



LYN CRESWELL
CITY ATTORNEY

O 801.464.6719
F 801.464.6791

13 June 2017

From: Lyn Creswell, City Attorney

To: City Council

Copy: Mayor and City senior staff

1. City Council requested information about “appointments” of City employees or elected officials to outside boards, commissions, or organizations.
2. We provided initial information to Council Chair Pender in January. This memo updates that information for the entire Council. See attachment.
3. As context, all senior City employees represent the City on a wide range of State-hosted and County-hosted collaboration groups, and many State and regional professional associations.
4. For the purposes of the Council’s request, we looked at those boards, commissions, or bodies which were created or recognized in Interlocal agreements or other actions taken by the City Council. Craig Burton helped us identify the Council actions where the City was to be represented with an outside body.
5. We have marked the attachment as a “draft” document. The City Recorder and City Attorney will continue to identify “appointment” cases - where the City Council was involved in taking action. It is possible there are other cases we did not discover in our search.

Attachment

CHERIE WOOD
MAYOR

220 E MORRIS AVE
SUITE 200
SOUTH SALT LAKE CITY
UTAH
84115

O 801.483.6000

F 801.483.6001

SOUTHSALTLAKECITY.COM

Appointments

(draft as of 7 June 2017)

Central Valley Waste Water Treatment Facility Board

The Board appointment to Central Valley is governed by Paragraph IV.B. of the Interlocal Agreement.

- The Member Entity (South Salt Lake) appoints "an elected official" by action of its governing board (SSL City Council).
- The Board member serves "at the pleasure of the governing body" of the Member Entity and "so long as the appointee remains an elected official of that body."
- The Member Entity may designate an "alternate" in the event the Board appointee is not able to attend any Board function. The alternate is not required to be an elected official. However, such alternate member should not be allowed to become a "regular" Board member.
- An appointee and any alternate serves until successors are appointed.

Lyn's note. **Mark Kindred** is the City's Central Valley board member. **Dennis Pay** has been the City's "alternate" Board member. *Dennis needs to be appointed by the City Council.*

Jordan River Commission

Commission Board appointments are governed by an Interlocal Agreement and by the Commission's By Laws.

- The Jordan River Commission governing documents do not specify how a "member agency" designates its Board representative.

Lyn's note. **Shane Siwik** serves as the SSL representative on the Commission. *There is no requirement that the SSL representative must be an elected official or must be appointed by the City Council.*

South Salt Lake Valley Mosquito Abatement District Board of Trustees

District Board appointment is governed by the District's By Laws.

- The District is governed by a Board of Trustees - which includes "one Trustee appointed by each municipal legislative body within the District."
- Such Trustee must be a registered voter of the municipality.
- The Trustee serves for a four-year term and commences on the first Monday of January following the Trustee's appointment.

Lyn's note. **Kevin Rapp** represents the City on this Board. *It is not required that the appointee be an elected official.*

Metro Fire Agency Board of Trustees

Metro Fire Agency Board of Trustee appointments are governed by the Metro Fire Interlocal Agreement. The Metro Fire Agency does not have By Laws.

- The Metro Fire Agency Interlocal Agreement states: "Trustee membership shall consist of each Party's designee, as dictated by that Party's form of government. Each Party may appoint, through compliance with its own legal requirements that govern such Board appointments for that Party, up to two alternate designees to serve as Trustee in the absence of that Party's primary designee and that alternate shall have the same rights as that member."

Lyn's note. **Lyn Creswell** serves as the SSL trustee. Currently, trustees are city managers or city executive officers (or designees). No elected officials is a trustee. The trustees have recommended an Interlocal Agreement amendment which would clarify that the member's chief executive officer or designee serve as trustee.

Salt Lake Valley Emergency Communications Center (VECC) Board of Trustees

An Interlocal Agreement created VECC, with a Board of Trustees and an Operations Board.

- The Agreement states that the member of the Board of Trustees must be appointed by each Member's governing board. In a council-mayor form of government, an elected official or full-time employee on the mayor's staff may be appointed to the Board.
- The Agreement states that the member's governing board shall appoint the member's representatives on the Operations Board. Such appoints shall be administrators of the police and fire departments of the member

Lyn's note. Currently, **Kyle Kershaw** is the SSL member of the Board of Trustees. **Charee Peck** is the alternate trustee. **Ron Morris** and **Jack Carruth** represent the City on the Operations Board. *The City Council should formally appointed Kyle as the City's trustee and Charee as alternate, and appoint Ron and Jack to the Operations Board.*

South Salt Lake Senior Center Joint Board

The South Salt Lake Senior Center was created by an Interlocal Agreement between the City of South Salt Lake and Salt Lake County. The Agreement establishes a Joint Board.

- The Interlocal Agreement states that Senior Center "shall be administered by a joint board consisting of the County mayor (or designee) and City mayor (or designee).

Lyn's note. **Cherie Wood** represents the City's interests on this Board. *This position does not require action by the City Council.*

Sugar House Streetcar Corridor Executive Team

The Sugar House Streetcar Corridor was created by Interlocal Agreement, which designated a Corridor Executive Team and a Corridor Management Team.

- The Interlocal Agreement states that the SLC and SSL mayors and the UTA general manager shall be the Executive Team.
- The Interlocal Agreement assigns responsibilities to a Management Team consisting of “two (2) representatives” each from UTA, SLC, Salt Lake County, and SSL.

Lyn's note. **Cherie Wood** is the City's representative on the Executive Team. **Dennis Pay** and **Mike Florence** represent the City on the Management Team. The members of the Management Team are assigned by the two mayors and the UTA general manager. *There is no action needed by the City Council relating to these appointments.*

Valley Police Alliance Board of Trustees

The Valley Police Alliance was created by Interlocal Agreement. The Agreement creates both a Board of Trustees and a Board of Police Commissioners.

- The Interlocal Agreement designates each Party's Police Chief as a member of the Board of Trustees. “Each Party may appoint up to two designees to serve in the absence of that Party's member.”
- The Interlocal Agreement establishes a Board of Police Commissioners made up of the mayor or city manager from each entity.

Lyn's note. **Jack Carruth** is the City's representative on the Board of Trustees. **Cherie Wood** is the SSL representative on the Board of Police Commissioners. The police chiefs are supported by a separate group, named the Valley Police Alliance Attorneys. **Hannah Vickery** is the SSL representative on the Attorneys group. *The City Council is not required to make appointments.*

Salt Lake Area Gang Project Governing Board

The Salt Lake Area Gang Project was created by Interlocal agreement and creates a governing board.

- The Interlocal Agreement creates a Governing Board, which consists of “one employee from each assigning agency.”

Lyn's note. **Lieutenant Jim Anderson** represents SSL on the Governing Board. *The City Council is not required to make this appointment.*