

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 15, 2011, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY TEMPORARY MAYOR PRO TEM BROOKS.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks  
Steve Buhler  
Carolynn Burt  
Don Christensen  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT:

Corey Rushton  
Mike Winder

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Russell Willardson, Public Works Director  
Layne Morris, Community Preservation Director  
John Evans, Fire Chief  
Nicole Cottle, CED Director  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
Buzz Nielsen, Police chief  
Eric Bunderson, Acting City Attorney  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

- 15252      **OPENING CEREMONY**  
The Opening Ceremony was conducted by Don Christensen who invited Cub Scout Pack 3343 to lead a flag ceremony.
- 15253      **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 1, 2011**  
The Council read and considered Minutes of the Regular Meeting held March 1, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held March 1, 2011, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.

15254

#### **COMMENT PERIOD**

Upon inquiry by Temporary Mayor Pro Tem Brooks the following individual addressed the City Council during the comment period:

Josh Scheureman addressed the City Council. Mr. Scheureman stated he was pleased to see the City would be contracting with Waste Management as they had a green waste program. He encouraged the City Council to consider providing a way for citizens to dispose of yard waste. He also explained his involvement in sports programs for youth which involved snowboarding and skateboarding. He also stated youth could be involved with these sports throughout their lives. He stated he had been to Council meetings many times in the past to request consideration of building a skatepark at Centennial Park.

15255

#### **RESOLUTION NO. 11-32, APPROVE AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND THE SALT LAKE COUNTY CLERK ELECTION'S DIVISION FOR THE PURPOSE OF ASSISTING THE CITY RECORDER'S OFFICE IN CONDUCTING THE CITY'S 2011 PRIMARY AND GENERAL MUNICIPAL ELECTIONS**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-32 which would approve an Interlocal Agreement between West Valley City and the Salt Lake County Clerk Election's Division, in an amount not to exceed \$157,760.80, for the purpose of assisting the City Recorder's Office in conducting the City's 2011 Primary and General Municipal elections.

Mr. Pyle stated the proposed agreement would authorize the Salt Lake County Clerk's Office, Elections Division, to provide election services to the City Recorder's Office. He also stated the services included ballot layout, design, ordering and printing; voting machine programming and testing; establishing polling places; recruiting, training and assignment of poll workers; provision and

delivery of supplies and equipment; absentee ballot and early voting administration; updating State and County websites; tabulating, reporting and canvassing election results; conducting recounts as needed; all notices and mailing required by law (except those required by Utah Code Ann. §20A-9-203); direct payment of all costs associated with the election including poll workers and polling places; and other services as required by the City to conduct the 2011 Primary and General Municipal elections.

The City Manager indicated provision of these services would assist in conducting the elections in an efficient manner and streamline the election process. The fee for these services would not exceed the stated amount and would be based on the City's pro-rata share of actual costs of the elections which would not exceed the County Clerk's estimate provided to the City for budgeting purposes.

Mr. Pyle reviewed additional information and stated that in 2003 the City began contracting with Salt Lake County Elections in anticipation of using electronic voting equipment for future municipal elections. He explained West Valley City was one of many cities that contracted with the Salt Lake County Clerk's Office, Elections Division, for municipal elections. He reported this had been a good partnership that benefited the City, County and the voters, by providing consolidated municipal elections, turn-key election services, a consistent voter experience, economies of scale, and "no-worry" elections.

After discussion, Councilmember Vincent moved to approve Resolution No. 11-32, a Resolution Approving an Interlocal Agreement between West Valley City and the Salt Lake County Clerk Election's Division for the Purpose of Assisting the City Recorder's Office in Conducting the City's 2011 Primary and General Municipal Elections. Councilmember Burt seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.

15256

**RESOLUTION NO. 11-33, APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND WASTE MANAGEMENT, INC. FOR RESIDENTIAL SOLID WASTE COLLECTION AND CURBSIDE RECYCLING, BEGINNING JULY 1, 2011**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-33 which would approve an Agreement between West Valley City and Waste Management, Inc., in the amount not to exceed \$2,240,000.00, for residential solid waste collection and curbside recycling beginning July 1, 2011.

Mr. Pyle stated request for proposals for the services had included a draft agreement and contract specifications. He reported staff had met with Waste Management of Utah representatives to discuss possible modifications to the agreement and specifications, summarized as follows:

1. All references to collection of seasonal weekly green-waste have been deleted. Collection of green waste is not part of this agreement.
2. The contractor will furnish twenty (20) 30 cubic-yard roll-off dumpsters for use in the City's Neighborhood Dumpster Program. Although this is a change from the RFP (Request for Proposal) documents, it is consistent with the current Dumpster Program.
3. Waste Management has agreed to share recycling revenues with the City in an amount equal to 50% of the recyclable material blended stream value that is over \$100/ton.
4. The initial term of the agreement is five years, as stated in the RFP documents. At the option of the City, the agreement may be extended for not more than two successive two-year terms, rather than two, one-year terms. The total contract could potentially be nine (9) years, at the City's option.
5. The specific consumer price index to be used for annual cost adjustments has been further clarified. If the net change in the CPI is negative or 0, the contractor's compensation rates shall remain unchanged, rather than decreased.

After discussion, Councilmember Burt moved to approve Resolution No. 11-33, a Resolution Approving an Agreement between West Valley City and Waste Management, Inc. for Residential Solid Waste Collection and Curbside Recycling beginning July 1, 2011. Councilmember Christensen seconded the motion.

A roll call vote was taken:

|             |     |
|-------------|-----|
| Mr. Vincent | Yes |
| Mr. Buhler  | Yes |
| Ms. Burt    | Yes |



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|                                |     |
|--------------------------------|-----|
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.

15257

**RESOLUTION NO. 11-34, AUTHORIZE USE OF A STANDARD FORM STORM WATER UTILITY ALTERNATE BILLING AGREEMENT BETWEEN WEST VALLEY CITY AND WEST VALLEY CITY PROPERTY OWNERS**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-34 which would authorize use of a standard form West Valley City Storm Water Utility Alternate Billing Agreement between West Valley City and West Valley City property owners.

Mr. Pyle stated the Mayor and City Recorder would pre-sign an acknowledgement page that would be attached to the alternate billing agreements signed by West Valley City utility billing customers. He explained the alternate billing agreement would allow the City to send a West Valley City utility bill to someone other than the property owner, such as a tenant or property manager, and still maintain the ability to collect unpaid charges from a property owner. He indicated the Public Works Department expected to have hundreds, if not thousands, of these cases over time and the pre-signed acknowledgement would allow agreements to be recorded without having to be approved individually by the City Council. He further stated the City Attorney had approved this method provided the Alternate Billing Agreement did not change.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-34, a Resolution Authorizing the use of a Standard Form Storm Water Utility Alternate Billing Agreement between West Valley City and West Valley City Property Owners. Councilmember Vincent seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.



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15258

**RESOLUTION NO. 11-35, APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY AND WEST VALLEY UNITED COALITION TO SHARE AND COMPARE INFORMATION IN THE OPERATION AND DIRECTION OF THE COALITION**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-35 which would approve a Memorandum of Understanding between West Valley City and West Valley United Coalition to share and compare information in the operation and direction of the coalition.

Mr. Pyle stated West Valley City representatives and the West Valley United Coalition had been working together for one year to start an organization that focused on Alcohol Abuse Prevention in West Valley City. The Coalition would bring together representatives from several interest groups and City residents.

The City Manager reported this was a new Memorandum of Understanding that would allow West Valley City to assist in the operations of the Coalition. He explained it was needed for the Coalition to obtain outside funding to support the Coalition's current mission and objectives related to Alcohol Abuse Prevention in West Valley City. He stated the Coalition was making application for the Drug-Free Communities Support Program, a Federal youth-based substance abuse prevention grant. If funded, the award would provide \$625,000.00 over five years, or \$125,000.00 annually. He further advised no direct general funds were associated and/or obligated with this proposal.

After discussion, Councilmember Buhler moved to approve Resolution No. 11-35, a Resolution Authorizing the City to Approve a Memorandum of Understanding between West Valley City and West Valley United Coalition to Share and Compare Information in the Operation and Direction of the Coalition. Councilmember Vincent seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.



15259

**RESOLUTION NO. 11-36, APPROVE WEST VALLEY CITY TO AUTHORIZE Q10|BONNEVILLE MORTGAGE TO OBTAIN A LOAN COMMITMENT IN ACCORDANCE WITH TERMS AND CONDITIONS OF THE AUTHORIZATION LETTER**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-36 which would approve West Valley City to authorize Q10|Bonneville Mortgage to obtain a loan commitment in accordance with terms and conditions of the authorization letter.

Mr. Pyle stated In order for the RDA to obtain funding for the construction and opening of a hotel, Q10 required the City, at the time an acceptable loan commitment was tendered, to secure the commitment with a Promissory Note until closing. He advised that Q10 could not collect on the Promissory Note unless the RDA defaulted in its obligations under the terms of the Authorization Letter.

The City Manager reported the City acted as a backstop for the RDA in many different kinds of financing transactions. He stated in this financing transaction, the City acted as a backstop in two ways: 1) The City would execute a Promissory Note in favor of Q10 to secure a loan commitment until closing, and 2) The City would lease the hotel from the RDA and sublease to West Valley Lodging Initiatives, LLC.

Mr. Pyle further reported Q10 could not collect on the Note unless the RDA defaulted in its obligations under the Authorization Letter. Further, if Q10 failed to deliver a loan commitment with terms as least as favorable as those in the Authorization Letter, the City would not be obligated to execute a Promissory Note at all and the RDA would seek other avenues to obtain financing.

After discussion, Councilmember Buhler moved to approve Resolution No. 11-36, a Resolution Approving West Valley City to Authorize Q10|Bonneville Mortgage to Obtain a Loan Commitment in Accordance with Terms and Conditions of the Authorization Letter. Councilmember Burt seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Mr. Christensen                | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |



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**REGULAR MEETING – MARCH 15, 2011**

**-8-**

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, MARCH 15, 2011, WAS ADJOURNED AT 6:50 P.M., BY TEMPORARY MAYOR PRO TEM BROOKS.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, March 15, 2011.

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Sheri McKendrick, MMC  
City Recorder