

COUNCIL BUSINESS

A. Administrative Reports

1. [7:08:26 PM](#) **Discussion regarding Salt Lake Valley Law Enforcement Service Area (SLVLESA)** – Sheriff Jim Winder, Salt Lake County Sheriff

Salt Lake County Sheriff thanked the council for the opportunity to present the benefits of being a member of the District. He explained that the membership should be viewed as a tool that cannot be described as good or bad. He reviewed the compiled list of benefits as outlined:

- Dedicated tax for public safety
 - Residents can trust 100% of taxpayer funds will be used to deliver service
 - Public safety does not compete with other city demands for service
 - Protects against comingling funds for other priorities.

- Reliable revenue source for budgeting
- Emphasis on service delivery
 - Heightens level of service desired by constituents
 - Focused service – performs a specific service well without distractions of other government services
 - Links cost of service to delivery and benefit
- Open and Transparent Government
 - Taxpayer transparency – line item on Individual Tax Notice
 - Annual independent audit
 - Comply with State statute and Open Meetings Act
 - Governed by Board Members elected from partner entities
 - Voter Driven
- Regional Ability
 - Service based on need
 - Offers flexibility to address unique needs of communities by eliminating political boundaries

Sheriff Winder explained that SLVLESA negotiates their portion of fees for projects in a Community Development and Renewal Agency to eliminate tension between the City and Developer. The District is a funding mechanism for police services that provide dedicated resources and can be viewed as an independent entity. Mayor Freeman asked Sheriff Winder about their discussion with Riverton City Officials. Sheriff Winder responded that their discussion was positive with recognitions that the need for revenue was imminent. Mayor Freeman questioned how Herriman would be affected if Riverton decided to opt out of SLVLESA services. Sheriff Winder assured the Council that the District would continue to run smoothly if there was a separation.

Councilmember Jared Henderson expressed his concern about the viability of the District and requested additional information as to why only some jurisdictions participate in SLVLESA. Sheriff Winder explained that needs consistently change and there will always be entities that will want to participate, and then later decide that they would like to opt out of the service. Mayor Freeman interjected that the District provides a “safety net” in terms of taxes and you could get leadership geared towards law enforcement; however the control for law enforcement funding would diminish if it was determined to leave the District. Councilmember Tischner divulged that his primary focus is police and fire services. Mayor Freeman expressed his recommendation to the Council to remain in the District, and revisit the issue in the future. Councilmember Henderson explained that he had not contemplated leaving the District, but would like to assess all options and press forward with the plan that best serves the community long-term.

Sheriff Winder reviewed the measured approach moving forward based on new growth. Councilmember Moser indicated that the model does not apply to current resources. She requested to review the five-year plan and suggested that every municipality be reassessed based on the presented formula. Sheriff Winder noted that the current level of service is predicated on the revenues received, and Herriman has maintained a fund balance. SLVLESA Administrator/UPD Finance Director Andrew Keddington outlined the partner

revenue and expenditures and explained the position of each member of the District. Councilmember Martin recommended that the total net position of each member should be communicated because no resident wants to feel like they are funding services outside of their boundary. Councilmember Henderson questioned why the information was not available prior to Director Keddington recently providing the document. Sheriff Winder thanked Director Keddington for his diligent work in compiling the information.

Councilmember Moser asked for the breakdown of centrally assessed revenue. Director Keddington explained that the centrally assessed is valuable and provides for what is best for the District at that time. Councilmember Moser indicated that the Council would need to convince residents of the need for a tax increase. Director Keddington reiterated the formula for new growth revenue and “tools” to run through a very data driven decision. Councilmember Henderson asked what would happen with an inflationary increase. Sheriff Winder responded that the District would have to be committed to the long term vision to absorb the unknown. Councilmember Henderson noted that there was an inherent conflict in the way that the five-year plan was set up and would need to be adjusted as issues arise. Sheriff Winder agreed, and indicated that he believed that the tool was positive in terms of management. Mayor Freeman indicated that he was not committed to go this route forever. He relayed his confidence in Director Keddington, and was excited to see how the model would work. Councilmember Moser indicated that she would like to be prepared to answer questions from constituents.

Councilmember Tischner questioned the urgency of making a decision. Sheriff Winder responded that the Board would need to time for the preparation of materials to explain the reasoning behind the increase. Councilmember Moser agreed, and added that the elected officials need to have common sense of where the District is headed. Sheriff Winder indicated that he would like to come to a solution that works for everyone, and educate the public. Councilmember Henderson stated that it would have been better to begin the discussion with the plan and not just a request for a tax increase. Sheriff Winder extended his apologies for the misconception.

Director Keddington continued with seeking approval of the following three items: the acceptance of the plan and does the District agree that at designated fund balance of 25-percent by 2021, that the new revenue deriving from new growth be dedicated to new growth resources, and the three-percent inflation and market contract for UPD. He explained that previously the new growth revenue funded inflation and market contract instead of being allocated for additional resources. Mayor Freeman responded that there are still questions about the document. Councilmember Moser shared her concern that the proposal to be considered on Thursday is to adopt the resolution accepting that the Board is prepared “to implement the financial decisions necessary for successful implementation of the plan”. In essence, the proposal would commit Herriman to what increase is indicated in the plan. Director Keddington responded that the proposal and resolution is for a “later date discussion” and they are only looking for ways to implement the plan. Sheriff Winder added that he was looking for solutions to bring the members to a consensus. Mayor Freeman recommended that the Board should bring scenarios and models to the Council for discussion. Sheriff Winder explained that the specific modelling is hypothetical and would

vary from each member jurisdiction. The plan will be altered based on input of revenue and sufficient fund balance. Councilmember Moser stated that the plan should allow for the board to accommodate new growth, and not just be dependent on fund balance. Director Keddington confirmed.

Councilmember Moser asked what entity has been benefitting from centrally assessed funding. Sheriff Winder responded that the funding has been allocated to unincorporated Salt Lake County. Councilmember Moser suggested that the centrally assessed should be allocated proportionately between the member entities. Sheriff Winder disagreed. Councilmember Moser indicated that Herriman City has been arguably paying less overall; therefore, does not warrant an 11-percent tax increase. She expressed her concern over the county funding their services through centrally assessed. Councilmember Martin relayed her position that every dollar Herriman City has contributed has been sitting in a CAFR, which makes the City whole. She expressed her support to move forward as long as that fact would remain. Director Keddington explained that Herriman's tax value of approximately 97-percent is comprised of real property. The County's tax value sits at approximately 75-percent with the remaining funding being centrally assessed. Riverton and Herriman do not have a lot of centrally assessed properties in their respective jurisdictions and cannot use the centrally assessed funds.

Councilmember Moser asked about the proposal of the new plan. Director Keddington indicated that he would recommend a district approach to grow fund balance, and to allocate new resources based off of new revenue. Sheriff Winder reiterated that it would be new revenue that would determine additional resources. Current service is predicated on current resources. Director Keddington reviewed the hypothetical 11-percent tax increase scenario. Councilmember Martin observed that the new model would make centrally assessed a benefit to the entire District, and that resources would be based on need.

Councilmember Henderson questioned the process if a city that incurred deficits in public service wanted to join the District. Director Keddington responded that the board would have to render a decision. Councilmember Henderson expressed his comfort level with the plan. Sheriff Winder suggested that staff offered a recommendation, and has not spent time to conduct an in depth analysis due to the lack of time or resources. Councilmember Martin recommended removing the portion of the plan allowing any city to come into the district until an approved recommendation. Councilmember Moser added that it would offer time to adopt a potential future strategy.

Councilmember Moser questioned if the county seats would be removed from the Board beginning January 2017. Director Keddington explained the District Statute, and outlined that it would require a supermajority required to change allocations. Councilmember Moser expressed her frustration that Herriman and Riverton would not have enough of a voice to allocate new growth resources. Director Keddington offered some options to overcome the issue of the County holding a majority of the board. Councilmember Tischner divulged that the simple majority would have the ability to overturn any implemented policy.

Sheriff winder and Director Keddington were excused

Mayor Freeman relayed a conversation with the Riverton Board Member for SLVLESA, who indicated that Riverton did not have an appetite for a major increase and questioned the fund balance. He suggested that they would only favor a small increment tax increase based on the model. Councilmember Martin divulged that a tax increase is “unequally unhappy” whether the proposed increase is minimal or large. If the member entities are going to move forward with a nominal increase, they might as well ensure they will receive enough funding to provide adequate public safety resources. Mayor Freeman expressed his opinion that the District would still be at a deficit with a minimal increase; however, he had too many unanswered questions to agree to a large tax increase. Councilmember Henderson agreed. Councilmember Tischner explained that he would not support a tax increase. Councilmember Henderson interjected to note that the District would be condemned with no increase, and if that is the position of the Council, we should look at removing Herriman City from the SLVLESA. Councilmember Martin reviewed the timeline of becoming a member of SLVLESA in 2012, and they have not requested a tax increase even with the tremendous growth throughout the community. It would be disingenuous to demand additional resources without the necessary funding. Councilmember Moser indicated that the growth has happened and additional resources should be funded from the new growth. The resources needed by Herriman City have already been paid. Herriman does not need an immediate 11-percent or even the nominal three-percent increase, and the District is recommending the increase purely because of SLVLESA as a whole. She questioned why the City should decide to remain in the District based on the facts presented.

Unified Police Department Chief Dwayne Anjewierden explained that county history indicates that they like to implement a large tax increase and maintain for several years. There are financial concerns with SLVLESA, and need to request a tax increase. Herriman would maintain staffing needs very well if Herriman decided to remain in the District. He explained the formula for calls for service, geography and population. Herriman City’s population is increasing; however, calls for service have only minimally increased. Councilmember Moser reiterated her concern of accountability, and the lack of provided information. Herriman has a strong fund balance. Chief Anjewierden indicated that the UPD is comfortable with the position of the Council. The formula is accurate enough that it won’t matter where the funding is coming from, and everything will automatically balance. Herriman is a low crime community and has been able to maintain coverage with current staffing. He suggested that the discussion determining whether or not to be removed from the District should not be done today. Councilmember Moser explained her concern of the nine-member board with seven members being from county entities which would leave Herriman and Riverton without a voice.

Mayor Freeman indicated that they should lay everything out on the table during the discussion that will commence on Thursday. Councilmember Henderson stated that there is not enough time to figure all of the unknowns out. He indicated that there would be an inflationary increase, and requested to find a common place somewhere in the middle of the proposals to be able to figure out the unknowns. Councilmember Moser observed the county centric focus clearly needs the tax increase. Mayor Freeman expressed his support of the three-percent increase model, and explained that he is not ready to remove the City

from the District. He relayed his confidence in Director Keddington, and recommended reviewing the model in a year to see if issues have been resolved. Councilmember Henderson reiterated that the Council needs to look at a long-term solution.

Mayor Freeman asked for direction from the Council, and reiterated his tolerance would be to look at a three-percent increase. Councilmember Moser recommended focusing on a four-percent increase. Councilmember Henderson agreed with Mayor Freeman with a three-percent increase. Councilmember Martin indicated that she was interested in embarking a fundamental change and would be comfortable with three-percent increase. Councilmember Tischner indicated that he is not comfortable with a tax increase, as Herriman's fund balance does not warrant one.

Mayor Freeman asked the Council if they were comfortable with the five-year plan. Council consensus determined they were not comfortable with the plan. City Manager Brett Wood explained that the City could begin to use new growth revenue for additional resources. Chief Anjewierden agreed, and added that resources could be considered: staffing allocations, buildings, or fund balance. The resources would come back to the community. City Manager Wood informed the Council that he would like to be more proactive with public safety.

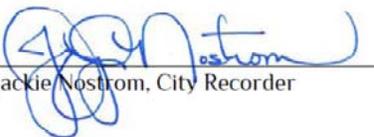
2. Additional Items

B. [9:50:24 PM](#) **Adjournment**

COUNCILMEMBER MOSER MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING. COUNCILMEMBER HENDERSON SECONDED THE MOTION, AND ALL VOTED AYE.

*This document constitutes the official minutes for the
Herriman City Council Meeting held on Tuesday, March 29, 2016*

I, Jackie Nostrom, the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday, March 29, 2016.


Jackie Nostrom, City Recorder