

MINUTES OF COUNCIL STUDY MEETING – JANUARY 5, 2010

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JANUARY 5, 2010, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Kevin Astill, Parks and Recreation Director
Layne Morris, Community Preservation Director
John Evans, Fire Chief
Buzz Nielsen, Chief of Police
Nicole Cottle, CED Director
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Richard Catten, City Attorney
Stan Varney, Fire Department
Mike Wells, Police Department
Craig Black, Police Department
Rachel White, Law Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

1. **WELCOME NEWLY ELECTED MEMBERS OF THE CITY COUNCIL**
Mayor Winder welcomed Councilmember Steve Buhler and Councilmember Don Christensen, newly elected members of the West Valley City Council.

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2. APPROVAL OF MINUTES OF STUDY MEETING HELD DECEMBER 8, 2009

The Council read and considered the Minutes of the Study Meeting held December 8, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held December 8, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

3. APPROVAL OF MINUTES OF STUDY MEETING HELD DECEMBER 15, 2009

The Council read and considered the Minutes of the Study Meeting held December 15, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held December 15, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

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4. **RON HAMM, THE FERGUSON GROUP - UPDATE ON EFFORTS REGARDING WEST VALLEY CITY'S FEDERAL AGENDA**

Mayor Winder introduced Ron Hamm of The Ferguson Group, the City's Washington D.C. lobbyist.

Mr. Hamm expressed appreciation for the opportunity to give a recap of his company's efforts in the past year on behalf of West Valley City's Federal agenda, and in particular for the upcoming fiscal year.

Using PowerPoint, Mr. Hamm discussed information summarized as follows:

- Fiscal Year 2010 appropriations in transportation, public safety energy efficiency and education
- Transportation reauthorization
- American Recovery and Reinvestment Act of 2009 – economic stimulus funding opportunities
- Recap and status regarding certain projects including: Intermodal Plaza Greenway, Regional DNA Laboratory Equipment, Project Step Up, Cross Town Trail, Public Safety Communication System, Energy Efficiency Improvements, UTOPIA Broadband Infrastructure
- Objectives for his visit: identify projects for Fiscal Year 2011 Federal agenda having federal nexus and develop congressional and administration support; identify opportunities for Federal funding based on priorities selected by City Council and City staff; identify and advocate on policy issues of interest to West Valley City
- Focus going forward – Fiscal Year 2011 appropriations, transportation reauthorization and Federal direct assistance to local governments
- Successful Federal Partnership – select and develop good projects that would compete nationally for congressionally directed spending and agency discretionary funding, project transparency, persistence and patience, active advocacy
- Looking ahead – key issues for 111th Congress: health care reform, jobs, education, national security; Ferguson Group will work with West Valley City to finalize Fiscal year 2011 Federal agenda; work with City to schedule visits for City Council and City staff to advocate for Fiscal year 2011

During the above presentation of information, Mr. Hamm answered questions from members of the City Council.

Mayor Winder thanked Mr. Hamm for the information and update presented and the efforts of The Ferguson Group staff on West Valley City's behalf.

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5. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JANUARY 5, 2010**

Mayor Winder noted two new items had been added to the Agenda for the Regular Council Meeting scheduled January 5, 2010. The referenced items were in regard to election of a Mayor Pro Tem for a four-year term and an appointment to be made to the Council of Governments (COG) Executive Board. Members of the City Council noted the two items and upon inquiry, there were no questions regarding items scheduled on the subject Agenda.

6. **RESOLUTION NO. 10-02, APPROVE AGREEMENT WITH SALT LAKE COUNTY TO PROVIDE ZOO, ARTS AND PARKS FUNDS TO THE UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-02 which would approve an Agreement with Salt Lake County to provide Zoo, Arts and Parks funds to the Utah Cultural Celebration Center.

Mr. Pyle stated the Zoo Arts and Parks (ZAP) funding program had granted the Utah Cultural Celebration Center a Tier II award in the amount of \$50,000.00, to be used for expansion of existing programs and creation of new cultural initiatives. He also stated the award would be used during the program year of 2009-2010.

The City Manager advised the Utah Cultural Celebration Center (UCCC) would primarily use ZAP funding for general program development in three designated areas: 1) educational programming and workshops; 2) festivals, celebrations, and concerts; and 3) gallery exhibitions. He also advised that with this new funding, the UCCC would be able to expand its community based arts and cultural programming. He stated the Center would also be able to reach a greater number of West Valley City and Salt Lake County residents of all ages and income levels who represented many cultural and ethnic groups.

Mr. Pyle explained that over the past five years, the UCCC had become the preferred destination for many high quality and diverse cultural and arts events reflecting interests of the community and enhanced the image of West Valley City. He stated the UCCC remained poised to continue maximizing benefits that would result from the yearly ZAP financial award. He also indicated over the next 12 months the Center would develop community programming, expand the Partners Program, continue to seek and expand diversified funding sources, and collaborate on opportunities for residents to experience quality multi-disciplinary arts and cultural programming.

Paul Isaac, Assistant City Manager, further discussed the proposed Resolution and answered questions from members of the City Council.

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The City Council will consider proposed Resolution No. 10-02 at the Regular Council Meeting scheduled January 12, 2010, at 6:30 P.M.

7. **RESOLUTION NO. 10-03, AWARD CONTRACT TO TRANSCORE ITS, LLC, FOR THE 3500 SOUTH STREET LIGHT INSTALLATION PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-03 which would award a contract to TransCore ITS, LLC, in the amount of \$37,740.00, for the 3500 South Street Light Installation project.

Mr. Pyle stated bids were solicited and a total of eight bids had been received, as follows: 1) TransCore ITS: \$37,740.00; 2) Tasco Engineering: \$42,451.74; 3) Skyline Electric: \$43,449.95; 4) Hidden Peak Electric: \$44,583.00; 5) Sorensen Companies: \$44,606.00; 6) B. Jackson: \$59,832.80; 7) Nezhoni Construction: \$63,511.57; and 8) Cache Valley Electric: \$88,421.84.

The City Manager reported TransCore ITS had submitted the lowest responsible bid.

Russell Willardson, Public Works Director, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 10-03 at the Regular Council Meeting scheduled January 12, 2010, at 6:30 P.M.

8. **RESOLUTION NO. 10-04, APPROVE PARKING LOT USE AGREEMENT WITH UTAH TRANSIT AUTHORITY FOR A PARKING FACILITY LOCATED ON THE NORTHEAST CORNER OF DECKER LAKE DRIVE AND 3100 SOUTH**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-04 which would approve a Parking Lot Use Agreement with the Utah Transit Authority (UTA) for a parking facility located on the northeast corner of Decker Lake Drive and 3100 South.

Mr. Pyle stated that during the Interlocal Agreement process between the City and UTA, Lot D had been designated as the major park and ride facility for the West Valley transit line. He indicated the subject agreement secured UTA's use of 800 spaces within Lot D. He stated the agreement was an exhibit to the main Interlocal Agreement between the parties which had been approved.

City Manager, Wayne Pyle, reported the City Council reviewed the subject agreement approximately two years ago and tabled it until further negotiations could be completed with UTA over the value of the lot. He stated that through those negotiations a \$400,000.00 credit had been given for some of the City's obligations on the light rail project. He indicated staff believed this would be an equitable negotiation for an item discussed in the Interlocal Agreement several years prior. He stated the 800-space park

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and ride lot would become the main park and ride destination on the City's line. The TRAX line had been established with this understanding. The park and ride function occurred mainly between the hours of 7:00 A.M. and 6:00 P.M. and would rarely interfere with event traffic. He stated notification about events would occur through signs placed at the entrances of the lot. He also reported this document simply completed the required documentation of the previous agreements.

Mr. Pyle further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 10-04 at the Regular Council Meeting scheduled January 12, 2010, at 6:30 P.M.

9. **CONSENT AGENDA SCHEDULED JANUARY 12, 2010:**

A. **RESOLUTION NO. 10-05 APPROVE RIGHT-OF-WAY AGREEMENT WITH ARCADIO MIRAMONTES AND AMERICA ESQUEDA FOR PROPERTY LOCATED AT 4134 SOUTH 5400 WEST; AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-05 which would approve a Right-of-Way Agreement with Arcadio Miramontes and America Esqueda for property located at 4134 South 5400 West; and accept a Warranty Deed and Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Arcadio Miramontes and America Esqueda had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He stated compensation for the right-of-way and easement would be in the amount of \$12,550.00 which amount had been negotiated based on the appraisal amount of \$12,050.00 prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

B. **RESOLUTION NO. 10-06 ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM WILMA BLISS, TRUSTEE OF THE BLISS LIVING TRUST DATED APRIL 7, 1997, FOR PROPERTY LOCATED AT 4175 SOUTH 5400 WEST FOR THE 5400 WEST SIDEWALK PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-06 which would accept a Grant of Temporary Construction Easement from Wilma Bliss,

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Trustee of the Bliss Living Trust dated April 7, 1997, for property located at 4175 South 5400 West for the 5400 West Sidewalk Project.

Mr. Pyle stated the Bliss Living Trust had executed the Grant of Temporary Construction Easement. .

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He indicated the necessary right-of-way for the project had been previously granted, therefore, no additional property would be required. He further reported no compensation would be provided for the easement in exchange for relief from the existing Delay Agreement on the property.

The City Council will consider proposed Resolution Nos. 10-05 and 10-06 at the Regular Council Meeting scheduled January 12, 2010, at 6:30 P.M.

Councilmember Brooks advised he would consider declaration of a conflict of interest on proposed Resolution No. 10-06.

10. **COMMUNICATIONS:**

City Manager, Wayne Pyle, for benefit of the new Council members, provided an overview of the annual strategic plan process. Upon direction of the City Manager, the following department presentations were made in preparation for the Council's upcoming Strategic Plan meeting:

A. **POLICE DEPARTMENT STRATEGIC PLAN PRESENTATION**

Police Chief, Buzz Nielsen, distributed copies of his presentation and, using PowerPoint, reviewed information summarized as follows:

- Personnel: numbers of sworn and non-sworn
- Divisions and personnel allocations
- Average response times
- Calls for service
- Crime statistics
- City Council action items (7 of 15 affect the Police Department)
- Overview, progress and status of Police Department strategic plan goals
- Review of Police Department action items and status
- Developing projects
- Grant funding applied for and/or received
- Future issues

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During the above presentation of information, the Police Chief answered questions from members of the City Council.

B. **FIRE DEPARTMENT STRATEGIC PLAN PRESENTATION**

Fire Chief, John Evans, distributed copies of his presentation and, using PowerPoint, reviewed information summarized as follows:

- Statistics regarding total calls for service: fire and medical
- Total number of calls
- Fire calls by district
- EMS calls by district
- Ambulance transports
- Fire response times: dispatch to arrival
- EMS response times: dispatch to arrival
- Average response times by area
- Current equipment and staffing levels
- Average calls per station compared to certain other cities
- Calls for service compared to certain other cities
- Population per firefighter compared to certain other cities
- City Council action items and Fire Department strategic plan goals
- Current issues of concern
- Metro Fire update
- Review of accomplishments

During the above presentation of information, the Fire Chief answered questions from members of the City Council.

C. **LAW DEPARTMENT STRATEGIC PLAN PRESENTATION**

City Attorney, Richard Catten, distributed copies of his presentation and, using PowerPoint, discussed information summarized as follows:

- City Council action items
- Overview of Rental Task Force/Good Landlord Program
- Calls for service in targeted areas: Arlington Park, West Lake and large apartment complexes
- Organizational and IT upgrades to ACE process
- Overview of Department goals and benchmarks in four areas: Risk Manager, Prosecution, Victims Services and Civil
- Review and statistics regarding Collections Program
- News – Prosecutor’s Office is “paperless” including screenings; on-going great relationship with U.S. Attorney’s Office; collections success -

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increase in amounts; new database software in Civil Division; heavy workload; great employees

During the above presentation of information, the City Attorney answered questions from members of the City Council.

D. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: January 12, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; January 18, 2010: Martin Luther King Day Holiday – City Hall closed; January 19, 2010: Valley Fair Mall Groundbreaking, 11:30 A.M.; January 19, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; January 26, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; January 27, 2010: ULCT Local Officials Day at the Legislature; January 29 & 30, 2010: Council Strategic Plan Workshop, UCCC; February 2, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 9, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 15, 2010: President's Day Holiday – City Hall closed; February 16, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and February 23, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.

11. **COUNCIL REPORTS:**

A. **COUNCILMEMBER RUSS BROOKS – DOOR-TO-DOOR SOLICITORS**

Councilmember Brooks discussed an issue regarding door-to-door solicitors who might be casing homes and/or properties.

B. **COUNCILMEMBER COREY RUSHTON – ENVISION UTAH/JORDAN RIVER MEETING AND NLC DIVERSITY AWARD PROGRAM**

Councilmember Rushton distributed an invitation to an Envision Utah/Jordan River meeting to be held on January 14, 2010, at the Utah Cultural Celebration Center.

Councilmember Rushton also discussed an opportunity to make a nomination for the National League of Cities Diversity Award Program and inquired if Councilmembers had recommendations for this nomination.

C. **MAYOR MIKE WINDER – CAR ALLOWANCE OR USE OF CITY VEHICLE FOR MAYOR**

Mayor Winder stated a question had been raised by some Councilmembers regarding a car allowance for, or use of a City vehicle by, the Mayor. He stated his understanding had been the same policy would be used for the office of Mayor

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as for the City Manager. He also stated his intent to continue to be as involved with various boards and committees as was the former Mayor.

Councilmember Brooks discussed the difficulty he had with this issue stating the former Mayor had been retired and represented the City as if he had been full-time. He stated his opinion that the newly elected Mayor should have a car allowance rather than use of a City vehicle. He indicated Dennis Nordfelt, the former Mayor, had been the only mayor who had used a City car due to positions he held on certain committees. He indicated it had been more economical for him to have a car to use, but all other mayors had received a car allowance.

Mayor Winder advised he would be attending the same meetings as the former Mayor as well as additional ones and, like him, would serve in leadership positions.

Councilmember Vincent suggested the City Manager review the issue, and in particular what had been done in this regard in the past, after which the Council could consider the matter and make a decision.

City Manager, Wayne Pyle, advised some mayors who served prior to Mayor Nordfelt had been given a choice of a car allowance or use of a vehicle. Mr. Pyle stated from his standpoint there would not be a problem with allowing a mayor to have a choice of either using a City vehicle or receiving a car allowance. He advised there had been no plan to change the status or procedure, but he would review the policy and advise the Council, as requested.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, JANUARY 5, 2010, WAS ADJOURNED AT 6:29 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, January 5, 2010.

Sheri McKendrick, MMC
City Recorder