

MINUTES OF COUNCIL REGULAR MEETING – MAY 10, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 10, 2016, AT 6:38 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 MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Craig Thomas, Administration
Leslie Hudson, Administration

OPENING CEREMONY

Councilmember Tom Huynh conducted the Opening Ceremony and asked members of the City Council, City staff and the audience to rise and recite the Pledge of Allegiance.

SPECIAL RECOGNITION, YOUTH CITY COUNCIL

Mayor Bigelow recognized members of the Youth City Council in attendance at the meeting.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 26, 2016

The Council read and considered Minutes of the Regular Meeting held April 26, 2016. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held April 26, 2016. Councilmember Lang seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individual(s) made remarks during the comment period.

A. PUBLIC COMMENTS

Upon inquiry there was no one desiring to address the City Council during the comment period.

B. CITY COUNCIL COMMENTS

Councilmember Christensen stated he attended an out of state high school graduation ceremony and read in their newspaper that in 1869, on this date, the east and west sides of the country were connected by a golden spike that was hammered into the railroad.

ORDINANCE NO. 16-17, AMEND SECTIONS 16-1-101, 16-2-101, 16-5-101, 16-11-101, 16-12-101, 16-13-101, AND 16-14-101 AND ENACTING SECTION 16-15-101 OF TITLE 16 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADOPT THE 2014 AND 2015 EDITIONS OF THE INTERNATIONAL CODES

Mayor Bigelow presented proposed Ordinance No. 16-17 that would amend Sections 16-1-101, 16-2-101, 16-5-101, 16-11-101, 16-12-101, 16-13-101 and 16-14-101, and enact Section 16-15-101 of Title 16 of the West Valley City Municipal Code to adopt the 2014 and 2015 editions of the International Codes.

Written documentation previously provided to the City Council included information as follows:

In the 2015 session the Utah Legislature passed H.B. 316 that adopted the newest International Code updates. The updated codes were the newest editions of the International Codes and part of a comprehensive multi-year, ongoing review process to ensure that building standards would be in accordance with the highest safety standards. The updated codes would take effect on July 1, 2016, requiring the City to update its ordinance accordingly.

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Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Ordinance No. 16-17, an Ordinance Amending Sections 16-1-101, 16-2-101, 16-4-101, 16-5-101, 16-11-101, 16-12-101, 16-13-101, and 16-14-101 and Enacting Section 16-15-101 of Title 16 of the West Valley City Municipal Code to Adopt the 2014 and 2015 Editions of the International Codes. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 16-72, SUPPORTING THE EFFORTS OF THE WEST VALLEY CITY YOUTH CITY COUNCIL TO EDUCATE THE CITY'S YOUTH CONCERNING THE HAZARDS OF ELECTRONIC CIGARETTES

Mayor Bigelow presented proposed Resolution No. 16-72 that would support the efforts of the West Valley City Youth City Council to educate the City's youth concerning the hazards of electronic cigarettes.

Written documentation previously provided to the City Council included information as follows:

The proposed Resolution would declare the City Council's support of the Youth City Council's efforts and commends their work to promote the health, safety and welfare of the citizens of West Valley City.

The Youth City Council had observed a dramatic increase in usage of electronic cigarettes by fellow students and youth citizens in the City. Electronic cigarette usage represented a significant health hazard to students who often faced significant pressure to use the products. The Youth City Council desired to educate fellow students to ensure the hazards of the electronic cigarette usage was well known and encourage students to avoid those products.

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Councilmember Vincent moved to modify the agenda to allow comments from the Youth City Council. Councilmember Lang seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

Youth City Council Deputy Mayor Nelson Locks addressed the City Council and discussed issues related to e-cigarettes, including the Youth City Council's goals in that regard.

Councilmember Buhler read the Resolution and noted that recent news indicated the FDA would regulate this issue moving forward.

Upon inquiry by Mayor Bigelow there were no further questions or discussion by members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution No. 16-72, a Resolution Supporting the Efforts of the West Valley City Youth City Council to Educate the City's Youth Concerning the Hazards of Electronic Cigarettes. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 16-73, AUTHORIZING THE CITY TO ENTER INTO A FIRST AMENDMENT TO THE THEATRE SUBLEASE AGREEMENT WITH HALE CENTRE THEATRE FOR USE OF THE HALE CENTRE THEATRE FACILITY

Mayor Bigelow presented proposed Resolution No. 16-73 that would authorize the City to enter into a First Amendment to the Theatre Sublease Agreement with Hale Centre Theatre for use of the Hale Centre Theatre facility.

Written documentation previously provided to the City Council included information as follows:

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The City and Hale Centre Theatre entered into a Sublease Agreement as of March 1, 2007, that would expire on December 31, 2016. Hale Centre Theatre would be moving to Sandy City where a new theatre was underway for their operations. However, the new theater would not be completed prior to December 31, 2016, and Hale would lose a year of operations unless the Sublease Agreement was amended and the term extended for a period of one year.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Resolution No. 16-73, a Resolution Authorizing the City to Enter Into a First Amendment to the Theatre Sublease Agreement with Hale Centre Theatre for Use of the Hale Centre Theatre Facility. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 16-74, AWARDING A CONTRACT TO LAYTON CONSTRUCTION TO COMPLETE THE BASEMENT OF THE UTAH CULTURAL CELEBRATION CENTER

Mayor Bigelow presented proposed Resolution No. 16-74 that would award a contract to Layton Construction in an amount not to exceed \$3,733,931.80, with authorization to spend an amount not to exceed \$3,920,700.00 through change orders, to complete the basement of the Utah Cultural Celebration Center.

Written documentation previously provided to the City Council included information as follows:

Completion of the basement construction of the Utah Cultural Celebration Center (UCCC) would expand the operational capacity of the Center. When the UCCC was originally built the basement had not been completely developed and constructed. This project would complete the basement and provide the additional conference rooms, multipurpose use rooms, gallery storage rooms, classrooms and many amenities needed

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to expand the UCCC operations. The existing gallery storage space did not provide adequate archiving space or a self-contained environmental vault for traveling exhibits. This project would allow adequate space for archiving and the special vault. The basement completion would provide additional space and opportunities to further the art and culture needs of the City and the entire Wasatch Front. Salt Lake County had pledged to support the expansion and completion of the basement in the amount of \$2,500,000.00 matching funds.

The project had been advertised for general contractor pre-qualification, with five general contractors having been pre-qualified to bid the project. Four contractors had responded with bids: Cameron Construction, Layton Construction, R&R Construction and Paulsen Construction. Paulsen Construction's bid had been withdrawn. Results of the sealed bids was as follows:

Layton Construction:	\$3,733,931.80
R&O Construction:	\$4,162,900.00
Cameron Construction:	\$4,680,982.00

City staff advised that Layton Construction had submitted the lowest responsible bid.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Huynh moved to approve Resolution No. 16-74, a Resolution Awarding a Contract to Layton Construction to Complete the Basement of the Utah Cultural Celebration Center. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	No
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Majority.

RESOLUTION NO. 16-75, APPROVING AN AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH TRANSIT AUTHORITY FOR THE REROUTING OF BUS RAPID TRANSIT SERVICE IN FAIRBOURNE STATION

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Mayor Bigelow presented proposed Resolution No. 16-75 that would approve an Agreement between West Valley City and the Utah Transit Authority (UTA) for the rerouting of bus rapid transit service in Fairbourne Station.

Written documentation previously provided to the City Council included information as follows:

The proposed Agreement would facilitate a change in 3500 South BRT lanes and routes for construction of a new road and traffic signal at 3030 West.

The next phase of the Fairbourne Station roadways would necessitate construction of a new road at 3030 West between Lehman Avenue and 3500 South Street. The 3030 West Street would be signalized at 3500 South with left turn lanes from westbound 3500 South to southbound 3030 West. Currently the lanes needed for the turn lanes were occupied by UTA's Bus Rapid Transit (BRT) lines. UTA agreed to give up the use of the BRT lanes between 3030 West and Market Street in exchange for construction of two new BRT stations on 3030 West and the relocation of an existing station from Lehman Avenue to Market Street.

UTA also desired to increase the length of the canopy on the two new BRT stations on 3030 West and agreed to pay the City the additional cost for the increased length of that canopy. The cost of the betterment would be known after the City bid the Fairbourne Station Phase II Roadway Project this spring.

A permit for the work on 3500 South had been received from UDOT.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Resolution No. 16-75, a Resolution Approving an Agreement Between West Valley City and the Utah Transit Authority for the Rerouting of Bus Rapid Transit Service in Fairbourne Station. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Unanimous.

RESOLUTION NO. 16-76, A RESOLUTION OF THE CITY COUNCIL OF WEST VALLEY CITY, UTAH, AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, UTAH (THE “AUTHORITY”), AND A GROUND LEASE AGREEMENT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE AND REFUNDING BONDS, SERIES 2016, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$36,000,000; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A GENERAL INDENTURE OF TRUST AND A FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, CERTAIN SECURITY DOCUMENTS, AN OFFICIAL STATEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

Mayor Bigelow presented proposed Resolution No. 16-76, that would authorize and approve the execution and delivery of a Master Lease Agreement by and between the City and the Municipal Building Authority of West Valley City, Utah, and a Ground Lease Agreement; authorize the issuance and sale by the Authority of its Lease Revenue and Refunding Bonds Series 2016 in the aggregate principal amount of not more than \$36,000,000; authorize and approve the execution and delivery by the Authority of a General Indenture of Trust and a First Supplemental Indenture of Trust, Bond Purchase Agreement, certain security documents, an Official Statement, and other documents required in connection therewith; authorize the taking of all other actions necessary to the consummation of the transaction contemplated by the Resolution; and related matters.

City Manager, Wayne Pyle, clarified several points and discussed the bonding options in further detail.

Councilmember Lang stated she did not feel comfortable with this item yet and requested additional review time to gather additional information.

Upon inquiry by Councilmember Vincent, the City Manager advised a continuance of one week would not create any significant challenge in moving forward with the bond.

Hearing no further discussion, Mayor Bigelow called for a motion.

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Councilmember Lang moved to continue proposed Resolution No. 16-75 to the Regular Council Meeting scheduled May 17, 2016. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 16-77, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2016, AND ENDING JUNE 30, 2017; AND SETTING AUGUST 9, 2016, AS THE DATE FOR PUBLIC HEARING

Mayor Bigelow presented proposed Resolution No. 16-77 that would adopt a Tentative Budget for the fiscal year commencing July 1, 2016, and ending June 30, 2017; and setting August 9, 2016, as the date for public hearing.

Written documentation previously provided to the City Council included information as follows:

West Valley City would adopt a Tentative Budget that would be made available for public inspection during regular office hours in the City Recorder's Office and give notice of a hearing to receive public comment before the final adoption of the Tentative Budget for fiscal year 2016-2017.

Councilmember Christensen stated the Tentative Budget should include the additional line items that the Council received via email from the City Manager the previous week.

Councilmember Vincent indicated this was a tentative budget therefor those items would not need to be included at this time.

Councilmember Buhler stated many issues were in the future but added that property tax was included in the Tentative Budget.

Upon recognition, the City Manager discussed options and added that budget conversations would be ongoing over the next three months until adoption of the Final Budget in August.

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The City Council discussed various options for consideration.

Hearing no further discussion, Mayor Bigelow called for a motion.

Councilmember Christensen moved to adopt the Proposed Budget with the addition of the list emailed by the City Manager, Wayne Pyle, after last week's Council Meeting that addressed possible needs for the upcoming fiscal year. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	No
Ms. Lang	No
Mr. Buhler	No
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	No
Mayor Bigelow	No

Motion Failed; Lack of Majority.

Upon recognition, Councilmember Vincent moved to approve the proposed budget as is and adopt Resolution No. 16-77, a Resolution Adopting a Tentative Budget for the Fiscal Year Commencing July 1, 2016, and Ending June 30, 2017; and Setting August 9, 2016, as the Date for Public Hearing. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	No
Mr. Christensen	No
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Majority.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh all voted in favor to adjourn.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, MAY 10, 2016, WAS ADJOURNED AT 7:22 P.M. BY MAYOR BIGELOW.

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, May 10, 2016.

Nichole Camac
City Recorder