

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 10, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 10, 2013, 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 PRO TEM RUSHTON.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Steve Buhler
Tom Huynh
Karen Lang

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Don Christensen
Steve Vincent
Mike Winder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Larry Marx, Acting Police Chief
Kelly Davis, Acting CPD Director
Jake Arslanian, Public Works Department

- 16300 **OPENING CEREMONY**
The Opening Ceremony was conducted by Karen Lang who led the Pledge of Allegiance to the Flag.
- 16301 **APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 27, 2013**
The Council read and considered Minutes of the Regular Meeting held August 27, 2013. There were no changes, corrections or deletions.

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After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held August 27, 2013, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

16302

ORDINANCE NO. 13-38, AMEND SECTION 1-2-108 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REFLECT CHANGES IN THE CONSOLIDATED FEE SCHEDULE FOR THE POLICE DEPARTMENT

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-38, which would amend Section 1-2-108 of the West Valley City Municipal Code to reflect changes in the Consolidated Fee Schedule for the Police Department.

Mr. Pyle stated the proposed amendment would assess a fee of \$150.00 for collection of DNA samples from registered sex offenders and other persons convicted of certain crimes as allowed for by Utah State Code 53-10-404. He advised the code section made provision for a law enforcement agency to collect DNA specimens from persons convicted of certain crimes including registered sex offenders. He indicated when DNA was collected the collecting law enforcement agency could charge a \$150.00 fee with that agency retaining \$25.00 of the fee. He stated the remaining \$125.00 of the fee was deposited in the State of Utah's DNA Specimen Restricted Account and used to process the specimen.

The City Manager reported the West Valley City Police Department was currently authorized by both the Utah Bureau of Forensic Services (UBFS) and the State of Utah Kidnap/Sex Offender Registry to collect DNA samples from registered sex offenders. As the Department was currently not authorized by ordinance to charge the appropriate fee for collection and processing of DNA samples, offenders were currently being referred to the City of South Jordan to have their DNA samples collected. He advised if approved, DNA samples would be collected by detectives. The materials needed were provided free of charge by the UBFS. He further advised it was estimated the Police Department would collect 25 to 30 DNA samples yearly and while this was not a great increase in revenue allowing our Police Department to collect these samples would ensure the DNA samples were collected at the time the sex offender registered or renewed his/her registration and allow the Police Department to assist in building the CODIS

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database (used by law enforcement agencies nationwide in identification of suspects involved in crimes where DNA evidence was collected).

After discussion, Councilmember Buhler moved to approve Ordinance No. 13-38, an Ordinance Amending Section 1-2-108 of the West Valley City Municipal Code to Reflect Changes in the Consolidated Fee Schedule for the Police Department. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

16303

RESOLUTION NO. 13-136, AUTHORIZING THE ISSUANCE AND SALE OF \$1,500,000 AGGREGATE PRINCIPAL AMOUNT OF STORM SEWER REVENUE BONDS, SERIES 2013; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING THE EXECUTION BY THE ISSUER OF A MASTER RESOLUTION; A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE SERIES 2013 BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

City Manager, Wayne Pyle, presented proposed Resolution No. 13-136 which would authorize the issuance and sale of \$1,500,000.00 aggregate principal amount of Storm Sewer Revenue Bonds Series 2013; providing for the publication of a Notice of Public Hearing and Bonds to be Issued; providing for the running of a contest period; authorizing the execution by the issuer of a Master Resolution; a Bond Purchase Agreement, and other documents necessary for the issuance of the Series 2013 Bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters.

Mr. Pyle stated approval of the proposal would authorize acquiring properties to be used for storm water retention and open space. He advised the bonds would be purchased by SunTrust Equipment and Leasing Corp. He also advised properties would be purchased for approximately \$3.1 million for a term not to exceed five years payable semi-annually. He reported the bonds would be issued in the

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amount of \$1,500,000 plus costs of issuance and the balance paid from the Storm Water Fund balance. He further explained properties had been identified and ownership of those properties was essential to meeting the needs of the City's future development and open space needs.

The City Manager reported competitive proposals had been solicited from a number of financial institutions with the determination made that SunTrust Equipment Finance and Leasing Corp. would provide the least cost of reasonable financing terms.

After discussion, Councilmember Huynh moved to approve Resolution No. 13-136, A Resolution of the City Council of West Valley City, Utah (the "Issuer"), Authorizing the Issuance and Sale of \$1,500,000 Aggregate Principal Amount of Storm Sewer Revenue Bonds, Series 2013; Providing for the Publication of a Notice of Public Hearing and Bonds to be Issued; Providing for the Running of a Contest Period; Authorizing the Execution by the Issuer of a Master Resolution, a Bond Purchase Agreement, and Other Documents Necessary for the Issuance of the Series 2013 Bonds; Authorizing the Taking of all Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution; and Related Matters. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, SEPTEMBER 10, 2013, WAS ADJOURNED AT 6:37 P.M., BY MAYOR PRO TEM RUSHTON.

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, September 10, 2013.

Sheri McKendrick, MMC
City Recorder