NOTICE IS HEREBY GIVEN that the Herriman City Council shall assemble for a meeting in the City Council Chambers, located at 5355 WEST HERRIMAN MAIN STREET, HERRIMAN, UTAH

*This meeting will be conducted electronically*

5:00 PM - WORK MEETING: (Fort Herriman Conference Room)
The City Council Work Meeting for March 25, 2020 has been cancelled.

7:30 PM - GENERAL MEETING:

1. Call to Order
   1.1 City Council Comments and Recognitions

2. Consent Agenda
   2.1 Approval of the February 26, 2020 City Council meeting minutes

   2.2 Approval of the Monthly Financial Summary

   2.3 Approval of an Interlocal Cooperative Agreement between Herriman City and the Salt Lake Area Metro Gang Unit

   2.4 City Council Authorization to Declare and Dispose of Surplus Vehicles

3. Discussion and Action Items
   3.1 Discussion and consideration of an Ordinance adding Section 5-2-2 to the Herriman City Code prohibiting the discharge of firearms within City Limits with some exceptions - Justun Edwards, Public Works Director

   3.2 Discussion and Consideration of a Resolution adopting rules governing the use of Electronic Meetings for all City Committees and agencies and consenting to Planning Commission's adoption of the same rules - Jackie Nostrom, City Recorder
3.3. State of the City - Brett Wood, City Manager

3.4. City Manager Updates - Brett Wood, City Manager

4. Future Meetings
4.1. April 2 - Planning Commission meeting 7:00 p.m.

4.2. April 8 - City Council work meeting 5:00 p.m.; City Council meeting 7:30 p.m.

5. Adjournment

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. Request assistance by contacting Herriman City at (801) 446-5323 and provide at least 48 hours advance notice of the meeting.

ELECTRONIC PARTICIPATION: Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

PUBLIC COMMENT POLICY AND PROCEDURE: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

I, Jackie Nostrom, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body, at the principal office of the public body, on the Utah State Public Notice website www.utah.gov/pmn/index.html and on Herriman City’s website at www.herriman.org. Posted and dated this 19th day of March, 2020. /s/ Jackie Nostrom, City Recorder
CITY COUNCIL MINUTES

Wednesday, February 26, 2020
Awaiting Formal Approval

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, February 26, 2020 at 5:00 p.m.** in the Herriman City Hall Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City’s website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Mayor David Watts

**Councilmembers Present:** Jared Henderson, Sherrie Ohrn, Steve Shields and Clint Smith

**Staff Present:** City Manager Brett Wood, Assistant City Manager Gordon Haight, Director of Administration and Communications Tami Moody, City Engineer Blake Thomas, Police Chief Troy Carr, City Recorder Jackie Nostrom, Finance Director Alan Rae, Director of Operations Monte Johnson, Public Works Director Justun Edwards, Officer Jose Lopez, City Attorney John Brems, Communications Manager Jonathan LaFollette, City Planner Michael Maloy, Code Enforcement Officer Sheldon Howe, Streets Manager Ed Blackett, Parks Manager Anthony Teuscher, and Economic Development Manager Heather Upshaw.

**5:00 PM - WORK MEETING: (Fort Herriman Conference Room)**

1. **Council Business – 5:00 PM**

   Mayor David Watts called the meeting to order at 5:03 p.m.

   1.1 **Review of this Evening’s Agenda**

   The Council and Staff briefly reviewed the agenda.

   1.2 **Future Agenda Items**

   Councilmember Steven Shields requested that the Council review options, recourse, or strategies in response to Olympia Hills being approved. City Manager Brett Wood said it would be advantageous for staff to do some fact finding and bring information back to the Council for review and discussion. Councilmember Shields also wanted to be sure that they followed up with the third grade classed about their compost project. The Council requested that the discussion item be moved to March 11th.
Councilmember Smith brought up the potential boundary adjustment with Riverton. He had reached out to those involved with the Mountain Ridge development, and it seemed that they still had questions on whether the Council would be favorable to an adjustment. Councilmember Henderson said that the ball was in their court. If the developer wanted to go down that path, they needed to make that decision and submit an application. There was little use in discussing it before the City received an application. Councilmember Ohrn agreed. Councilmember Smith and Mayor Watts were not in favor of a boundary adjustment. Councilmember Shields relayed a conversation he had with the developer notating of their desire to move forward with the development in Herriman City.

2. Administrative Reports
   2.1. Blackridge Reservoir Discussion - Wendy Thomas, Director of Parks, Recreation and Events

Director of Parks, Recreation and Events Wendy Thomas reported on the Blackridge Reservoir being an extremely popular amenity for Herriman residents and guests. Algal blooms originating in Utah Lake and the Jordan River have had a significant impact on the functionality of the reservoir for leisure purposes. The reservoir water had been closed to access mid-season for the past three years following a Salt Lake Valley Health Department Advisory of the identification of “Anatoxin A” in the Jordan River with trace amounts showing up in the actual reservoir itself. When the reservoir water is open, they allow swimming and non-motorized watercraft (paddleboards, kayaks, etc.) on the reservoir. She asked for direction if the Council would like to continue this practice. City staff have been contacted by individuals and businesses that are interested in vending out of the concession area and the parking lot. This was not something that they have allowed in the past.

Councilmember Smith asked how staff felt about allowing concessions at Blackridge Reservoir, and Director Thomas said that patrons would enjoy having concessions there, but there was some risk involved. The person selling concessions would be limited to pre-prepared food because there was not an adequate facility for cooking. The City Code currently didn’t allow vendors at Blackridge, so if they wanted to allow them, the ordinance would have to be amended. Mayor Watts was not in favor of changing the practice. Councilmember Smith was open to the idea. It wasn’t reasonable for the City to provide concessions, but there were people interested in doing that. If someone wanted to take that risk, they should enter into an agreement with the City that would cover any potential problems. Councilmember Ohrn agreed. She requested that staff put together a list of pros and cons for having concessions at the reservoir.

Regarding the swimming use, Councilmember Ohrn said that the primary use of the reservoir was secondary water, not recreation. They should keep that in mind as they made decisions about what is allowed there. Councilmember Henderson said that he would prefer not to allow swimming.

At the request of Council, Police Chief Troy Carr spoke about the public safety aspect of the reservoir. Although there have been very few fatal incidences, they have problems with drinking and excessive littering. Holidays have been a huge problem for public safety. There was a cost associated to all of this
as well. He noted that even when the reservoir is closed, people still try to go up there and swim, which calls officers up there. Director Thomas said that it’s more manageable when people are up there just for the playground and other non-water activities. Staff noted that there was also a cost for maintenance.

The Council requested data showing the costs of the reservoir, and a breakdown of costs on holiday weekends.

2.2. Discussion of the Wasatch South Hills Land Use Plan - Michael Maloy, City Planner

City Planner Michael Maloy indicated the applicant for the Wasatch South Hills had been negotiating and planning the development of 48.43 acres of property located approximately at 4002 Real Vista Drive and 14752 S Academy Parkway (subject property). The property was currently within the Rosecrest Master Plan Community (i.e. Rosecrest). When the property was sold by Rosecrest to Wasatch, it was understood by the City the property would be withdrawn from the Rosecrest Master Plan Community and added into the South Hills Master Planned Community. To accomplish this transfer, it would require the agreement of all involved parties. These agreements would be memorialized in formal amendments to both master plans. To amend the South Hills Master Planned Community would require approval of a new land use plan. The land use plan identifies phases of development (i.e. PODs) and specifies the type, location, and density of development. The proposed land use plan identified the subject property as POD 35 and POD 39 with 218 “assigned” dwelling units within the 48.43 acres, which is an average density of 4.5 dwelling units per acre. Planner Maloy reviewed the conditions of approval as stated by the Planning Commission, including a total unit count of 2,039. The Use of Density in the current Master Development Agreement (MDA) stated the developer may use any of the maximum residential units in the development of any subdivision, so long as the density requested in the proposed application was no greater than the maximum density. There was a provision allowing a density transfer, but the area receiving the units had to have the same zoning as the area giving up the units. In this case, if the developer wanted to transfer density, they would have to rezone both areas. The developer now proposed residential dwelling units in an area that was not designated for residential uses, and it would increase the dwelling units by 218, which would bring the total for the development up to 2,257. Staff advised the City Council use caution when making decisions on this item.

The City Council discussed the original MDA, and the numbers and density outlined within that agreement. Planner Maloy noted that these numbers were not presented to the Planning Commission. The developer had changed their proposal since their review.

Councilmember Smith was not interested in increasing the density or having overlapping MDAs. They needed to stay within the verbiage of the original MDA. Councilmember Shields agreed. The Council requested that this issue be reviewed by the Planning Commission.
2.3. Discussion of the Herriman Innovation District Community Development Plan - Heather Upshaw, Economic Development Manager

Economic Development Manager Heather Upshaw presented information for Items 2.3 and 2.4 simultaneously.

The Herriman Innovation District Community Reinvestment Area (CRA) was created to promote and provide for a business park development that will bring jobs to an area of the community that is well-suited to business park development. The plan and budget was approved by the Herriman City Redevelopment Agency on June 29, 2019. The City obtained approvals from the Jordan School District, Herriman City, Jordan Valley Water Conservancy District, South Valley Sewer District, and Central Utah Water Conservancy District to participate. The City has been working to obtain approvals from Salt Lake County, and the Unified Fire Service Area. City Staff met with the Salt Lake County Ad Hoc Committee on February 18, 2020. Next steps require a meeting with the Salt Lake County Council, and the Unified Fire Service Area Board. These meetings have not been scheduled as of yet.

Staff requested direction from the Council, and they were in favor of moving forward with both CDAs.

2.4. Discussion of an amended Interlocal Agreement with Salt Lake County pertaining to the Herriman Business Center Community Development Project Area - Heather Upshaw, Economic Development Manager

This item was discussion with item 2.3.

2.5. Planning Updates - Michael Maloy, City Planner

2.5.1. Teton Ranch

Planner Maloy asked whether the City would be interested in rezoning approximately two acres of property located at the northwest corner of Herriman Boulevard and Mustang Trail Way. While the rezone from R-1-10 Residential to C-2 Commercial was a legislative matter which requires a public hearing and Planning Commission recommendation, it also would require amendment of the Teton Ranch Master Development Agreement. He presented the site plan and identified the open space area that they wanted to rezone for commercial use. This would leave about 2.5 acres of open space for the development. However, changing the property to commercial would change the overall density of the development outside what they were allowed per the MDA. The developer was not proposing to decrease the number of units. The Council was interested in hearing about the proposed rezone if the developer was willing to negotiate the number of units. They requested that this item be reviewed by the Planning Commission.

2.5.2. 11800 South Master Development Agreement

Planner Maloy reported DAI had submitted a General Plan amendment application and a Zoning Map amendment application for property located along the east side of Mountain View Corridor and south of 11800 South. DAI had also submitted a draft 11800 South Master Development Agreement that included open space and development phasing. Whereas a development agreement was a voluntary
negotiation between a property owner and the City, staff was seeking further Council direction on this proposal. He noted they had considered rezoning to the Automall zoning so that they could have the outdoor storage, but they hadn’t changed their application to reflect.

2.5.3. **Herriman Crossroads Master Development Agreement**

Planner Maloy explained Ken Olson and Gary McDougal had submitted a draft development agreement for 125 acres located approximately at 16130 S Camp Williams Road. Due to limited resources, this proposal failed to sufficiently mature to warrant City Council action. However, it was the opinion of staff that negotiating a development agreement could generate a mixed-use development that exceed minimum City standards, including dedication of additional open space and recreational trails. Staff had recommended applying the Planned Development Overlay Zone on this specific development. The most recent response from the developers’ attorney was that they wanted to reduce amenities and remove the language from the MDA that would require a mix of townhomes and apartments.

2.5.4 **5600 West Main Street**

Planner Maloy anticipated the proposal for 5600 W. Main Street would be an approximately 10-acre parcel located at the northwest corner of 5600 West and Herriman Main Street. The developer was proposing to develop three acres of commercial property and the rest in single-family residential lots. However, the City had not received any applications for this development proposal yet.

2.6. **Discussion relating to the Local Consent for an Off-Premises Beer Retailer State License for the WinCo Grocery Store - Michael Maloy, City Planner**

City Planner Maloy explained the request for a local consent permit for the WinCo grocery store, currently under construction at 11969 S Carlsbad Way. The applicant needed the local consent from the City in order to be able to apply for the appropriate licenses from the State Department of Alcoholic Beverage Control (DABC). The request was for an off-premise beer retailer license, which enables them to sell beer at the WinCo. This was a permitted use and would be on the next agenda for consideration.

2.7. **City Manager Update - Brett Wood, City Manager**

City Manager Brett Wood reported UDOT had expressed a desire to make 12600 South a State Road. The primary concern from staff with this proposal was they would retain access in the areas zoned for commercial. If 12600 South became a State Road, UDOT would maintain and plow it. One of the reasons they wanted the road was because it was an extension of U-111. City Engineer Blake Thomas said UDOT had asked him for design plan and geotechnical reports, but nothing more. Councilmember Henderson said they should wait to see what UDOT would really be asking for and then decide whether it was a greater benefit to keep the road or let UDOT maintain it.

City Manager Wood reported on Salt Lake Community College and their push for funding. He also reported on the transition team and the changing of the organizational chart.
Police Chief Troy Carr said they would be honoring PSD Hondo during the general meeting today. He went over the order of operations for the memorial services later this week.

At 7:03 p.m. Councilmember Smith moved temporarily recess the City Council work meeting to convene in a Closed Session to discuss the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205. Councilmember Shields seconded the motion.

The vote was recorded as follows:
Councilmember Jared Henderson Aye
Councilmember Sherrie Ohrn Aye
Councilmember Steven Shields Aye
Councilmember Clint Smith Aye
Mayor David Watts Aye

The motion passed unanimously.

3. **Adjournment**
Councilmember Smith moved to adjourn the work meeting at 7:15 p.m. Councilmember Henderson seconded the motion, and all present voted aye.

7:30 PM - GENERAL MEETING:

4. **Call to Order**
Mayor David Walls called the meeting to order at 7:33 p.m.

4.1 **Invocation/Thought/Reading and Pledge of Allegiance**
Mr. Austin Henderson led the audience in the Pledge of Allegiance.

4.2 **City Council Comments and Recognitions**
Mayor Watts recognized Parks, Recreation and Events Director Wendy Thomas and her staff for making the ice ribbon available to the residents. The facility was well-kept and it was a great gathering place for the community.

5. **Public Comment**
Teddy Hodges, a member of Utah for Responsible Growth, said the County Council held a preliminary vote on the Olympia Hills project and it passed. There would be another vote next Tuesday, and he encouraged citizens to speak out against the development.
6. **City Council Board and Committee Reports**

Councilmember Ohrn reported on the most recent Wasatch Front Waste and Recycling District Board meeting and noted there would be a change to recycle cans to include flyers describing what could and could not be recycled.

Councilmember Henderson reported on the recent UFSA meeting. Riverton had voted to leave the service area, and the Board voted to start considering the bonding process to fund the building and rebuilding stations. He encouraged the City to do an internal financial analysis to determine if it was beneficial to stay in the service district. Councilmember Henderson also reported on the Southwest Mayor’s Group and their concerns about Olympia Hills project. One of the concerns was they would run out of water in 10-years if they didn’t bring new water sources into the system, based on the proposed density of the project. The developer was not proposing to bring any water to the south bench.

Councilmember Smith reported on the Conference of Mayors, Transcom and projects along the Wasatch Front, and the Sewer Board.

Councilmember Ohrn encouraged residents to consider the Water Wise classes being offered by the Water Board.

7. **Reports, Presentations and Appointments**

7.1. **Proclamation Honoring Police Service Dog Hondo - Steve Shields, City Council**

Councilmember Steve Shields made a few personal remarks about the loss of PSD Hondo. He recited the Proclamation, as follows:

“Whereas, In recognition of his great service and ultimate sacrifice for the Herriman City Police Department, the Herriman City Council recognizes and honors Police Service Dog (PSD) Hondo, and;

Whereas, Herriman City Police Department Police Service Dog Hondo was killed in the line of duty on February 13, 2020 while protecting his partner, Sergeant Ben Ricks and others from imminent danger, and;

Whereas, PSD Hondo, a 7-year old Belgian Malinois, came from Europe and began his Police Service on October 29, 2015. PSD Hondo was highly decorated in his career, winning many titles and awards at both in-state Police K9 competitions and annual International K9 Trials. Hondo was a critical member of the 2014 K9 Team that placed first in the World in the International Trials. PSD Hondo was responsible for well over 100 felony arrests and for taking hundreds of pounds of narcotics off Utah Streets, and;

Whereas, PSD Hondo embodied the ideal, “The true warrior fights not because he hates what is in front of him, but because he loves what is behind him.” PSD Hondo was a true warrior and his actions the
night of February 13, 2020 ensured that his loving friend and partner Ben would be able to return home to his wife, children, and the Herriman Police Department family, and;

Now, therefore, do we, the Herriman City Council, commemorate Police Service Dog Hondo today, February 26, 2020.”

Councilmember Shields moved to approve the Proclamation Honoring Police Service Dog Hondo. Councilmember Smith seconded the motion.

The vote was recorded as follows:
Councilmember Jared Henderson Aye
Councilmember Sherrie Ohrn Aye
Councilmember Steven Shields Aye
Councilmember Clint Smith Aye
Mayor David Watts Aye

The motion passed unanimously.

Police Chief Troy Carr invited David Elders to come forward to present a donation. Mr. Elders had made a lighted plaque honoring Hondo’s service and sacrifice. He presented the plaque to Sergeant Ben Ricks.

The Council offered their condolences and appreciation for those that serve to protect the citizens.

The Council temporarily recessed the General Meeting. The Council reconvened the General Meeting at 8:21 p.m.

7.2. Approval of a resolution appointing Steve Shields as the Herriman Representative to the South Salt Lake Valley Mosquito Abatement District - Brett Wood, City Manager
Councilmember Smith moved to approve Resolution No. R05-2020 appointing Steve Shields as the Herriman Representative to the South Salt Lake Valley Mosquito Abatement District. Councilmember Henderson seconded the motion.

The vote was recorded as follows:
Councilmember Jared Henderson Aye
Councilmember Sherrie Ohrn Aye
Councilmember Steven Shields Aye
Councilmember Clint Smith Aye
Mayor David Watts Aye

The motion passed unanimously.
8. Consent Agenda
8.1. Approval of the January 22, 2020 City Council meeting minutes

8.2. Approval of a resolution confirming authorized users to Transact Business with the Public Treasurers Investment Trust

8.3. Approval of the Monthly Financial Summary

8.4. Approval of a resolution adopting the Youth Council Charter and Logo

8.5. Approval of a Resolution adopting a Revised Organization Chart
Councilmember Ohrn moved to approve the Consent Agenda as written. Councilmember Henderson seconded the motion.

The vote was recorded as follows:
Councilmember Jared Henderson Aye
Councilmember Sherrie Ohrn Aye
Councilmember Steven Shields Aye
Councilmember Clint Smith Aye
Mayor David Watts Aye

The motion passed unanimously.

Councilmember Smith commented charter and logo created and presented by the Youth Council, and commended them for their work. He then commented on the adoption of the revised organization chart, specifically in reference to public safety. Councilmember Shields added that the Council supported staff in these changes.

9. Future Meetings
9.1. March 5 - Planning Commission 7:00 p.m.

9.2. March 11 - City Council work meeting 5:00 p.m.; City Council meeting 7:30 p.m.

10. Events
10.1. Feb 27 - Feb 29 - Herriman Harmonyx Musical Parody Show; Herriman City Hall 6:30 p.m.

10.2. March 3 - Presidential Primary Election Day

11. Closed Session

12. Adjournment
Councilmember Ohrn moved to adjourn the regular meeting at 8:03 p.m. Councilmember Shields seconded the motion, and all present voted aye.
13. **Recommence to Work Meeting (If Needed)**

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on February 26, 2020. This document constitutes the official minutes for the Herriman City Council Meeting.

Jackie Nostrom, MMC
City Recorder
Mayor and Council

Monthly Financial Summary

Attached is the February 2020 financial report, all of the figures are through February 29, 2020. I have presented the information in summary format, please contact me with any questions or concerns.

General Fund
The general fund has expenditures exceeding revenue through February 29, 2020 in the amount of $472,456 this represents a reduction in fund balance. We are currently 66.67% of the year as you will see we are little ahead our projection of revenue and expenditures.

Fund Balances
I have included the fund balance and changes to fund balance during the year for all funds except water. Due to the Water Fund being accounted for with full accrual accounting a fund balance is not calculated.

Fund balance for Capital Projects is currently negative due to the purchase of the auto mall property. The Council has approved a loan from Water Rights Impact Fee to correct this negative amount.

Budget
The budget numbers represent the adopted budget of June 10, 2019 as amended.

Electronically Signed
Alan W Rae
Director of Finance
### REVENUE

#### TAXES

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#### OTHER REVENUE

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**TOTAL GENERAL FUND REVENUE**

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### EXPENDITURES

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#### Administration

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#### Finance

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<td>Information Technology</td>
<td>457,437</td>
<td>619,625</td>
<td>73.82%</td>
</tr>
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</table>

#### Operations

<table>
<thead>
<tr>
<th>Type</th>
<th>2/29/2020</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilities</td>
<td>474,894</td>
<td>820,535</td>
<td>57.88%</td>
</tr>
<tr>
<td>Enforcement/Emergency</td>
<td>14,156</td>
<td>58,445</td>
<td>24.22%</td>
</tr>
<tr>
<td>Fleet Management</td>
<td>356,229</td>
<td>373,425</td>
<td>95.40%</td>
</tr>
<tr>
<td>Streets</td>
<td>722,439</td>
<td>2,171,529</td>
<td>33.27%</td>
</tr>
<tr>
<td>Snow Removal</td>
<td>160,920</td>
<td>200,600</td>
<td>80.22%</td>
</tr>
<tr>
<td>Storm Drain</td>
<td>176,918</td>
<td>342,664</td>
<td>51.63%</td>
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<tr>
<td>Street Signs</td>
<td>52,408</td>
<td>124,895</td>
<td>41.96%</td>
</tr>
<tr>
<td>Street Lights</td>
<td>332,674</td>
<td>645,170</td>
<td>51.56%</td>
</tr>
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</table>

#### Parks, Recreation and Events

<table>
<thead>
<tr>
<th>Type</th>
<th>2/29/2020</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Events</td>
<td>571,889</td>
<td>1,107,211</td>
<td>51.65%</td>
</tr>
<tr>
<td>Department</td>
<td>2/29/2020</td>
<td>Budget</td>
<td>% of Budget</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>Arts &amp; Cultural Development</td>
<td>38,307</td>
<td>146,950</td>
<td>26.07%</td>
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<tr>
<td>Cemetery</td>
<td>22,916</td>
<td>71,950</td>
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<td>Parks</td>
<td>2,020,764</td>
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<td>Engineering</td>
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<td>252,742</td>
<td>446,259</td>
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<tr>
<td>Planning &amp; Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>621,008</td>
<td>1,035,507</td>
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<tr>
<td>Economic Development</td>
<td>188,819</td>
<td>344,705</td>
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</tr>
<tr>
<td>Planning</td>
<td>410,022</td>
<td>634,280</td>
<td>64.64%</td>
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<tr>
<td>Public Safety</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Police</td>
<td>5,264,633</td>
<td>7,231,888</td>
<td>72.80%</td>
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<tr>
<td>Animal Services</td>
<td>270,790</td>
<td>496,400</td>
<td></td>
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<tr>
<td>Transfers</td>
<td>-</td>
<td>3,950,112</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>TOTAL GENERAL FUND EXPENDITURES</strong></td>
<td>15,405,566</td>
<td>29,845,163</td>
<td>51.62%</td>
</tr>
<tr>
<td><strong>CHANGE IN FUND BALANCE</strong></td>
<td></td>
<td>472,356</td>
<td></td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>$4,674,189</td>
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<tr>
<td>Change in Fund Balance</td>
<td>472,356</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$5,146,545</td>
</tr>
</tbody>
</table>
DATE: March 18th, 2019

TO: The Honorable Mayor and City Council

FROM: Troy Carr, Chief of Police

SUBJECT: INTERLOCAL AGREEMENT WITH THE SALT LAKE AREA METRO GANG UNIT

RECOMMENDATION:
Approval of a resolution authorizing Herriman’s membership in the Salt Lake Area Gang Project

BACKGROUND:
The Herriman Police Department sees value in having a detective participate with the Salt Lake County Metro Gang Unit, part time. This detective would work approximately 8 hours a week with the MGU. Our participation helps us to understand current gang related trends and gives us access to intelligence relevant to activity in Herriman City. We have observed an upswing in gang activity that indirectly or directly affects our city and we believe having a detective assigned will help us to gather relevant data. Additionally, the MGU is engaging in technical social media investigations. Our participation will give our detective access and experience with highly technical investigative methods and strategies.

In order to fully participate with the Metro Gang Unit, all participating agencies have approved and signed an Interlocal Agreement that has been prepared by the Metro Gang Unit. This agreement addresses procedures and policies the officers will follow. The agreement also outlines a 25% reimbursement for hourly wages that Herriman will receive for our officer’s hours spent with the MGU.

FISCAL IMPACT:
HPD would dedicate up to $18,720 to overtime hourly wages that would be reimbursed at 25%. HPD has budgeted for this overtime in its 2020-2021 budget proposal.
HERRIMAN, UTAH
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN
APPROVING HERRIMAN’S MEMBERSHIP IN THE SALT LAKE AREA GANG
PROJECT WITH ITS ASSOCIATED OBLIGATIONS AND BENEFITS AND
BECOMING A PARTICIPANT IN THE SALT LAKE AREA GANG PROJECT
INTERLOCAL COOPERATION AGREEMENT

WHEREAS, the Herriman City Council (“Council”) met in regular meeting on March
25, 2020 to consider, among other things, approving Herriman’s membership in the Salt Lake
Area Gang Project with its associated obligations and benefits and becoming a participant in the
Salt Lake Area Gang Project Interlocal Cooperation Agreement; and

WHEREAS, the municipalities and governmental entities located in Salt Lake County
for and on behalf of their law enforcement agencies have formed the Salt Lake Area Gang
Project by Interlocal Cooperation Agreement; and

WHEREAS, the Utah Local Cooperative Act (Utah Code Ann. § 11-13-101, et seq.)
provides that two local governmental entities are authorized to enter into agreements with each
other, upon a resolution to do so by their respective governing bodies, to do what each agency is
authorized by law to perform; and

WHEREAS, all the Parties, as defined therein, to the Salt Lake Area Gang Project
Interlocal are governmental entities; and

WHEREAS, Herriman has determined that it is best interests of the inhabitants of
Herriman to enter into the Salt Lake Area Gang Project Interlocal a copy of which is attached
hereto.

NOW, THEREFORE, BE IT RESOLVED that Herriman participate in the Salt Lake
Area Gang Project and become a member of the Salt Lake Area Gang Project Interlocal with its
associated obligation and benefits and the city manager and recorder are hereby authorized and
directed to execute and deliver the same.

This resolution, assigned no. 18.__, shall take effect immediately upon passage and
acceptance as provided herein.

PASSED AND APPROVED by the Council of Herriman, Utah, this 25th day of March
2020.
HERRIMAN

ATTEST:

Mayor David Watts

Jackie Nstrom, MMC
City Recorder
SALT LAKE AREA GANG PROJECT
INTERLOCAL AGREEMENT

AMENDMENT NO. 1

THIS AMENDMENT NO. 1 is made and entered into this 21st day of June 2018, by and between the Unified Police Department of Greater Salt Lake; United States Bureau of Alcohol, Tobacco, Firearms, and Explosives; United States Federal Bureau of Investigation; Granite School District on behalf of its Police Department; United States Immigration and Customs Enforcement (ICE); Murray City on behalf of its Police Department; Park City on behalf of its Police Department; Salt Lake City on behalf of its Police Department; Salt Lake County on behalf of its Sheriff’s Office and District Attorney’s Office; Saratoga Springs City on behalf of its Police Department; South Jordan City on behalf of its Police Department; South Salt Lake City on behalf of its Police Department; United States Marshals Service; State of Utah on behalf of its Department of Corrections’ Adult Probation and Parole; State of Utah on behalf of its Department of Corrections’ Law Enforcement Bureau; State of Utah on behalf of its Department of Public Safety; West Jordan City on behalf of its Police Department; and the West Valley City on behalf of its Police Department for the purpose of facilitating the establishment of the Salt Lake Area Gang Project.

RECATALS:

A. Whereas, the above named parties entered into the Salt Lake Area Gang Project Interlocal Agreement (the “Agreement”) on or about April 1, 2014, which Agreement provided for a collaborative effort against illegal gang activity;

B. Whereas, Section 23 of the Agreement provides the Agreement may be extended by amendment before June 30, 2018;

C. Whereas, the above named parties desire to extend the Agreement in order to combat the growing problem with street gangs and their associate criminal activities such as homicides, drive by shootings, drug trafficking, burglaries, aggravated assaults and vandalism; and

D. Whereas, although not every jurisdiction has experienced an equal share of gang activity, each party recognizes a benefit from the work of the Gang Project to contain gang activity by investigating and arresting gang members before further crimes are committed in their communities; and

E. Whereas, the effective investigation and prosecution of illegal gang activity requires specialized personnel, who are able to investigate on a cooperative arrangement; and

F. Whereas, the coordinated efforts of federal, state, and local law enforcement agencies can enhance the enforcement of laws against illegal gang activity; and
G. Whereas, the Utah Interlocal Cooperation Act, § 11-13-101 et seq., 1953, as amended, authorizes public agencies to enter into agreement to provide law enforcement services to one or more other public agencies; and

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. General Purpose. The Salt Lake Area Gang Project ("Gang Project") which was established by Interlocal Cooperation Agreement, executed in 1991, and herein reconstituted shall perform the activities and duties described below:

(a) Identify street gangs and gang members in the Salt Lake County area and Utah;
(b) Investigate crimes related to or involving gang members;
(c) Divert gang members into positive programs and activities through education and community support efforts;
(d) Suppress gang activities through proactive enforcement efforts; and
(e) Develop strategies for successful prosecution of gang members.

Section 2. Definitions. For purposes of this Interlocal Cooperation Agreement, the following terms shall have the meanings given in this section:

(a) "Assigning Agency" shall mean each party agency that is a signatory to this Agreement and that assigns a prosecutor, federal officer or a sworn law enforcement officer to serve on the Gang Project.
(b) "Bylaws" shall mean the rules adopted by the Governing Board to govern the internal affairs of the Gang Project.
(c) "Federal officer" shall mean those officers assigned as representatives to the Gang Project and who are employed by a law enforcement agency of the U.S. Government. "Federal officer" includes those officers enumerated in section 53-13-106 of the Utah Code Ann., 1953 as amended.
(d) "Governing Board" shall mean the joint board described in Section 7 of this agreement.
(e) "Governing Board member" shall mean those individuals who are assigned by their agencies to sit on the Governing Board of the Gang Project. A "Governing board member" is not a "representative."

(f) "Host Funding Agency" shall mean the assigning agency that applies for and is awarded state task force grant funds to organize and supervise a task force to investigate gang related crime in Salt Lake County.

(g) "Operating policies" shall mean those written policies which set forth operating parameters for the Gang Project as they are created by the Project Director pursuant to his or her authority as delegated by this agreement or by the Governing Board in the Gang Project bylaws.

(h) "Project Director" shall mean a representative who is charged supervising the day to day operations of the Gang Project, among other responsibilities.

(i) "Prosecutor" shall mean a representative employed by one of the prosecuting agencies party to this Agreement. A "prosecutor" is not a federal officer nor is he a sworn law enforcement officer.

(j) "Representative" shall mean all those personnel assigned by their agencies to carry out the law enforcement functions of the Gang Project. A "representative" can be a federal officer, a sworn law enforcement officer, or a prosecutor. A "representative" is not a Governing Board member.

(k) "Sworn law enforcement officer" shall mean all those representatives assigned by agencies of the State of Utah or any of its political subdivisions to carry out the law enforcement functions of the Gang Project. A "sworn law enforcement officer" is not a federal officer.

Section 3. Gang Project Participating Agencies.

(a) To accomplish the purpose of the Gang Project as set forth in Section 1. above, unless otherwise approved in a written MOU between the Governing Board and the assigning agency, each assigning agency, through its law enforcement division or prosecuting agency shall provide one or more FTE ("full time equivalent") representative to the Gang Project, for a recommended but non-binding term of three years.

(b) New Member Agency Approval. Other agencies, not a party to this Agreement, may join with the approval of the Governing Board. To become a party to the Gang Project, a political subdivision of the State of Utah or an Agency of the United States shall notify the Governing Board in writing of its intent to be considered for membership. The Governing Board shall then notify each assigning agency of Gang Project of the
prospective agency’s intent to join. Assigning agencies shall then have thirty (30) days to submit a written objection to the Governing Board. At the completion of the thirty day period to object, the Governing Board shall take a vote to admit or reject the new agency. If accepted, the prospective agency shall agree in writing to be bound by the terms and conditions of this Agreement; and all bylaws and policies.

Section 4. Gang Project Jurisdiction. The Gang Project shall have jurisdiction throughout Salt Lake County to investigate gang related crimes which have been referred to the Gang Project by an assigning agency. The Gang Project reserves the right to decline a referred case. Each assigning agency hereby expressly consents to allow the Gang Project to conduct investigations and enforcement efforts within the agency’s jurisdiction in Salt Lake County. The Gang Project may also investigate gang related crimes beyond Salt Lake County at the request of the law enforcement agency having jurisdiction in that location provided the Project Director has approved the request.

Section 5. Deconfliction. The Gang Project shall notify assigning agencies of all crimes discovered in the course of an investigation and shall make all reasonable efforts to notify assigning agencies about investigations in their jurisdiction to avoid duplicative or competitive investigations.

Section 6. Gang Project Goals and Objectives. The goals and objectives of the Gang Project include:

(a) Identifying the gang crimes affecting the Salt Lake area and Utah and propose plans to circumscribe gang activity;

(b) Identifying organized crime systems and alternatives to reduce the effectiveness of these systems;

(c) Maintaining a database with a descriptive analysis of criminal gang activity impacting the Salt Lake Area and Utah;

(d) Assessing the efforts of law enforcement in the control of criminal gang activity in the Salt Lake Area and Utah;

(e) Providing law enforcement agencies with information and assistance which will lead to the apprehension and prosecution of gang members involved in criminal activities;

(f) Enhancing intelligence reports through computer links with outside agencies and with the support of a computer analyst who assists with analytical investigations.
Section 7. Gang Project Administration.

(a) The Governing Board. The Gang Project shall be governed by a Governing Board. The Governing Board shall be a joint board as set forth in § 11-13-207, Utah Code Ann., 1953 as amended. The Governing Board shall address policy matters and the resolution of operational problems. The Governing Board shall be vested with authority to adopt bylaws, veto policies established by the Project Director, and review and approve the Gang Project budget as proposed by the Project Director.

(b) Membership. Governing Board members shall be limited to one employee from each assigning agency. Each Governing Board member is the primary delegate from his or her assigning agency to the Gang Project. Prolonged absence by any Governing Board member from the Governing Board shall be handled between the Governing Board and the absentee to insure proper representation at Governing Board meetings.

(c) Board Chairperson and Vice Chairperson. A Governing Board Vice Chairperson shall be elected by the Governing Board, to serve in the position for a one-year period, beginning every September 1st of each year. On August 31 of each year, the Vice Chairperson shall assume the role of Chairperson of the Governing Board for one year. The Governing Board Chairperson shall be the chief spokesperson for the Governing Board and shall chair all Governing Board meetings. The Chairperson and Vice Chairperson shall be voting members of the Governing Board. The Chairperson and Vice Chairperson may be removed from their positions upon a two-thirds vote of the entire voting membership of the Governing Board. Telephonic or electronic voting is acceptable.

(d) Voting. Quorum. Half of the voting members of the Governing Board shall constitute a quorum. Unless otherwise provided for in this Agreement, the Governing Board may take any action permitted by this Agreement provided that a quorum is present and there are not less than a simple majority of affirmative votes of the quorum. Any action voted upon by less than a simple majority of the full Governing Board shall not take effect until the next meeting of the Governing Board where a quorum is present and where it shall be subject to ratification by a majority of the Governing Board. Telephonic or electronic voting is acceptable.

Section 8. Duties of the Governing Board. The duties of the Governing Board shall be:

(a) To meet bi-monthly in order to address Gang Project business. An agenda listing action items to be voted on shall be sent out to Governing Board Members by the Chairperson or his designee at least one week before each meeting of the Governing Board.
(b) To request financial audits as deemed necessary.

(c) To issue to the assigning agencies an annual report of the Gang Project’s preceding year’s activities;

(d) To vote on the removal of an assigning agency from the Gang Project, at the Project Director’s request, when such assigning agency fails to provide support for by the Gang Project;

(e) To conduct evaluations of the Gang Project and its programs at least bi-annually;

(f) To adopt or amend bylaws as needed;

(g) To issue orders and adopt resolutions as needed;

(h) To recommend appropriate training as needed;

(i) To approve the appointment of a new project director;

(j) To approve an operating budget for the Gang Project no later than its August Board meeting; and

(k) At the Governing Board’s discretion, offer Gang Project investigative services to any non-party jurisdiction without granting membership status.

Section 9. Host Funding Agency. There shall be one host funding agency (HFA) for the Gang Project. Except for the ministerial functions stated herein, the HFA has no other authority or responsibility above or beyond those shared by all assigning agencies unless otherwise provided by the HFA’S grant requirements. The HFA shall provide the following ministerial functions:

(a) Grantee. The HFA is authorized to be, and shall be, the recipient of any grant money awarded to the Gang Project and shall receive the funds in trust directly for distribution to the Gang Project. The Governing Board and the HFA share the responsibility for ensuring that the program described in the application is successfully carried out, including ensuring the funds expended are expended for only eligible activities.

(b) Audit Cooperation. The HFA shall permit and have ready for examination and auditing any and all records, documents, accounts, invoices, receipts, or expenditures relating to this Agreement. The HFA shall maintain all such reports and records until all audits and examinations are completed or resolved, and as defined by State and Local laws.

(c) Procurement. For purposes of this Agreement, the assigning agencies hereby agree to abide by the relevant procurement procedures of the HFA and shall consult with the HFA in all procurement matters relevant to the
Gang Project. The Governing Board or Project Director may consult with HFA employees regarding any interpretation of procurement procedures, but the HFA is ultimately responsible for properly following the procedures.

(d) Fiscal Issues. The HFA shall accept all funds in trust, whether from grant monies, forfeited cash, or other sources and is responsible for fiscal accountability and required financial reporting.

(e) Office Space & Support. If available, the HFA shall provide office space, without charge to the assigning agencies. Any increase in support services, such as (but not limited to) alarm, security, and telephone systems may be paid for with grant monies.

Section 10. Representative Qualifications. All representatives assigned to the Gang Project shall be prosecutors, federal officers, or sworn law enforcement officers as defined by the laws of the State of Utah. Sworn law enforcement officers serving on the Gang Project shall have a minimum of one year of law enforcement experience including investigative experience. The Project Director is authorized to develop selection criteria for prospective representatives to the Salt Lake Area Gang Project and non-binding performance expectations for representatives. The Project Director shall conduct programs for the career development of Gang Project representatives.

Section 11. Duty Assignments. Assigned representatives are to report, as assigned, to their Gang Project Supervisor. Participating agencies also recognize, unless otherwise provided in this agreement or approved by the Governing Board, that each Gang Project assigned representative is assigned on a full-time basis with all direct supervisory authority being undertaken by the Gang Project supervisory organization and chain of command. The Gang Project shall not reimburse an assigning agency for employee overtime expenses unless and until the agency’s assigned representative has worked forty (40) hours under the direct supervision of their gang project supervisor.

Section 12. Record Keeping and GRAMA. All representatives and Governing Board members shall adhere to their assigning agency’s GRAMA policies and reporting and record keeping systems. All criminal intelligence information as defined in 28 C.F.R. Part 23 shall be maintained only by the Gang Project and disseminated pursuant to the requirements of 28 C.F.R. Part 23.

Section 13. Vacation, Leave Time, & Travel. Representatives shall coordinate annual leave, sick leave, compensatory leave, or other types of leave with their assigning agency and with their Gang Project supervisor.

Section 14. Representative Suspension & Removal. Representatives may be removed from the Gang Project by their assigning agency at its sole discretion upon thirty days written notice to the Project Director. Removal due to difficulties in the representative’s performance or issues with the representative’s conduct can also occur at the request of the Project Director, after
consultation with the assigning agency. Unless otherwise approved by the Governing Board, any representative removed shall be replaced by another qualified officer within thirty (30) calendar days.

Section 15. Employee Status,

(a) Each representative and Governing Board member whether or not their assigning agency is considered a 'governmental entity' under the Utah Governmental Immunity Act shall be considered to be an employee of his or her assigning agency even though the officer performs functions outside of the jurisdiction of their assigning agency.

(b) Each representative and Governing Board member shall continue to be governed by the rules, rights, entitlements, and status that apply to an employee of his or her assigning agency.

(c) All the privileges, immunities from liability, exemptions from laws, ordinances, and rules, pensions, and relief, disability, workers compensation, and other benefits that apply to a representative or Governing Board members while performing functions within the territorial limits of his or her assigning agency shall apply to the same degree and extent when the representative performs functions or duties under the agreement outside the territorial limits of his or her assigning agency.

Section 16. Compensating Representatives. Each assigning agency shall fund all salaries and benefits and other obligations its representatives assigned to the Gang Project shall be paid by the assigning agency. Each assigning agency shall pay its representatives for overtime incurred while participating in Gang Project investigations. Assigning agencies may invoice the Gang Project for reimbursement of such overtime expenses. The Gang Project shall reimburse an assigning agency for employee overtime expenses within thirty (30) days of receipt of an invoice for such reimbursable expenses.

Section 17. Insurance. Each assigning agency shall be solely responsible for providing workers' compensation and benefits for its own employees who provide services under this Agreement. Each assigning agency shall obtain insurance, become a member of a risk pool, or be self-insured to cover the liability arising out of negligent acts or omissions of its own personnel rendering services under this Agreement.

Section 18. Equipment Provided. Each assigning agency shall provide its representative with the basic equipment necessary to carry out the responsibilities performed by its representative.

Section 19. Applicable Polices & Procedures. The assigning agencies agree that representatives assigned to the Gang Project shall follow Gang Project bylaws and operating policies and that in case of conflict with or in absence of a Gang Project bylaw or policy, an
agencies' bylaws, policies and procedures shall prevail. With respect to federal agents, United States Attorney General guidelines will prevail.

Section 20. Personnel. The personnel policies of each assigning agency shall apply to the administration and conduct of their assigned personnel. Each assigning agency understands that their representative shall also follow the direction and supervision their Gang Project supervisors and that policies of general application to all employees assigned to the Gang Project will apply.

Section 21. Immunity Act Defenses. The assigning agencies are governmental entities as set forth in the Utah Governmental Immunity Act, (§ 63-30-101 et seq., Utah Code Ann., 1953, as amended) and/or covered by the Federal Tort Claims Act 28 USC 2671-2680 9 ("FTCA"). It is mutually agreed that the assigning agencies are each responsible for their own wrongful and negligent acts which are committed by them or their agents, officials, or employees, except as may be covered by the FTCA. The assigning agencies do not waive any defenses otherwise available under the State or Federal law, nor does any assigning agency waive any limits of liability provided by law. Any immunity and damage caps are expressly preserved and retained.

Section 22. Disposition of Property Acquired by Gang Project. Upon withdrawal of any party, or termination of this Agreement, the withdrawing party shall retain that property which it allowed to be used by the Gang Project. Upon termination of this Agreement, (a) any property obtained in common shall be sold and proceeds divided among the current members proportionately according to the most recent annual contribution, or as prescribed by state or federal narcotics control funds restrictions and (b) all total available funds shall be distributed among the current members according to the most recent annual contribution. Periods of time stated in this Agreement shall be calculated from July 4, 1991.

Section 23. Termination of Agreement. Any party may withdraw at the end of the State fiscal year (June 30) upon thirty (30) days written notice to the Governing Board. This Agreement shall terminate on June 30, 2028 unless extended by amendment executed by all assigning parties before that date.

Section 24. Notices. All notices and other communications provided for in this agreement shall be in writing and shall be sufficient for all purposes if: (a) sent by email to the address the assigning agency may designate, or by fax to the fax number the assigning agency may designate, and (concurrently) sent by first class mail to the assigning agency and to the assigning agency's legal office; (b) personally delivered; or (c) sent by certified or registered United States Mail, addressed to the assigning agency at the address the assigning agency may designate, return receipt requested. Unless otherwise designated the Notice addresses are as listed on attached Exhibit “A.”

Section 25. Duplicate Originals. This Interlocal Cooperation Agreement shall be signed in counterpart by the Parties and a duplicate original provided to each entity’s Recorder or other entity with similar authority if the party does not have a recorder promptly after execution.
IN WITNESS WHEREOF, have executed this Amendment No. 1 to the original Agreement on this 14th day of May, 2018.

APPROVED AS TO FORM:

Harry Souvall, Chief Legal Counsel
Date Signed: 5-18-2018

UNIFIED POLICE DEPARTMENT

By: Rosie Rivera
ROSIE RIVERA, Chief Executive Officer
Date Signed: 5-14-18
APPROVED AS TO FORM:

Signature: ____________________________
Print Name: ____________________________
Date Signed: ____________________________

WEST JORDAN POLICE DEPARTMENT

Signature: ____________________________
Print Name: ____________________________
Date Signed: ____________________________

APPROVED AS TO FORM:

Signature: ____________________________
Print Name: ____________________________
Date Signed: ____________________________

WEST VALLEY CITY POLICE DEPARTMENT

Signature: ____________________________
Print Name: ____________________________
Date Signed: ____________________________
DATE: March 19, 2020

TO: The Honorable Mayor and City Council

FROM: Monte Johnson, Operations Director

SUBJECT: Surplus Vehicles

RECOMMENDATION:
City Council approval to declare vehicles surplus and authorize their disposal by setting the minimum bid as presented in the attachment.

DISCUSSION:
The vehicles on the attached list were approved for replacement in the 2019-2020 budget year. The replacement vehicles have been purchased and are currently in service. The Fleet Department recommends approving these vehicles for surplus and setting a minimum bid.

ALTERNATIVES:
The Council can set the recommended minimum bid at a higher price, if desired.

FISCAL IMPACT:
The fiscal impact would vary depending on the bids.
<table>
<thead>
<tr>
<th>Unit #</th>
<th>Year</th>
<th>Make</th>
<th>Vehicle Description</th>
<th>Department</th>
<th>Minimum Bid</th>
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</thead>
<tbody>
<tr>
<td>Fleet 117</td>
<td>2005</td>
<td>Ford</td>
<td>F-550 Dump Bed W/Speaker and Plow</td>
<td>Streets</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Fleet 123</td>
<td>2005</td>
<td>Intl</td>
<td>Hooklift</td>
<td>Streets</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Fleet 134</td>
<td>2005</td>
<td>Ford</td>
<td>F-350 Utility Bed</td>
<td>Water</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Fleet 141</td>
<td>2006</td>
<td>Ford</td>
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<td>Explorer</td>
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DATE: 03/13/2020

TO: The Honorable Mayor and City Council

FROM: Justun Edwards Director of Public Works

SUBJECT: Discharge Ordinance

RECOMMENDATION: Recommend approval of ordinance.

BACKGROUND: Hunting has taken place within the Herriman area since incorporation, without much concern or conflict. With an increasing population, the addition of City owned property along with added hunting opportunity with an additional hunting season implemented in 2019 by the Division of Wildlife Resources. Hunting interest has greatly increased.

The City Council has discussed this topic on multiple occasions throughout the summer and fall of 2019. We readdressed the topic during the January 22nd Council Work meeting, Council Work meeting and held a public hearing in the general meeting on February 12th. The Ordinance was placed on the March 11th City Council agenda for action, but was continued due to additional public comment received.

DISCUSSION: Staff will present an updated ordinance which includes exception language regarding the discharge of a firearm for self-defense, protection of private property, use of shotguns with restrictions and appeals process.
AN ORDINANCE ADDING SECTION 5-2-2 TO THE HERRIMAN CITY CODE PROHIBITING THE DISCHARGING OF FIREARMS WITHIN CITY LIMITS WITH EXCEPTIONS AND SECTION 5-2-3 TO THE HERRIMAN CITY CODE PROHIBITING THE DISCHARGING OF ARCHERY EQUIPMENT WITH EXCEPTIONS

WHEREAS, the Herriman City Council ("Council") met in regular meeting on March __, 2020, to consider, among other things adding Section 5-2-2 to the Herriman City Code prohibiting the discharge of firearms within the City limits with exceptions and adding section 5-2-3 to the Herriman City Code prohibiting the discharging of archery equipment with exceptions; and

WHEREAS, many residents of the City enjoy hunting and staff recommends that the Council clarify the rules for discharge of firearm within the City limits; and

WHEREAS, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of the City to clarify the rules for discharge of firearm and archery equipment within the City limits.

NOW, THEREFORE, BE IT ORDAINED by the Council that the Herriman Code of Ordinances be amended by adding Sections 5-2-2 and 5-2-3 as follows.

5-2-2: Discharging Firearms Prohibited
A. It is unlawful for any person to discharge firearms of any description within the corporate limits of the city, except:
   1. At a regularly licensed shooting gallery;
   2. At the Herriman City police target range;
   3. At a regularly conducted school as a part of a supervised course of instruction;
   4. At a regularly organized club shooting range, where the range and facilities have been approved by city manager or his designee;
   5. At a mobile range trailer where range facilities have been approved by city manager or his designee;
   6. Shotguns may be discharged using #4 shot or smaller in areas authorized by the state of Utah for hunting;
   7. Animal service officer, veterinarian, peace officer, City employee, Federal or State wildlife official, or property owner who is authorized by a local, State or Federal government to treat, manage, capture, trap, hunt or remove deer and who is acting within the scope of the person's authority;
   8. Location and/or events approved by the city manager or his designee; or
   9. In self defense or protection of life or property.
B. Ceremonies and Firearm Demonstrations: Unloaded firearms may be discharged using only a powder charge at:
1. Funerals or other memorial ceremonies as part of the ceremony; and
2. Locations approve by the city manager or his designee.

C. Appeal: Any person aggrieved by the city manager or his designee’s decision may appeal the determination within thirty (30) days after notice of the decision in accordance with the provisions of section 3-1-20 of this code.

5-2-3: Discharging Archery Equipment Prohibited

A. It is unlawful for any person to discharge archery equipment of any description within the corporate limits of the city except;
   1. In areas authorized by the state of Utah for hunting or authorized urban bow hunting specialist;
   2. At a regularly conducted recreation facility as a part of a supervised course of instruction; or
   3. Location and/or events approved by the city manager or his designee.

B. Appeal: Any person aggrieved by the city manager or his designee’s decision may appeal the determination within thirty (30) days after notice of the decision in accordance with the provisions of section 3-1-20 of this code.

PASSED AND APPROVED by the Council of Herriman, Utah, this ___ day of March 2020.

HERRIMAN

ATTEST:    David Watts, Mayor

Jackie Nostrom, City Recorder
UPDATES TO ORDINANCE

• Included exception for shotgun
• Include language authorizing the Urban Deer Program
• Exception approvals by City Manager or designee
• Included language to address self defense and protection of private property
• Include appeals process language
HERRIMAN, UTAH
ORDINANCE NO. 20

AN ORDINANCE ADDING SECTION 5-2-2 TO THE HERRIMAN CITY CODE
PROHIBITING THE DISCHARGING OF FIREARMS WITHIN CITY LIMITS WITH
EXCEPTIONS AND SECTION 5-2-3 TO THE HERRIMAN CITY CODE
PROHIBITING THE DISCHARGING OF ARCHERY EQUIPMENT WITH
EXCEPTIONS

WHEREAS, the Herriman City Council ("Council") met in regular meeting on March
2020, to consider, among other things adding Section 5-2-2 to the Herriman City Code
prohibiting the discharge of firearms within the City limits with exceptions and adding section
5-2-3 to the Herriman City Code prohibiting the discharging of archery equipment with exceptions;
and

WHEREAS, many residents of the City enjoy hunting and staff recommends that the
Council clarify the rules for discharge of firearm within the City limits; and

WHEREAS, the Council has determined that it is in the best interest of the health, safety,
and welfare of the inhabitants of the City to clarify the rules for discharge of firearm and archery
equipment within the City limits.

NOW, THEREFORE, BE IT ORDAINED by the Council that the Herriman Code of
Ordinances be amended by adding Sections 5-2-2 and 5-2-3 as follows.

5-2-2: Discharging Firearms Prohibited
A. It is unlawful for any person to discharge firearms of any description within the corporate
limits of the city, except:
1. At a regularly licensed shooting gallery;
2. At the Herriman City police target range;
3. At a regularly conducted school as a part of a supervised course of instruction;
4. At a regularly organized club shooting range, where the range and facilities have been
   approved by city manager or his designee;
5. At a mobile range trailer where range facilities have been approved by city
   manager or his designee;
6. Shotguns may be discharged using #4 shot or smaller in areas authorized by the
   state of Utah for hunting;
7. Animal service officer, veterinarian, peace officer, City employee, Federal or State
   wildlife official, or property owner who is authorized by a local, State or Federal government
   to treat, manage, capture, trap, hunt or remove deer and who is acting within the scope of the
   person's authority;
8. Location and/or events approved by the city manager or his designee;
9. In self defense or protection of life or property.

B. Ceremonies and Firearm Demonstrations: Unloaded firearms may be discharged using
only a powder charge at:
1. Funerals or other memorial ceremonies as part of the ceremony; and
2. Locations approve by the city manager or his designee.

C. Appeal: Any person aggrieved by the city manager or his designee’s decision may appeal
the determination within thirty (30) days after notice of the decision in accordance with the
provisions of section 3-1-20 of this code.

5-2-3: Discharging Archery Equipment Prohibited
A. It is unlawful for any person to discharge archery equipment of any description within the
   corporate limits of the city except:
1. In areas authorized by the state of Utah for hunting or authorized urban bow
   hunting specialist;
2. At a regularly conducted recreation facility as a part of a supervised course of
   instruction, or
3. Location and/or events approved by the city manager or his designee.

B. Appeal: Any person aggrieved by the city manager or his designee’s decision may appeal
the determination within thirty (30) days after notice of the decision in accordance with the
provisions of section 3-1-20 of this code.

PASSED AND APPROVED by the Council of Herriman, Utah, this _ day of March
2020.

HERRIMAN

ATTEST:  

David Watts, Mayor

Jackie Nostrum, City Recorder
DATE: March 19, 2020

TO: The Honorable Mayor and City Council

FROM: Jackie Nostrom, City Recorder

SUBJECT: Resolution adopting rules governing the use of Electronic Meetings for all City Committees and agencies and consenting to Planning Commission adoption of the same rules

RECOMMENDATION:
Approval of a Resolution adopting rules governing the use of electronic meetings for all City Committees and agencies and consenting to Planning Commission adoption of the same rules.

DISCUSSION:
The Open and Public Meetings Act allows public bodies to hold electronic meetings; however, requires rules be put in place governing the use of electronic meetings. In reviewing the City’s policy regarding Electronic Meetings, it was discovered the ability to hold electronic meetings only lies with the City Council. Staff is recommending the City Council adopt policies and procedures for all City Boards and Commissions to allow for the flexibility to have City meetings electronically during times of emergency.

ALTERNATIVES:
The Council can alter the policy in any way or decide not to allow other boards to meet electronically.

FISCAL IMPACT:
There is no fiscal impact.
WHEREAS, the Herriman City Council (“Council”) met in a regular meeting on March 25, 2020, to consider, among other things, a resolution adopting rules governing the use of electronic meeting for all city committees and agencies and consenting to planning commission adoption of the same rules; and

WHEREAS, staff has recommended to the Council that it adopt a uniform rule governing the use of electronic meeting for all city committees and agencies and consenting to planning commission adoption of the same rules; and

WHEREAS, a copy of the rules governing the use of electronic meeting for all city committees and agencies and consenting to planning commission adoption of the same rules is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Council that the attached be adopted as the rules governing the use of electronic meeting for all city committees and agencies and hereby consent to planning commission adoption of the same rules without further action or consent by the Council.

This Resolution assigned no. 20-___, shall take effect immediately.

PASSED AND APPROVED this 25th day of March 2020.

HERRIMAN CITY COUNCIL

________________________________________
David Watt, Mayor

ATTEST:

________________________________________
Jackie Nostrom, MMC
City Recorder
ELECTRONIC BOARD MEETING POLICIES AND PROCEDURES

I. **Policy:** This shall be known as the Herriman City (the “City”) Electronic Board Meeting Policy (the “Policy”). This policy shall cover the City Council, Planning Commission and/or other City Boards and Commissions (the “Board”)

II. **Electronic Meetings:**

A. **General:** A Board meeting may be convened and conducted by means of telephonic, telecommunications, or computer conference by satisfying the requirements of Utah Code Ann. § 52-4-207.

B. **Participation:** The primary purpose for holding electronic meetings is to enable members of the Board to participate in the meeting electronically. Nevertheless, provision may be made for a member of the public to monitor an open meeting of the Board through electronic means provided that the member of the public so requests in writing at least three days prior to the meeting, and further provided that the City will not be required to acquire any equipment, facilities or expertise which the City does not already possess in order to accommodate the request. Notwithstanding anything to the contrary in this Policy, with the exception of a public hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an electronic meeting.

C. **Anchor Location:** The Anchor Location will be designated at the City Council Chambers located in the City Offices located at 5355 West Herriman Main Street, additional anchor location(s) may be established as needed. A quorum of the Board need not be present at the anchor location for an electronic meeting to be held. As few as one Board Member may be present at the anchor location, as long as all other requirements of this Policy and of Utah Code Ann. §52-4-207 are satisfied for a meeting to be held electronically. The Board Member who would chair the meeting shall be physically present at the anchor location. Space, facilities, and/or other electronic means must be provided so that all interested persons may attend and/or monitor the open portions of the meeting. In addition, if the meeting is a public hearing or allows for public comment, space, facilities and/or electronic means must be provided so that interested persons and the public may attend, monitor and participate in the hearing or comment portion of the meeting.

D. **Notice:** Not less than 24 hours’ advance public notice, including the agenda, date, time, location, and a description of how the Board Members will be connected to the electronic meeting, will be given for each electronic meeting of the Board by posting a written notice at the principal office of the City and providing written or electronic notice to at least one newspaper of general circulation in the City and by posting the notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701. In addition, the notice must be posted at the anchor location and must be provided to all Board Members at least 24 hours before the meeting. These notice requirements are minimum requirements and are
not to be construed as precluding such additional postings and notifications as may be directed by the Board. In an emergency situation, the requirement to post written notice at the building where the meeting is to be held and/or at the anchor location may be waived.

E. **Logistical Considerations:** The Chair, or the Appointed-Chair in the Chair’s absence, may determine, based upon logistical considerations that it is not in the best interest of the City to hold an electronic meeting, in which event the meeting will not be held as an electronic meeting. The Chair, or the Appointed-Chair in the Chair’s absence, may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. The request from a member of the public to participate in a meeting electronically may be denied by the Chair, or Appointed-Chair in the Chair’s absence, based on budget, public policy or logistical considerations deemed sufficient by the Chair or Appointed-Chair.

F. **Conduct of Meeting:** No action may be taken and no business may be conducted at a meeting of the Board unless a quorum, consisting of a simple majority of the members of the Board, is present. A Board Member who is not physically present may nevertheless participate in the meeting through electronic means and be counted toward the required quorum in accordance with Utah Code Ann. § 52-4-207. Any Board Member participating via electronic means may make, second and vote on all motions and participate in the discussion as though present, except that the Board Member who chairs the meeting must be present at the anchor location. If neither the Chair nor the Appointed-Chair is physically present at the anchor location (but there is still a quorum) a Board Member who is physically present at the anchor location will preside over the meeting.