

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 28, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 28, 2017, 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 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

ABSENT:

Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
DeAnn Varney, Deputy City Recorder
Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Colleen Nolan, Police Chief
Bob Fitzgerald, Battalion Chief
Russell Willardson, Public Works Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

ABSENT:

Layne Morris, CPD Director
John Evans, Fire Chief
Paul Isaac, Assistant City Manager/HR Director

OPENING CEREMONY

Karen Lang conducted the Opening Ceremony. She requested that members of the audience, City Staff, and the Council rise and recite the Pledge of Allegiance.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 21, 2017

The Council considered the Minutes of the Regular Meeting held November 21, 2017. There were no changes, corrections or deletions.

Councilmember Lars Nordfelt moved to approve the Minutes of the Regular Meeting held November 21, 2017. Councilmember Don Christensen seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Upon inquiry, there were no members of the public wishing to speak.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, members of the City Council had no comments.

RESOLUTION 17-181: APPROVE A MEMORANDUM OF AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH PROSECUTION COUNCIL TO PROVIDE THE "EPROSECUTOR" CASE MANAGEMENT SYSTEM FOR USE BY THE CITY ATTORNEY'S OFFICE

Mayor Bigelow presented proposed Resolution 17-181 that would approve a Memorandum of Agreement between West Valley City and the Utah Prosecution Council to provide the "eProsecutor" Case Management System for use by the City Attorney's Office.

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

The UPC has contracted with Journal Technologies, Inc. ("JTI") for the purchase of its cloud-based case management system known as eProsecutor. In order to receive licenses to use the system, the City must enter into an MOA with the UPC. The City also must enter into a separate Joinder with JTI.

The West Valley City Attorney's Office currently uses the UPC's case management system known as PIMS, which the UPC is phasing out. The eProsecutor system will take the place of PIMS in providing case management, record keeping, status reporting, and e-filing. The UPC has secured a grant to pay for most of eProsecutor.

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The City's one-time cost will be \$1,600 per user, for 10 users, for the five-year period of the agreements. The City Manager is authorized to execute the Joinder as per West Valley City's Procurement Code.

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

Councilmember Tom Huynh moved to approve Resolution 17-181.

Councilmember Steve Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION 17-182: APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY FOR A COST SHARING 2017-2022 UPDES MEDIA CAMPAIGN

Mayor Bigelow presented proposed Resolution 17-182 that would approve an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for a cost sharing 2017-2022 UPDES Media Campaign.

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

This agreement provides for West Valley City to continue participation as a member of the Salt Lake County Storm Water Coalition which will assist in compliance to the Utah Pollution Discharge Elimination System (UPDES) permit application rules and regulations for storm water discharges to municipal separate storm drain systems. This agreement states that the individual parties will cooperate with each other in funding a 2017-2022 multi-media campaign for the purpose of increasing public awareness about storm water pollution and educating the public about the prevention of storm water pollution in the City and the County. This agreement is for five (5) years.

Salt Lake County Storm Water Coalition is a coalition of various local agencies whose purpose is reducing the load of pollutants entering the storm drains and

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receiving water bodies, and enforcing the appropriate regulations. West Valley City is a member of the coalition and plays an active role in the promotion of Coalition programs, visions and its mission. This Coalition meets on a monthly basis to discuss the UPDES permitting changes and to receive updates concerning the public education programs and enforcement issues relevant to the updating of the UPDES permit. Because the county and other agencies have a common interest and goal in increasing public awareness about storm water pollution solutions and educating the public about the prevention of storm water pollution in the City and the County, it is to the advantage of West Valley City to participate in the activities of the coalition. The City benefits greatly from the association and membership in the Coalition because of the educational and public awareness components of the program. Any costs associated with this agreement have been included in the Storm Water Utility budget.

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

Councilmember Don Christensen moved to approve Resolution 17-182.

Councilmember Lars Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION 17-183: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH WESTECH FUEL EQUIPMENT COMPANY TO FURNISH AND INSTALL FUEL STORAGE AND DISPENSING EQUIPMENT

Mayor Bigelow presented proposed Resolution 17-183 that would authorize the City to enter into an agreement with Westech Fuel Equipment Company to furnish and install fuel storage and dispensing equipment.

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

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Under this agreement, Westech will furnish and install an above ground 24,000-gallon tank and dispensers to replace the existing State-operated fueling system at the City shop buildings at 2805 South 3600 West.

The existing fuel tanks were installed in 1989. Recently, the tanks failed a cathodic protection test. Further investment in this old system is not sensible.

The new tank and dispensing system will be located inside the Public Works Operations yard, but will be open to all City vehicles. The new tanks will not be part of the State of Utah's fuel network; rather they will be managed by the Fleet Management Division. City vehicles will still be able to refuel at any facility or gas station on the State fueling network.

Westech submitted the only response to the City's Request for Proposals. Westech is a reputable firm, with extensive experience. Currently all State fuel sites are maintained by Westech.

Under this agreement, West Valley City will do all trenching and backfill, electrical work, concrete pads, bollards, and paving. Westech will furnish and install the fuel tank, piping, dispensers, canopy, monitors and controllers.

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

Councilmember Steve Buhler moved to approve Resolution 17-183.

Councilmember Don Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

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NEW BUSINESS

A. RESOLUTION 17-184: APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY, WEST VALLEY OFFICE HOLDINGS, LLC, AND WASATCH COMMERCIAL MANAGEMENT, INC. FOR MANAGEMENT AND USE OF THE FAIRBOURNE STATION PARKING STRUCTURE TO BE BUILT AT APPROXIMATELY 3590 SOUTH MARKET STREET IN WEST VALLEY CITY

Mayor Bigelow discussed proposed Resolution 17-184 that would approve an agreement between West Valley City, West Valley Office Holdings, LLC, and Wasatch Commercial Management, Inc. for management and use of the Fairbourne Station Parking Structure to be built at approximately 3590 South Market Street in West Valley City.

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

In 2014, the City and the Utah Transit Authority (“UTA”) entered into a Ground Lease and Interlocal Agreement for UTA to lease the City property for development and construction of a parking structure to meet the growing parking demands of Market Street. This resolution approves a Parking Structure Management and Use Agreement that will engage a professional management company to operate and maintain the parking structure in accordance with the existing agreements between the City and UTA. The Manager will be paid a management fee of five percent (5%) of the gross revenue derived from the parking structure by the Office Tower Owner. The Parking Structure Management and Use Agreement has an initial term of twenty (20) years, and can be renewed in 5-year increments after the initial term.

The Fairbourne Station development is proceeding as planned, making space for parking more important than ever. The City and UTA had the foresight years ago to realize that the demand for parking was going to escalate exponentially along Market Street, which led to the interlocal agreement for the parking structure. Construction funds have been identified and secured and the architectural plans finished such that the City is ready to break ground on the one-of-a-kind structure, which will include parking stalls, retail space, and a sky bridge. The parking structure will serve the parking needs of UTA’s bus/rail hubs as well as the parking needs of surrounding developments.

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

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Councilmember Karen Lang moved to approve Resolution 17-184.

Councilmember Tom Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

B. RESOLUTION 17-185: APPROVE AN AGREEMENT WITH WASATCH COMMERCIAL BUILDERS, LLC FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE MARKET STREET PARKING STRUCTURE PROJECT

Mayor Bigelow presented proposed Resolution 17-185 that would approve an agreement with Wasatch Commercial Builders, LLC for Construction Management Services for the Market Street Parking Structure Project.

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

This resolution approves a Construction Management Agreement with Wasatch for construction of a seven-story parking structure that will include 1,277 parking stalls, 10,000 square feet of retail space, and a sky bridge across Market Street. Wasatch is a professional construction management firm with experience in the construction of parking structures. The Utah Transit Authority (“UTA”) will have 200 free park and ride stalls in the proposed structure.

As Fairbourne Station development proceeds as planned, space for parking is more important than ever. The City and UTA had the foresight years ago to realize that the demand for parking was going to escalate exponentially along Market Street, which led to the interlocal agreement for the parking structure. The parking structure will serve the parking needs of UTA’s bus/rail hubs as well as the needs of surrounding developments.

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

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Councilmember Lars Nordfelt moved to approve Resolution 17-185.

Councilmember Karen Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, NOVEMBER 28, 2017, WAS ADJOURNED AT 6:43 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, November 28, 2017.

DeAnn Varney
Deputy City Recorder