



## Regular City Council Meeting

Tuesday, June 4, 2019

City Hall Council Chambers

5249 South 400 East, Washington Terrace City

801-393-8681

[www.washingtonterracecity.com](http://www.washingtonterracecity.com)

1. **WORK SESSION:** **5:00 P.M.**  
**TOPICS TO INCLUDE; BUT ARE NOT LIMITED TO: EQUIVALENT RESIDENTIAL UNIT (ERU) AUDIT CONCLUSIONS AND DISCUSSION**

2. **ROLL CALL** **6:00 P.M.**

3. **PLEDGE OF ALLEGIANCE**

4. **WELCOME**

5. **CONSENT ITEMS**

### **5.1 APPROVAL OF AGENDA**

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

### **5.2 APPROVAL OF MAY 21, 2019, MEETING MINUTES**

6. **CITIZEN COMMENTS**

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.

7. **COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN COMMENTS**

Council and staff will consider and address concerns and take appropriate measures to follow up on any comments made in the citizen comments item on the agenda.

8. **NEW BUSINESS**

### **8.1 MOTION/RESOLUTION 19-21: INTERLOCAL AGREEMENT FOR COLLECTING AND REPORTING BEER TAX FUNDS**

To authorize the Weber County Sheriff's Office to collect, expend, and report state issued Beer Tax Funds pursuant to Utah Code 32B-2-401 through 403

For more information on these agenda items, please visit our website at [www.washingtonterracecity.com](http://www.washingtonterracecity.com)

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#### CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

9. **COUNCIL COMMUNICATION WITH STAFF**

This is a discussion item only. No final action will be taken.

10. **ADMINISTRATION REPORTS**

This is an opportunity for staff to address the Council pertaining to administrative items.

11. **UPCOMING EVENTS**

**June 7<sup>th</sup>: Movie in the Park**

**June 8<sup>th</sup>: Terrace Days**

**June 18<sup>th</sup>: Taxation and Fire Operations Town Hall 6:00 p.m.**

**June 18<sup>th</sup>: City Council and RDA Meeting 7:00 p.m.**

**June 27<sup>th</sup>: Planning Commission Meeting (tentative)**

12. **ADJOURN THE MEETING: MAYOR ALLEN**

**For more information on these agenda items, please visit our website at [www.washingtonterracecity.com](http://www.washingtonterracecity.com)**

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# City of Washington Terrace

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Minutes of a Regular City Council meeting  
Held on May 21, 2019  
City Hall, 5249 South 400 East, Washington Terrace City,  
County of Weber, State of Utah

9  
10

**MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT**

- 11 Mayor Mark C. Allen  
12 Council Member Scott Monsen  
13 Council Member Blair Brown  
14 Council Member Larry Weir  
15 Council Member Scott Barker  
16 Council Member Jeff West  
17 Finance Director Shari’ Garrett  
18 Chief Building Inspector Jeff Monroe  
19 Public Works Director Steve Harris  
20 City Recorder Amy Rodriguez  
21 City Manager Tom Hanson  
22 Weber County Sheriff Lt. Jeff Pledger

23  
24

**Others Present**

25 Charles and Reba Allen, Ullis Gardiner, Nora Button, Bob Miller, Amy Miller, BSA Troop 75, Eric Holzinger

26  
27

1. **ROLL CALL** **6:00 P.M.**

28  
29

2. **PLEDGE OF ALLEGIANCE**

30 Troop 75 led the Pledge of Allegiance.

31  
32

3. **WELCOME**

33  
34

4. **CONSENT ITEMS**

35  
36

**4.1 APPROVAL OF AGENDA**

37 Item 13 “Closed Session” has been removed from the agenda.

38  
39

**4.2 APPROVAL OF MAY 7, 2019, MEETING MINUTES**

40 Items 4.1 and 4.2 were approved by general consent.

41  
42

5. **SPECIAL ORDER**

43  
44

**5.1 PUBLIC HEARING: TO HEAR COMMENT ON THE FISCAL YEAR 2019  
45 AMENDED BUDGET, FISCAL YEAR 2020 TENTATIVE BUDGET, AND  
46 2021-2024 BUDGET PLAN**

47  
48

Hanson presented Budget Discussion slides highlighting several areas of

49 the budget plan. Hanson stated that staff has been working as a team with Council since  
50 November to come up with a budget document. Hanson stated that the budget document is  
51 online.

52 Hanson outlined Council Priorities: Fiscal Responsibility, Open and Responsive Government,  
53 Public Safety and health, Family Oriented Community, Infrastructure, Improvements, and  
54 Public Facilities, Sustainable Growth through Vision, Planning, and Economic Development.

55 Hanson highlighted the major budget items, to include:

56 Fire/EMS services

57 OTIS II: Capital improvements

58 Property Tax Increase: The increase will be for Fire Services.

59 Personnel: Hanson stated that staff strives to balance ability to pay with the ability to recruit  
60 and retain employees.  
61

62 Hanson spoke on points to consider during the taxing discussions. Hanson stated that we will  
63 be moving forward with a tax increase to help recruit and retain firefighters, as well as have a  
64 full staff for better service needs.  
65

66 Hanson stated that there have been very few Truth in Taxations within the last few years.  
67 Hanson stated that the city will need to increase taxes for around \$217,000 in order to improve  
68 the level of service in our fire operations. Hanson stated that we will maintain our volunteer  
69 status.  
70

71 Hanson stated that in 2020, we will lose our GO bond, however, we will capture that amount  
72 though the Truth in Taxation, essentially keeping the tax rate the same.

73 Hanson stated that the City's taxes are in balance. Hanson stated that we are working on  
74 having a fire service that is value for the residents. Hanson stated that staff recognizes that  
75 half our city is low to moderate income.  
76

77 Hanson stated that Washington Terrace City comes in second in lowest utility base rates  
78 compared to neighboring cities. Hanson stated that the utility rates are set to increase by  
79 \$1.95. Hanson stated that the rate schedule is constructed to charge the water users over the  
80 base more money. This is due to conservation and to also help the vulnerable communities  
81 who may not use much water.  
82

83 Mayor Allen stated that he appreciates Hanson and staff on the work that they do. He stated  
84 that we are not a rich city and yet we can keep our basic services for a reasonable amount.  
85

86 **Mayor Allen opened the public hearing at 6:36 p.m.**  
87

88 Resident Nora Buttons- 4434 S 375 E- asked if someone would be charged less if they use  
89 less than 4000 gallons. Hanson stated that the 4000 gallons is the base amount to help pay  
90 for infrastructure.  
91

92 **Mayor Allen closed the public hearing at 6:38 p.m.**  
93

94  
95  
96  
97 **5.2 PUBLIC HEARING: TO HEAR COMMENT ON UTILITY FUND TRANSFERS**

98 Garrett stated that state law requires that we hold this public hearing. She stated that the value of  
99 water services is \$65,000 and refuse is \$4000, Storm services are estimated at \$19,000. She stated that we  
100 do not charge ourselves for utility services that we provide. She stated that if we choose to charge  
101 ourselves we would be using tax revenue. The public hearing is to declare that we are not doing that.

102  
103 **Mayor Allen opened the public hearing at 6:42 p.m.**

104 There were no citizen comments.

105 **Mayor Allen closed the public hearing at 6:43 p.m.**

106  
107 **6. CITIZEN COMMENTS**

108 There were no citizen comments.

109  
110 **7. COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN**  
111 **COMMENT**

112 Due to lack of citizen comments, item 7 is unnecessary.

113  
114 **8. NEW BUSINESS**

115 **8.1 RESOLUTION 19-20: SECOND AMENDMENT TO INTERLOCAL**  
116 **AGREEMENT FO SEAL AND SECURE SERVICES ROTATION LIST**

117 Hanson stated that this is an opportunity to join with Ogden City to use their contracted companies  
118 For Seal and Secure services.

119 **Motion by Council Member Barker**  
120 **Seconded by Council Member West**  
121 **To Enter into the interlocal agreement for**  
122 **Seal and secure services rotation list**  
123 **Approved unanimously (5-0)**  
124 **Roll Call Vote**

125  
126 **8.2 MOTION: APPROVAL OF CARVER CROSSING SUBDIVISION TO BE**  
127 **LOCATED AT 175 WEST 4900 SOUTH**

128 Monroe stated that the property falls under the infill ordinance and the requirements have been  
129 Met. Monroe stated that they are allowed up to 12 units. Monroe stated that they must be single family  
130 homes with two car garages. He stated that the Planning Commission gave a favorable recommendation  
131 to approve. Monroe stated that the roads will turned over to the city. He stated that the main access roads  
132 will be 175 West and 4425 South. Monroe stated that the green space will fall under an HOA, however,  
133 the City will take over the roads. Snow plowing issues were discussed. Hanson stated that some of the  
134 issues with infill properties involve cul-de-sacs and hammerhead roads. Monroe stated that they will  
135 supply one light at the entrance and have lighting on the buildings. Monroe explained the façade and look  
136 of the architectural designs. Monroe stated that this is not a quasi-PRUD. Monroe stated that he believes  
137 that they will be a value to the city.

138  
139 **Motion by Council Member Monsen**  
140 **Seconded by Council Member Barker**  
141 **To approve the Carver Crossing Subdivision**  
142 **Located at 175 West 4900 South**  
143 **Approved unanimously (5-0)**

147 **8.3 MOTION: APPROVAL OF STANDER TOWNHOMES PHASE 2 SUBDIVISION**  
148 **TO BE LOCATED AT 180 EAST 5000 SOUTH**

149 Monroe stated that this subdivision will be the exact same structures as the PRUD east of the properties  
150 (Phase I). Monroe stated that this also falls under the infill ordinance.

151  
152 **Motion by Council Member Weir**  
153 **Seconded by Council Member West**  
154 **To approve the Stander Townhomes Phase 2 Subdivision**  
155 **To be located at 180 East 5000 South**  
156 **Based on appropriate lighting recommendations by staff**  
157 **Approved unanimously (5-0)**  
158

159 **8.4 MOTION/ORDINANCE 19-02: VACATION AND SHORT TERM RENTALS**

160 Monroe stated that vacation short term rentals are Air B&B's, VRBO and the like. He stated that is has  
161 been found that several short term rentals are being operated in the City. Monroe stated that the ordinance  
162 addresses several concerns that will maintain the property and the neighborhood. He stated that we can  
163 now establish a licensing process under this ordinance. Monroe stated that the Planning Commission  
164 worked on this ordinance to have regulations in place. Mayor Allen asked about the parking  
165 requirements. Monroe stated that they can only park onsite of the house, but not on neighboring houses.  
166 Mayor Allen stated that the rules and regulations cover just about everything. Council Member West  
167 asked about inspections for the business license. Monroe stated that the occupancy will be stated on the  
168 business license. Monroe stated that we could do inspections based on neighboring reports of occupancy.  
169 Hanson pulled up listings that are currently on the internet for Washington Terrace.  
170 Council Members Brown and Monsen expressed concerns about parking issues. Monroe stated that it will  
171 be regulated as strictly as possible.  
172

173 **Motion by Council Member West**  
174 **Seconded by Council Member Barker**  
175 **To approve Ordinance 19-02**  
176 **Vacation and Short Term Rentals**  
177 **Approved unanimously (5-0)**  
178 **Roll Call Vote**  
179

180  
181 **9. ADJOURN INTO RDA MEETING**

182 **Mayor and Council Adjourned into RDA at 7:22 p.m.**  
183 **The Regular meeting resumed at 7:32 p.m.**  
184

185 **10. COUNCIL COMMUNICATION WITH STAFF**  
186

187 Council Member Monsen stated that he would like to get the heater fixed in the council chambers.  
188

189 Mayor Allen noted that the hospital plans are moving forward. Mayor Allen stated that the outside  
190 lighting is finally working and thanked staff for their efforts.  
191

192  
193 **11. ADMINISTRATION REPORTS**

194 Hanson stated that he will be bringing a detail of how the Rohmer Park project will be funded to be  
195 approved. Hanson stated that the project is set to be completed by August 15<sup>th</sup>.

196 Hanson stated that the CTC wraps will be put up at the park before Terrace Days.  
197 Hanson stated that staff has been making it very clear that ice blocking is not allowed.  
198 Hanson stated that the Mayor and some of staff attending a tour of the election process at the county and  
199 encouraged Council to take the tour if possible.  
200

201 **12. UPCOMING EVENTS**

202 **May 27<sup>th</sup>: Memorial Day- City Offices closed**

203 **May 30<sup>th</sup>: Planning Commission Meeting 6:00 p.m.**

204 **June 4<sup>th</sup>: City Council Work Session 5:00 p.m.**

205 **June 4<sup>th</sup>: City Council Meeting 6:00 p.m.**

206 **June 7<sup>th</sup>: Movie in the Park Terrace Days**

207 **June 8<sup>th</sup>: Terrace Days!**

208 **June 18<sup>th</sup>: Truth and Taxation Open Forum and Discussion 5:00 p.m.**

209 **June 18<sup>th</sup>: City Council Meeting 6:30 p.m.**  
210

211 **13. MOTION: ADJOURN INTO CLOSED SESSION**

212 Item 13 has been deleted from the agenda.  
213

214 **14. ADJOURN THE MEETING: MAYOR ALLEN**

215 Mayor Allen adjourned the closed session and regular meeting at 7:49 p.m.  
216  
217  
218  
219

220 \_\_\_\_\_  
**Date Approved**

\_\_\_\_\_  
**City Recorder**

# City Council Staff Report

FINANCE DEPT.

**Author:** Shari' Garrett  
**Subject:** DISTRIBUTION OF BEER TAX FUNDS  
**Date:** June 4, 2019

**Type of Item:** RESOLUTION: INTERLOCAL AGREEMENT FOR COLLECTING AND REPORTING BEER TAX FUNDS

## Summary Recommendations:

The City Council by Resolution, approve an interlocal agreement, authorizing Weber County Sheriff's Office to collect, expend, and report state issued Beer Tax Funds pursuant to Utah Code 32B-2-401 through 403.

## Description:

### A. Topic: BEER TAX FUNDS COLLECTION & REPORTING

### B. Background:

Beer Tax Funds are distributed by the State to the City annually. Since 2015 the average City distribution has been \$7,500. In FY2019, the City received \$7,282.

Utah Code 32B-2-401 through 403 restricts the use of these funds to be used for public purposes, including promoting the reduction of the harmful effects of substance abuse, overconsumption of alcoholic products by an adult, and alcohol consumption by minors, by exclusively funding programs or projects related to prevention, treatment, detection, prosecution, and control of violations of this title and other offenses in which alcohol or substance abuse is a contributing factor.

Historically the City has used these funds for *prosecution* costs of alcohol or substance abuse cases; *law enforcement* costs associated with processing alcohol related cases; and *prevention* programs that include the City's participation in the Bonneville Communities that Care Program.

### C. Analysis:

The Weber County Sheriff's Office has agreed to collect, expend and report the City's Beer Tax Funds annual distribution pursuant to Utah Code 32B-2-401 through 403. *In return, the City would receive an annual contract (police services) credit equivalent to the City's entitled distribution.*

The Sheriff's Office has been providing the same service for the majority of its contract cities (all except WTC and Uintah). They have expressed that they have available capacity and the willingness to collect and report on our behalf.

### **City Benefits**

#### **Reduced Staff Time**

This arraignment would free up staff time associated with the collection, expending, and reporting of these funds. The program requirements are becoming increasingly restrictive and onerous. The Sheriff's Office can offer a more natural fit to managing the use of these funds.

#### **D. Department Review: City Manager & Finance**

- E. Recommendation:** The City Council, by resolution, approve the interlocal agreement authorizing Weber County Sheriff's Office to collect, expend, and report state issued Beer Tax Funds pursuant to Utah Code 32B-2-401 through 403. *In return, the City would receive an annual contract credit equivalent to the City's entitled distribution.*

# BEER TAX GUIDELINES

Effective Date: May 2018



## Utah Substance Use and Mental Health Advisory (USA AV+) Council



**Guidelines for Allowable Use of Beer Tax Funds**  
**Distributed From the Alcoholic Beverage and Substance Abuse**  
**Enforcement and Treatment Restricted Account to Municipalities and Counties.**  
Edition 3.2/April 2018 Update

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## PREFACE

These guidelines are intended to clarify allowable versus unallowable uses of beer tax funds distributed annually to municipalities and counties. The goal is to ensure the most appropriate and effective permissible uses of the funds in addressing alcohol and substance abuse-related problems in Utah's communities. Municipalities and Counties are expected to work with relevant agencies within their areas (e.g., law enforcement, courts, substance abuse prevention and treatment) to create an effective utilization plan. Effective utilization of Beer Tax funds are plans which have a balanced approach in multiple categories and which protect and sustain the Beer Tax program as a valuable resource.

**Effective utilization of Beer Tax funds are plans which have a balanced approach in multiple categories and which protect and sustain the Beer Tax program as a valuable resource.**

## STATUTORY REQUIREMENTS

Statute<sup>1</sup> [32B-2-403](#) states:

(2)(a) Consistent with the policies provided in Subsection [32B-1-103\(4\)\(b\)](#), money in the account shall be used for statewide public purposes, including promoting the reduction of the harmful effects of substance abuse, overconsumption of alcoholic products by an adult, and alcohol consumption by minors, by exclusively funding programs or projects related to prevention, treatment, detection, prosecution, and control of violations of this title and other offenses in which alcohol or substance abuse is a contributing factor except as provided in Subsection (2)(b).

**Beer Tax funds are intended to supplement local budgets and are not intended to supplant or replace the funding that would otherwise be allocated for alcohol and substance abuse-related purposes.**

(b) The portion distributed under this part to a county may also be used for the confinement or treatment of persons arrested for or convicted of offenses in which alcohol or substance abuse is a contributing factor.

(c) A municipality or county entitled to receive money shall use the money exclusively as required by this Subsection (2).

(3) The appropriations provided for under Section [32B-2-404](#) are:

(a) intended to supplement the budget of the appropriate agencies of each municipality and county within the state to enable the municipalities and counties to more effectively fund the programs and projects described in Subsection (2); and

(b) not intended to replace money that would otherwise be allocated for the programs and projects in Subsection (2).

(4) It is the intent of the Legislature that the appropriations distributed under this part be used to fund a balanced approach to reducing the harmful effects of substance abuse, overconsumption of alcoholic products by adults, and alcohol consumption by minors. To this end, the Legislature encourages municipalities and

<sup>1</sup> Throughout this document, "statute" refers to the Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act found in the Utah Code Sections 32B-2- 401 through 405.

counties receiving money under this part to use the most effective formula allocation to fund evidence-based and evidence-informed prevention programs.

## IMPORTANT REMINDERS

- **The first 25% of the entire appropriation** for each fiscal year is distributed to the counties only, based on population, and ***must be used*** for **confinement** and **treatment** purposes for persons arrested for or convicted of offenses in which alcohol or other drugs are a contributing factor. The balance of funds distributed to the counties may be utilized for the treatment and confinement as well as the other identified categories.
- ***Beer tax funds are intended to supplement the budgets*** of the appropriate agencies of each municipality and county within the state to support programs and projects described above, ***but shall not replace (supplant) money*** that would otherwise be allocated for those programs and projects.
- **Use of beer tax funds** for specific programs or projects **must be approved by the USAAV+ Council** prior to expenditure.
- **Beer Tax Plans** for the subsequent fiscal year are due no later than **June 1**. Amended Beer Tax Plans can be submitted at any time throughout the year for approval.
- **Annual Beer Tax Reports** for the previous fiscal year are due no later than **October 1**.
- **Beer tax funds must be financially accounted for separately from all other funds** (e.g., separate account, separate account code, or restricted line item) in order to accurately track activities financed with these monies and amounts spent for each activity. Accounting for beer tax funds should adhere to the Generally Accepted Accounting Principles (GAAP).

## CATEGORIES

There are **5** categories in which Beer Tax funds may be expended.

- **Prevention** (evidence-based or evidence-informed programs)
- **Treatment** (of offenders with alcohol and/or substance abuse problems)
- **Law Enforcement** (related to alcohol and/or substance abuse)
- **Prosecution** (of offenders who have committed alcohol and/or substance abuse related offenses)
- **Confinement** (25% of funding to counties must be spent in Treatment and/or Confinement categories)

**The most effective plans should include evidence-based or evidence-informed programs, services or equipment covering multiple categories.**

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## GUIDELINES FOR PROGRAMS AND PROJECTS

### PREVENTION

**House Bill 40**, passed during the 2014 General Legislative Session and effective July 1, 2014, **mandates beer tax funds shall be used only for evidence-based and/or evidence-informed prevention programs and projects** as defined in Administrative Rule [R523-9](#) by the Division of Substance Abuse and Mental Health. See rule for definitions of evidence-based and evidence-informed programs.

**Prevention programs and projects funded with beer tax funds must target alcohol or substance abuse.** Prevention programs should enhance prevention activities already in place and should be coordinated with the Local Substance Abuse Authority agency for the area (see [Appendix A](#)).

#### Examples of Allowable Use of Beer Tax Funds:

- Second Step
- Strengthening Families Program for Parents and Youth 10-14
- Communities That Care (CTC)
- Incredible Years - Parents
- Guiding Good Choices
- Keepin' It Real
- LifeSkills Training
- Big Brothers Big Sisters
- All Stars
- Mindfulness-based Stress Reduction
- Parenting Wisely
- Parents as Teachers
- Prime for Life
- Protecting You/Protecting Me
- Too Good for Drugs
- Prevention programs identified by a national registry or other USAAV+-approved registry, e.g. *Blueprints for Healthy Youth Development*: <http://www.blueprintsprograms.com/>

**Prevention programs should be coordinated with the Local Substance Abuse Authority agency for the area.**

#### Examples of Unallowable Use of Beer Tax Funds:

- NOVA, Officer Friendly
- Suicide prevention programs
- Bullying and other anti-violence prevention programs
- Red Ribbon Week
- Alcohol/Drug-Free Graduation Parties
- radKIDS

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- EASY (Eliminating Alcohol Sales to Youth)
- Programs/services not related to substance abuse or alcohol harms
- Programs that use scare tactics, or use people in addiction recovery who tell their story (these are not appropriate with adolescents)

### **Examples of Performance Indicators:**

- Number of participants in prevention programs
- Number of participants successfully completing evidence-based or evidence-informed programs

## **TREATMENT**

Beer tax funds distributed to municipalities and counties may be utilized to provide **treatment for persons arrested for or convicted of offenses in which alcohol or substance abuse is a contributing factor.**

“Drug addiction is a complex illness. It is characterized by intense and, at times, uncontrollable drug craving, along with compulsive drug seeking and use that persist even in the face of devastating consequences...

...Addiction affects multiple brain circuits, including those involved in reward and motivation, learning and memory, and inhibitory control over behavior. That is why addiction is a brain disease. Some individuals are more vulnerable than others to becoming addicted, depending on the interplay between genetic makeup, age of exposure to drugs, and other environmental influences. While a person initially chooses to take drugs, over time the effects of prolonged exposure on brain functioning compromise that ability to choose, and seeking and consuming the drug become compulsive, often eluding a person’s self-control or willpower.

But addiction is more than just compulsive drug taking—it can also produce far-reaching health and social consequences. For example, drug abuse and addiction increase a person’s risk for a variety of other mental and physical illnesses related to a drug-abusing lifestyle or the toxic effects of the drugs themselves. Additionally, the dysfunctional behaviors that result from drug abuse can interfere with a person’s normal functioning in the family, the workplace, and the broader community.

Because drug abuse and addiction have so many dimensions and disrupt so many aspects of an individual’s life, treatment is not simple. Effective treatment programs typically incorporate many components, each directed to a particular aspect of the illness and its consequences. Addiction treatment must help the individual stop using drugs, maintain a drug-free lifestyle, and achieve productive functioning in the family, at work, and in society. Because addiction is a disease, most people cannot simply stop using drugs for a few days and be cured. Patients typically require long-term or repeated episodes of care to achieve the ultimate goal of sustained abstinence and recovery of their lives. Indeed, scientific research and clinical practice demonstrate the value of continuing care in treating addiction, with a variety of approaches having been tested and integrated in residential and community settings.”

Source: National Institute on Drug Abuse. [Principles of Drug Addiction Treatment: A Research-Based Guide, Third Edition, 2018.](#)

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Treatment for addiction is delivered in many different settings using a variety of behavioral and pharmacological approaches. In Utah, there are many specialized treatment facilities that provide counseling, behavioral therapy, medication, case management and other types of services to persons with substance use disorders. In addition to these specialized facilities, addiction is treated in physicians' offices and mental health clinics by a variety of providers, including counselors, physicians, psychiatrists, psychologists, nurses and social workers. Treatment is delivered in outpatient, inpatient, and residential settings. Although specific treatment approaches are often associated with particular treatment settings, a variety of therapeutic interventions or services can be included in any given setting.

Treatment services should be coordinated with the Local Substance Abuse Authority agency for the area (see Appendix A), and be delivered in accordance with the following principles:

- Addiction is a treatable brain disease that affects behavior.
- Treatment does not need to be voluntary to be effective.
- Assessment is the first step in treatment. The individual's need for treatment should be determined by a valid assessment tool (e.g., the Addiction Severity Index/ASI).
- No single treatment approach is effective for everyone.

**Alcohol and substance abuse-related treatment services should be coordinated with the Local Substance Abuse Authority agency for the area.**

Treatment services should match the needs identified in the assessment.

- Treatment must be of sufficient dosage/duration to affect behavior change. Retention in treatment has been shown to be one of the most significant factors in a successful outcome.
- Treatment should be multi-dimensional and address not only the individual's alcohol and substance abuse/addiction, but also the associated medical, psychological, social, vocational and legal issues, and should be appropriate for the individual's age, gender, ethnicity and culture. Treatment should also target factors that are associated with criminal behavior.
- Criminal justice officials and treatment providers should work collaboratively to address the supervision and treatment needs of the individual.
- Alcohol and other drug use during treatment should be monitored continually, as lapses do occur.
- Emphasis should be placed on the use of evidence-based practices that are based on research findings and are expected to produce a specific clinical outcome.
- Continuity of care is essential for individuals re-entering the community. Self-help and 12-Step groups such as Alcoholics Anonymous (AA) can complement and extend the effects of professional treatment by enhancing community-level social support and helping people achieve and maintain abstinence and other healthy lifestyle behaviors.

A listing of evidence-based treatment practices identified by the Utah Division of Substance Abuse and Mental Health may be found at: [https://dsamh.utah.gov/pdf/EvidenceBasedPracticeMH%203\\_8\\_17.pdf](https://dsamh.utah.gov/pdf/EvidenceBasedPracticeMH%203_8_17.pdf)

Sources: National Institute on Drug Abuse [\*Principles of Drug Addiction Treatment: A Research-Based Guide, Third Edition, 2018\*](#); and National Institute on Drug Abuse [\*Principles of Drug Abuse Treatment for Criminal Justice Populations: A Research-Based Guide, April 2014\*](#).

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## Examples of Allowable Use of Beer Tax Funds:

- Screening and assessment to identify an individual's needs and determine proper placement in treatment services
- Outpatient, intensive outpatient and residential programs that employ behavioral therapies to specifically address the alcohol and/or substance abuse/addiction of the individual
- Medications for alcohol or substance abuse dependence that are part of a comprehensive treatment program
- Recovery support services, peer support, self-help and other recovery support programs (e.g., Alcoholics Anonymous/AA)
- Jail-based treatment services for individuals incarcerated due to an alcohol and/or substance abuse-related offense
- Other uses approved by the USAAV+ Council<sup>2</sup>

## Examples of Unallowable Use of Beer Tax Funds:

- Treatment for persons who have not been arrested for or convicted of offenses in which alcohol or substance abuse is a contributing factor
- Treatment services provided by unlicensed individuals or programs
- Construction and maintenance of treatment facilities

## Examples of Performance Indicators:

- Number of assessments performed
- Number of participants in treatment program(s)
- Average length of stay of participants
- Number of participants successfully completing program(s)
- Types and quantities of medication(s) provided
- Name, provider, and location of treatment program(s)
  - e.g., CATS, Valley Mental Health, Oxbow Jail

## LAW ENFORCEMENT

The statute clearly focuses on activities that will promote the reduction of the harmful effects of substance abuse, over consumption of alcoholic products by an adult, and alcohol consumption by minors. **For law enforcement purposes, beer tax funds are to be used exclusively for the**

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<sup>2</sup>These listed allowable uses of the beer tax funds represent examples and are not exclusive. If a municipality or county identifies a program or project not on the lists provided in this document, the municipality or county should request approval for the program or project from the USAAV+ Council prior to expending beer tax funds.

**detection and control of substance abuse and alcohol-related offenses**, or other offenses in which alcohol or substance abuse is a contributing factor.

### **Examples of Allowable Use of Beer Tax Funds:**

- Special DUI enforcement shifts, checkpoints, saturation patrols, and overtime shifts
- Purchase of equipment essential to substance abuse and alcohol-related enforcement efforts (e.g., HGN pens, breathalyzers, video cameras for police vehicles, vehicles that will be used exclusively for enforcement of drug and alcohol laws)
- General substance abuse and alcohol-related enforcement activities related to illegal sale, consumption, distribution, transportation and/or possession of a controlled substance and/or an alcoholic product
- Purchase of drug dogs
- Drug recognition training for officers
- Drug-specific investigations and enforcement activities
- Other uses approved by the USA AV+ Council<sup>3</sup>

### **Examples of Unallowable Use of Beer Tax Funds:**

- Eliminating Alcohol Sales to Youth (E.A.S.Y.) underage compliance checks (*funding available from the Utah Highway Safety office*).

### **Examples of Performance Indicators:**

- Number of substance abuse and alcohol violations enforced
- Type of substance abuse and alcohol-related law enforcement **equipment** purchased
- Number of DUI overtime shifts
- Number of DUI checkpoints conducted
- Number of vehicles stopped during checkpoints
- Number of DUI arrests

## **PROSECUTION**

Beer tax funds may be used for the **prosecution of offenders who have committed alcohol or other drug related offenses**, including violations of [Title 32B](#) – Alcoholic Beverage Control Act and other offenses in which alcohol or other drugs are a contributing factor.

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<sup>3</sup> These listed allowable uses of the beer tax funds represent examples and are not exclusive. If a municipality or county identifies a program or project not on the lists provided in this document, the municipality or county should request approval for the program or project from the USA AV+ Council prior to expending beer tax funds.

### **Examples of Allowable Use Beer Tax Funds:**

- Costs associated with the prosecution of alcohol-related offenses
- Prosecution of other drug-related violations
- Other uses approved by the USAAV+ Council<sup>4</sup>

### **Examples of Unallowable Use of Beer Tax Funds:**

- Costs associated with the defense of alcohol or other drug law offenders

### **Examples of Performance Indicators:**

- Number of cases screened
- Types of violations prosecuted
- Number of convictions
- Amount of court costs covered

## **CONFINEMENT**

The first 25 percent of the entire appropriated beer tax funds for each fiscal year is distributed to the counties only, based on population, and must be used for **confinement** and **treatment** purposes for **persons arrested for or convicted of offenses in which alcohol or other drugs are a contributing factor**. The balance of funds distributed to the counties may be utilized for the treatment and confinement as well as the other categories listed above.

### **Examples of Unallowable Use of Beer Tax Funds:**

- Confinement of persons not arrested for or convicted of alcohol or other drug-related offenses
- Construction and maintenance of confinement facilities

### **Examples of Performance Indicators:**

- Number of alcohol offenders in confinement
- Number of drug law offenders in confinement
- Number of days in confinement

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<sup>4</sup> These listed allowable uses of the beer tax funds represent examples and are not exclusive. If a municipality or county identifies a program or project not on the lists provided in this document, the municipality or county should request approval for the program or project from the USAAV+ Council prior to expending beer tax funds.

**These guidelines are subject to periodic review and will be updated as needed. Input from beer tax recipients is encouraged and will be considered in making any revisions.**

## **CONTACTS**

If you have comments, concerns or suggested changes to these guidelines, please contact:

**Mary Lou Emerson**  
Director, USAAV+  
801-538-1921  
[memerson@utah.gov](mailto:memerson@utah.gov)

OR

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Beer Tax Program Manager  
801-538-1062  
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## APPENDIX A:

### UTAH LOCAL SUBSTANCE ABUSE AUTHORITY AGENCIES

Local Substance Abuse Authority Agency	Counties Served	Address	Phone/Website
Bear River Health Department	Box Elder Cache Rich	655 East 1300 North Logan, UT	(435) 792-6420
Weber Human Services	Weber Morgan	237 26 <sup>th</sup> Street Ogden, UT	(801) 625-3700 <a href="https://www.weberhs.net/">https://www.weberhs.net/</a>
Davis Behavioral Health	Davis	934 South Main Street Layton, UT	(801) 544-0585 <a href="http://www.dbh.utah.gov/">http://www.dbh.utah.gov/</a>
Salt Lake County Behavioral Health Services	Salt Lake	2001 South State Street Suite S2300 Salt Lake City, UT	(385) 468-4707 <a href="http://slco.org/behavioral-health/">http://slco.org/behavioral-health/</a>
Utah County Department of Drug and Alcohol Prevention and Treatment	Utah	151 South University Avenue Suite 3200 Provo, UT	(801) 851-7128 <a href="http://addapt.utahcounty.gov/">http://addapt.utahcounty.gov/</a>
Valley Behavioral Health – Summit	Summit	1753 Sidewinder Drive Park City, UT	(435) 649-8347 <a href="https://www.valleycares.com/">https://www.valleycares.com/</a>
Wasatch County Family Clinic	Wasatch	55 South 500 East Heber City, UT	(435) 654-3003
Valley Behavioral Health – Tooele	Tooele	100 South 1000 West Tooele, UT	(435) 843-3520 <a href="https://www.valleycares.com/">https://www.valleycares.com/</a>
Central Utah Counseling Center	Juab Millard Piute Sanpete Sevier Wayne	255 South Main Richfield, UT	(435) 896-8236 <a href="http://www.cucc.us">www.cucc.us</a>
Four Corners Community Behavioral Health	Carbon Emery Grand	105 West 100 North Price, UT	(435) 637-7200 <a href="http://www.fourcorners.ws/">http://www.fourcorners.ws/</a>
Northeastern Counseling Center	Daggett Duchesne Uintah	1140 West 500 South Vernal, UT	(435) 789-6300 <a href="http://www.nccutah.org/">http://www.nccutah.org/</a>
Southwest Behavioral Health Center	Beaver Garfield Iron Kane Washington	474 West 200 North St. George, UT	(435) 634-5600 <a href="http://www.southwestcenter.com/">http://www.southwestcenter.com/</a>
San Juan Counseling	San Juan	356 South Main Blanding, UT	(435) 678-2992 <a href="http://www.sanjuanc.org/">http://www.sanjuanc.org/</a>

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**CITY OF WASHINGTON TERRACE  
RESOLUTION 19-21**

**A RESOLUTION OF THE CITY OF WASHINGTON TERRACE, UTAH,  
APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY  
AND WEBER COUNTY FOR COLLECTING AND REPORTING BEER  
TAX FUNDS.**

**WHEREAS**, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources;

**WHEREAS**, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, provides that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective;

**WHEREAS**, Weber County (hereafter “County”) and the City of Washington Terrace (hereafter “City”) have previously negotiated and entered an Interlocal Agreement for the purposes of providing law enforcement services to the City;

**WHEREAS**, the City desires to authorize the Weber County Sheriff’s Office to collect, expend, and report state issued Beer Tax Funds pursuant to Utah Code 32 B-2-401 through 403;

**WHEREAS**, the City and County desire to enter an Interlocal Cooperation Agreement for collecting and reporting beer tax funds attached hereto as Exhibit “A” and incorporated herein by this reference;

**NOW, THEREFORE, BE IT RESOLVED** by the and City Council of the City of Washington Terrace that an interlocal agreement entered into with Weber County for the purposes authorized therein, hereby approved and incorporated by this reference. The City Council hereby authorizes and directs the Mayor to execute the Extension for and on behalf of the City.

PASSED AND APPROVED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MARK C. ALLEN, Mayor,  
City of Washington Terrace

ATTEST:

\_\_\_\_\_  
AMY RODRIGUEZ, City Recorder

ROLL CALL VOTE TALLY:  
Council Member Blair Brown-  
Council Member Scott Barker  
Council Member Larry Weir-  
Council Member Scott Monsen-  
Council Member Jeff West-