

MINUTES OF COUNCIL REGULAR MEETING – JUNE 12, 2012

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 12, 2012, 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 VINCENT.

THE FOLLOWING MEMBERS WERE PRESENT:

Steve Vincent
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT: Mike Winder
Corey Rushton

STAFF PRESENT:

Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Nicole Cottle, CED Director
Layne Morris, CPD Director
Anita Schwemmer, Acting Police Chief
Jeanette Carpenter, Acting Finance director
Jake Arslanian, Public Works director
Craig Thomas, Administration
Chris Curtis, CPD Department
Heather Royal, CPD Department

15788 **OPENING CEREMONY**
The Opening Ceremony was conducted by Don Christensen who invited everyone to listen to a recording of the *Star Spangled Banner*.

15789 **SCOUTS**
Temporary Mayor Pro Tem Vincent welcomed Scout Troop No. 561 in attendance to complete requirements for the Communications merit badge.

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15790 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 22, 2012**

The Council read and considered Minutes of the Regular Meeting held May 22, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held May 22, 2012, as written. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15791 **COMMENT PERIOD**

Upon inquiry by Temporary Mayor Pro Tem Vincent there was no one in attendance who desired to address the City Council during the comment period.

15792 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECOMMENDED PROJECTS FOR FISCAL YEAR 2012-2013**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and accept public input regarding Community Development Block Grant (CDBG) recommended projects for fiscal year 2012-2013. He discussed proposed Resolution No. 12-79 to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-79 which would approve the West Valley City Community Development Block Grant (CDBG) budget proposal on recommended projects for fiscal year 2012-2013.

Mr. Isaac stated before the U.S. Department of Housing and Urban Development (HUD) would approve CDBG expenditures the City must adopt an approved Annual Action Plan listing projects to be funded for fiscal year 2012-2013.

The Acting City Manager explained the CDBG program and Salt Lake County HOME programs funded the City with annual amounts to run various programs pertaining to low-moderate income individuals and families. He indicated the

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estimated CDBG Program Income (PI) generated from the Home Rehabilitation Program paybacks would be approximately \$25,000, but that estimate could be high. He stated program income offset the entitlement funds allocated to the City's CDBG program from HUD and must be reinvested into the program. He further stated the public service projects and the administration costs proposed were equal to or less than the maximum levels allowed by HUD.

Acting City Manager, Paul Isaac, reported West Valley City had a CDBG Committee in place made up of both CDBG knowledgeable staff and City residents. He indicated the Committee had gone through an extensive process in hearing each individual agency present their projects and programs, interviewing the agencies, tracking past performance, and meeting to discuss funding requests. The recommendations presented to the City Council were those that by vote of the Committee ranked highest with Committee members and recommending those that would be most impactful to residents and making best use of the funds. He further advised it had also been recommended by HUD during the most recent audit, not to allocate less than \$5,000 to any project as this could be seen as an inefficient use of the CDBG money awarded to the City.

Temporary Mayor Pro Tem Vincent opened the public hearing.

Stewart Rouse, Legal Aid Society of Salt Lake, addressed the City Council. He thanked West Valley City for past support and recommendation of the committee for funding this year. He discussed background information regarding his organization and the number of City residents assisted. He informed there were citizens of West Valley City alive today because of this program and he appreciated the support.

Kathy Barnhart, Director of English Skills Learning Center, addressed the City Council. Ms. Barnhart discussed the importance of their program and benefits in assisting adults in the community where they lived and worked in learning English language skills. She also stated currently the program served 45 adults from West Valley City and more volunteers would be trained to work in various locations to serve even more. She expressed appreciation for the City's support.

Carla Arroyo, South Valley Sanctuary, addressed the City Council and discussed their shelter (at a confidential location) and the services provided including outreach and prevention programs. She also discussed the need for healthy relationships and providing a safe haven for those in domestic violence situations. She indicated her organization worked closely with the West Valley City Victim's Advocate Program. She stated they served 45 individuals from West Valley City in the first quarter of this year and she discussed the cost of that service. She expressed appreciation to the City Council for past and continued support.

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Phil Weimer, Community Health Centers, addressed the City Council. He stated they had been in Salt Lake County since 1979 and operated four clinics here along with others in Utah. He discussed the number of patients served and services rendered. He advised that last year they served over 4,000 residents from West Valley City; over half were uninsured and others were below the median income level. He indicated fees were based on family income and size per Federal requirements. He expressed appreciation for the proposed funding from West Valley City and stated it meant a lot to patients who received services at their clinic. He also stated they did not turn away any pregnant woman whether insured or not and they delivered 1,294 babies last year. He expressed appreciation to the City Council for the support.

Kathy Qui, Family Support Center, addressed the City Council and expressed appreciation to the committee for recommendation of funding of her organization. She stated they had three crisis nurseries and the only one open 24 hours per day and seven days per week was in West Valley City. She gave an overview of services provided and the number of children served including number of hours of care received at the West Valley City facility. She expressed appreciation for being in West Valley City and for the support.

Danny Jaspersen, Food Pantry Manager for Salt Lake Community Action Program, addressed the City Council and stated the Redwood Center served 100 families per day Monday through Friday. He thanked the committee for their recommendation for funding which would ensure the ability to keep staff, feed people in need, and provide referrals for other services.

There being no one else to speak either in favor or in opposition, Temporary Mayor Pro Tem Vincent closed the public hearing.

ACTION: CONSIDER RESOLUTION NO. 12-79, APPROVING THE WEST VALLEY CITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR FISCAL YEAR 2012-2013

The City Council previously held a public hearing regarding proposed Resolution No. 12-79 which would approve the West Valley City Community Development Block Grant (CDBG) budget proposal on recommended projects for fiscal year 2012-2013.

After discussion, Councilmember Huynh moved to approve Resolution No. 12-79, a Resolution Approving the West Valley City Community Development Block Grant (CDBG) Budget Proposal on Recommended Projects for Fiscal Year 2012-2013. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15793

ORDINANCE NO. 12-25, AMEND SECTION 24-2-113 OF THE WEST VALLEY CITY MUNICIPAL CODE TO CLARIFY RESPONSIBILITY OF PAYERS AND PENALTIES FOR LATE PAYMENTS ON RESIDENTIAL SOLID WASTE COLLECTIONS

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 12-25 which would amend Section 24-2-113 of the West Valley City Municipal Code to clarify responsibility of payers and penalties for late payments on residential solid waste collections.

Mr. Isaac stated Sub-section 1 would be amended to clarify the property owner was responsible for payment of sanitation fees. He indicated an alternate billing agreement could be entered into; however, the property owner would retain all obligations for payment of sanitation fees. He informed Sub-section 3 would be amended to declare that bills would be sent and if not paid within 45 days would be subject to late fees and collection costs. He stated late fees were defined in the Consolidated Fee Schedule. He further stated delinquent bills in excess of 90 days could have their cans collected and not returned until the debt had been paid. He explained Sub-section 4 would be amended to explain the alternate billing agreement, how it worked, and what would be required.

After discussion, Councilmember Lang moved to approve Ordinance No. 12-25, an Ordinance Amending Section 24-2-113 of the West Valley City Municipal Code to Clarify Responsibility of Payers and Penalties for Late Payments on Residential Solid Waste Collections.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

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15794

ORDINANCE NO. 12-26, AMEND SECTIONS 20-7-105, 20-7-106 AND 20-7-108 OF THE WEST VALLEY CITY MUNICIPAL CODE TO CLARIFY WHO IS RESPONSIBLE FOR PAYMENT OF STORM WATER UTILITY AND TO CORRECT THE NAME OF THE UTILITY

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 12-26 which would amend Sections 20-7-105, 20-7-106, and 20-7-108 of the West Valley City Municipal Code to clarify responsibility for payment of storm water utility.

Mr. Isaac stated Section 20-7-106 would be amended to clarify the responsibility of property owners as related to storm water billing, Section 20-7-105 would be amended to correct the name of the utility, and Section 20-7-108 would be amended to clarify language related to late fees.

The Acting City Manager further explained Section 20-7-106 would amend and clarify that it would be the property owner's responsibility for storm water utility fees, which were based on impervious measurements on their property. He stated residential property owners were billed one ERU (Equivalent Residential Unit). He also explained the alternate billing agreement would be an option that allowed the storm water bill to be sent to someone other than the property owner however the property owner would retain all obligations for payment of all storm water utility fees. In addition, the name of the utility would be changed in Section 20-7-105 to match what it was called elsewhere throughout the West Valley City Municipal Code. He also advised Section 20-7-108 related to late fees and charges for delinquent accounts.

After discussion, Councilmember Christensen moved to approve Ordinance No. 12-26, an Ordinance Amending Sections 20-7-105, 20-7-106 and 20-7-108 of the West Valley City Municipal Code to Clarify Who Is Responsible for Payment of Storm Water Utility and to Correct the Name of the Utility. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

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15795

ORDINANCE NO. 12-27, AMEND SECTION 1-2-110 OF THE WEST VALLEY CITY MUNICIPAL CODE TO CLARIFY UTILITY BILLING PENALTY CHARGES

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 12-27 which would amend Section 1-2-110 of the West Valley City Municipal Code to clarify utility billing penalty charges.

Mr. Isaac stated Sub-section (16) would be added to clarify the utility billing penalty charges. He explained the late charge under Sub-section (15) had originally been for storm water utility billing. He indicated with sanitation charges being added to the utility billing the penalty charges had been moved into a separate section.

After discussion, Councilmember Lang moved to approve Ordinance No. 12-27, an Ordinance Amending Section 1-2-110 of the West Valley City Municipal Code to Clarify Utility Billing Penalty Charges. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15796

RESOLUTION NO. 12-80, APPROVE AMENDMENT NO. 2 TO THE WEST VALLEY EVENT CENTER MANAGEMENT AGREEMENT PROVIDING FOR AN ADDITIONAL FIVE YEAR TERM OF THE AGREEMENT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-80 which would approve Amendment No. 2 to the West Valley Event Center Management Agreement providing for an additional five-year term of the Agreement.

Mr. Isaac stated the West Valley Event Center Management Agreement provided for management of the Maverik Center (formerly known as the E-Center) by Centennial Management Group. He explained the actual agreement was between the City and Centennial's parent company WVE, Inc. He further explained the Agreement was for an initial term of 15 years but had two additional five year terms at the option of the City. He also stated the option for the second additional term could be exercised by the City after June 11, 2012.

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The Acting City Manager reported the original Management Agreement between the City and WVE in 1997 provided for a 25-year term that coincided with the term of the lease of the E-Center by the Utah Grizzlies. He indicated IRS rules governing the 2002 refinancing of the E-Center limited the term of the Management Agreement to a maximum of 15 years so a new agreement had been written at that time. He stated the 2002 Management Agreement was therefore written as a 15-year agreement with two five-year extensions that could be exercised at five-year intervals. He indicated because five years had passed since the 2007 agreement was been signed the proposed amendment would extend the agreement back to its original maximum limit of 15 years.

After discussion, Councilmember Buhler moved to approve Resolution No. 12-80, a Resolution Approving Amendment No. 2 to the West Valley Event Center Management Agreement Providing for an Additional Five Year Term of the Agreement. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15797

RESOLUTION NO. 12-92, APPROVE PURCHASE OF A REPLACEMENT AMBULANCE CAB AND CHASSIS FOR USE BY THE FIRE DEPARTMENT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-92 which would approve purchase of a replacement ambulance cab and chassis from Hinckley Dodge, in an amount not to exceed \$37,743.05, for use by the Fire Department.

Mr. Isaac stated Hinckley Dodge had been selected as the supplier for the ambulance cab and chassis as they currently offered the vehicle at the State Contract price.

After discussion, Councilmember Huynh moved to approve Resolution No. 12-92, a Resolution Approving the Purchase of a Replacement Ambulance Cab and Chassis for use by the Fire Department. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15798

RESOLUTION NO. 12-93, AUTHORIZE THE CITY TO EXECUTE A QUIT CLAIM DEED FROM WEST VALLEY CITY TO WEST VALLEY CITY TO CONSOLIDATE TWO CITY-OWNED PARCELS INTO ONE LEGAL DESCRIPTION AND ONE TAX PARCEL NUMBER FOR PROPERTY LOCATED AT 3244 SOUTH 1200 WEST

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-93 which would authorize the City to execute a Quit Claim Deed from West Valley City to West Valley City to consolidate two City-owned parcels into one legal description and one tax parcel number, for property located at 3244 South 1200 West.

Mr. Isaac stated West Valley City currently owned two parcels of land lying southwesterly of the 1200 West Connector Road currently under construction. He indicated the completed road would connect 3100 South at its current terminus at the Utah Cultural Celebration Center to the intersection 1200 West and 3300 South. He explained Parcel 15-26-351-018 containing 0.245 acres had been acquired through an exchange of property from the State of Utah, by and through the Division of Forestry, Fire & State Lands. He also explained Parcel 15-26-351-109 containing 1.721 acres had been acquired through an exchange of property from Salt Lake County. He stated as owner of both parcels, the City would clean up any issues which could exist with the prior chains of title by consolidating these parcels into one 1.966 acre parcel. He indicated the proposed action would facilitate future transactions related to the subject property.

After discussion, Councilmember Buhler moved to approve Resolution No. 12-93, a Resolution Authorizing the City to Execute a Quit Claim Deed from West Valley City to West Valley City to Consolidate Two City Owned Parcels Into One Legal Description and One Tax Parcel Number for Property Located at 3244 South 1200 West. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes

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Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

15799

CONSENT AGENDA:

A. RESOLUTION NO. 12-81, RATIFY THE CITY MANAGER'S APPOINTMENT OF AVALON SADLER AS A MEMBER OF THE CLEAN & BEAUTIFUL COMMITTEE, TERM: JUNE 12, 2012 – JUNE 30, 2015

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-81 which would ratify the City Manager's appointment of Avalon Sadler as a member of the Clean & Beautiful Committee for the term June 12, 2012, through June 30, 2015.

Mr. Isaac stated Ms. Sadler had expressed interest in serving on the Clean & Beautiful Committee.

B. RESOLUTION NO. 12-82, RATIFY THE CITY MANAGER'S APPOINTMENT OF JEFF DEELSTRA AS CHAIRPERSON OF THE CLEAN & BEAUTIFUL COMMITTEE, TERM: JULY 1, 2012 – JUNE 30, 2013

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-82 which would ratify the City Manager's appointment of Jeff Deelstra as Chairperson of the Clean & Beautiful Committee for the term July 1, 2012, through June 30, 2013.

Mr. Isaac stated Mr. Deelstra had expressed interest in serving as Chair of the Clean & Beautiful Committee. He advised the chair position would be for a term of one year. He also advised that Mr. Deelstra had served as a member of the Committee for the past few years. He stated the nomination had been submitted by other Committee members.

C. RESOLUTION NO. 12-83, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF STEVE LEHMAN AS A MEMBER OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2012 – JUNE 30, 2015

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-83 which would ratify the City Manager's reappointment of Steve Lehman as a member of the License Hearing Board for the term July 1, 2012, through June 30, 2015.

Mr. Isaac stated Mr. Lehman had expressed desire to be reappointed to the Board.

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D. **RESOLUTION NO. 12-84, RATIFY THE CITY MANAGER'S APPOINTMENT OF STEVE LEHMAN AS CHAIR OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2012 – JUNE 30, 2013**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-84 which would ratify the City Manager's appointment of Steve Lehman as Chair of the License Hearing Board for the term July 1, 2012, through June 30, 2013.

Mr. Isaac stated Mr. Lehman had expressed desire to serve as Chair of the Board. He advised Mr. Lehman was an employee of West Valley City and willing to serve in the chairman position.

E. **RESOLUTION NO. 12-85, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO ROCKY MOUNTAIN POWER TO SUPPLY POWER TO UTOPIA TELECOMMUNICATIONS INFRASTRUCTURE LOCATED IN CENTENNIAL PARK AT 5545 WEST 3100 SOUTH**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-85 which would authorize the City to grant an easement to Rocky Mountain Power to supply power to UTOPIA telecommunications infrastructure located in Centennial Park at 5545 West 3100 South.

Mr. Isaac stated UTOPIA was currently expanding its telecommunications infrastructure in the City. He also stated the construction required installation of certain hut sites to connect the infrastructure. He indicated some of the hut sites were proposed on City property. It was proposed that one of the hut sites be placed behind Fire Station 74 at 5545 West 3100 South. He indicated the easement would allow Rocky Mountain Power to provide power to the hut site. He advised since the area needed for the easement fell within both Centennial Park land owned by the Municipal Building Authority and Fire Station 74 land owned by the City, a separate easement would be needed for the area that fell within the Centennial Park land.

F. **RESOLUTION NO. 12-86, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO ROCKY MOUNTAIN POWER TO SUPPLY POWER TO UTOPIA TELECOMMUNICATIONS INFRASTRUCTURE LOCATED IN THE HUNTER VILLAGE TRAIL CORRIDOR AT 6800 WEST MEADOW FARM DRIVE**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-86 which would authorize the City to grant an easement to Rocky Mountain Power to supply power to UTOPIA telecommunications

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infrastructure located in the Hunter Village Trail Corridor at 6800 West Meadow Farm Drive.

Mr. Isaac stated UTOPIA was currently expanding its telecommunications infrastructure in the City and construction required installation of certain hut sites to connect that infrastructure. He indicated one of the hut sites was proposed to be placed on City property and the subject easement would allow Rocky Mountain Power to provide power to this hut site.

G. **RESOLUTION NO. 12-87, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO ROCKY MOUNTAIN POWER TO SUPPLY POWER TO UTOPIA TELECOMMUNICATIONS INFRASTRUCTURE LOCATED AT 2813 SOUTH 3600 WEST**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-87 which would authorize the City to grant an easement to Rocky Mountain Power to supply power to UTOPIA telecommunications infrastructure located at 2813 South 3600 West.

Mr. Isaac stated UTOPIA was currently expanding its telecommunications infrastructure in the City and construction required installation of certain hut sites to connect that infrastructure. He indicated one of the hut sites was proposed to be placed on the south side of the City Shops property at 2813 South 3600 West and the subject easement would allow Rocky Mountain Power to provide power to this hut site.

H. **RESOLUTION NO. 12-88, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET IN THE HUNTER VILLAGE TRAIL CORRIDOR LOCATED AT 6800 WEST MEADOW FARM DRIVE**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-88 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet in the Hunter Village Trail Corridor located at 6800 West Meadow Farm Drive.

Mr. Isaac stated this easement had been approved by the City Council on July 12, 2011, by Resolution No. 11-110. He indicated the Easement had not been recorded and, since that time, UTOPIA had proposed several changes to the language of the Easement. He advised the subject resolution would reauthorize the City's grant of an easement to UTOPIA for placement of a cabinet in the Hunter Village Trail Corridor located at approximately 6800 West Meadow Farm Drive.

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The Acting City Manager reported UTOPIA was currently constructing its telecommunications infrastructure in the City and construction required use of certain cabinets to connect the infrastructure. He informed it was proposed that one of the cabinets be placed at the above stated location.

I. RESOLUTION NO. 12-89, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT THE CITY SHOPS LOCATED AT 2813 SOUTH 3600 WEST

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-89 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet at the City Shops located at 2813 South 3600 West.

Mr. Isaac stated this easement had been approved by the City Council on July 12, 2011, by Resolution No. 11-109. He indicated the Easement had not been recorded and, since that time, UTOPIA had proposed several changes to the language of the Easement. He advised the subject resolution would reauthorize the City's grant of an easement to UTOPIA for placement of a cabinet at the City Shops located at 2813 South 3600 West.

The Acting City Manager reported UTOPIA was currently constructing its telecommunications infrastructure in the City and construction required use of certain cabinets to connect the infrastructure. He informed it was proposed that one of the cabinets be placed at the above stated location.

J. RESOLUTION NO. 12-90, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT 2975 SOUTH 5990 WEST

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-90 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities easement to UTOPIA for placement of a cabinet at 2975 South 5990 West.

Mr. Isaac stated the Easement had been approved by the City Council on September 13, 2011, by Resolution No. 11-136. He also stated the Easement had not been recorded and, since that time, UTOPIA had proposed several changes to the language of the Easement. He explained the proposal would reauthorize the City's grant of an easement to UTOPIA for placement of a cabinet on City property at the above stated location.

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The Acting City Manager reported UTOPIA was currently constructing its telecommunications infrastructure in the City and required use of certain cabinets to connect the infrastructure. He stated it was proposed that one of the cabinets be placed at the above stated location.

K. RESOLUTION NO. 12-91, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET IN CENTENNIAL PARK AT 5545 WEST 3100 SOUTH

Acting City Manager, Paul Isaac, presented proposed Resolution No. 12-91 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet in Centennial Park at 5545 West 3100 South.

Mr. Isaac stated the Easement had been approved by the City Council on July 12, 2011, by Resolution No. 11-08. He informed that Easement had not been recorded and, since that time, UTOPIA had proposed several changes to the language of the Easement. He stated the proposal would reauthorize the City's grant of an easement to UTOPIA for the placement of a cabinet at the above stated location.

The Acting City Manager reported UTOPIA was currently constructing its telecommunications infrastructure in the City and construction required use of certain cabinets to connect the infrastructure. He stated it was proposed one of the cabinets be placed at the above stated location.

After discussion, Councilmember Buhler moved to approve Resolution Nos. 12-82, 12-83, 12-84, 12-85, 12-86, 12-87, 12-88, 12-89, 12-90 and 12-91 as presented on the Consent Agenda. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Temporary Mayor Pro Tem Vincent	Yes

Unanimous.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 12, 2012, WAS ADJOURNED AT 6:57 P.M., BY TEMPORARY MAYOR PRO TEM VINCENT.

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, June 12, 2012.

Sheri McKendrick, MMC
City Recorder