

MINUTES OF COUNCIL REGULAR MEETING – JULY 5, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 5, 2016 2016, 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
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

ABSENT:

Tom Huynh, Councilmember District 1
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Steve Pastorik, Acting CED Director
Brandon Hill, Acting City Attorney
Jim Welch, Finance Director
Anita Schwemmer, Acting Police Chief
John Evans, Fire Chief
Layne Morris, CPD Director
Dan Johnson, Acting Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Russ Bailey, Public Works Department
Kevin Conde, Administration
Employees of the Justice Court
Dulce Ramierz, Finance Department
Kathy Madden, Finance Department
Niclas Hales, Finance Department
Jeanette Carpenter, Finance Department
Alicia Jensen, Public Works Department
Cindy Hobbs, CPD Department
Freya Johnson, CED Department

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OPENING CEREMONY

The Opening Ceremony was conducted by Mayor Ron Bigelow who asked members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 28, 2016

The Council considered the Minutes of the Regular Meeting held June 28, 2016. There were no changes, corrections or deletions.

Councilmember Lars Nordfelt moved to approve the Minutes of the Regular Meeting held June 28, 2016. Councilmember Steve Buhler seconded the motion.

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

EMPLOYEE OF THE MONTH AWARD, JULY 2016 – DULCE RAMIREZ, FINANCE DEPARTMENT

Mayor Ron Bigelow read the nomination and presented the award for the Employee of the Month for July 2016 to Dulce Ramierz, Finance Department.

The nomination reads as follows:

Dulce constantly goes above and beyond her normal duties and exemplifies total customer service in our Treasury division, and for this reason I would like to nominate her for the employee of the month. Dulce goes above and beyond her normal duties on a daily basis, but I have been especially impressed with her abilities this last month. One of Dulce's co-workers recently went on an extended vacation and Dulce has stepped up and taken on many of her co-worker's duties to ensure that the Treasury division and the City continues to run smoothly. In addition to these duties, Dulce has been handling tickets for the EAC. This increases her work load tremendously as employees rush to buy tickets for events, but Dulce has handled this added pressure with a positive attitude. She is always willing to help with whatever the rest of the Finance department or the EAC needs and she increases our department's morale with her fun attitude and willingness to help. As a treasury employee Dulce often deals with irate citizens. She resolves these types of situations accurately and efficiently while being exceptionally friendly to citizens. The customer service people receive from Dulce exemplifies the values of West Valley City, and she is a fantastic representation to the public of the Treasury division's and the City's commitment to its citizens.

DIVISION OF THE QUARTER AWARD- JUSTICE COURT, ADMINISTRATION DEPARTMENT

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Councilmember Steve Buhler read the nomination and presented the award for the Division of the Quarter to the Justice Court.

The nomination reads as follows:

In late 2011, the Justice Court started to scan paperwork and files into Sire. The vision was that as cases were scheduled for court, the files would be digitized and that would produce a gradual turnover to electronic files. In 2013, the decision was made that we would no longer produce hard files for cases and that all paperwork would be scanned. As of February 3, 2016, all case files were scanned into Sire. It's impossible to know the exact number of files that have been scanned, but it's tens of thousands. Between scanning documents into Sire and also into Coris, the court's case management system, we have scanned and uploaded well over 650,000 documents. The court no longer has any stored case files. All paperwork filed with or produced by the court is scanned into Sire or Coris. This project took the better part of five years to complete and all clerks have worked on scanning, indexing and verifying documents. Having documents and case files a click away has helped us serve the public and process court cases more efficiently. With having immediate access to various court documents, we are able to assist the public in a more efficient manner. Questions are answered and problems resolved more timely and satisfactorily, not having to track down hard paper files. While countless hours have gone into scanning the back log of case files and documents, many more hours of clerk time will be saved by eliminating the need to file away paperwork in it's appropriate place.

COMMENT PERIOD

A. PUBLIC COMMENTS

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

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

No members of the City Council had comments.

RESOLUTION NO. 16-106, AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH OAKWOOD HOMES OF UTAH, LLC FOR PROPERTY LOCATED AT APPROXIMATELY 5610 WEST 5400 SOUTH

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Mayor Bigelow presented proposed Resolution No. 16-106 that would authorize the execution of an amendment to the Development Agreement with Oakwood Homes of Utah, LLC for property located at approximately 5610 West 5400 South.

Written information previously provided to the City Council included the following:

This resolution authorizes an amendment to the development agreement between the City and Oakwood Homes of Utah, LLC to change the type of townhomes to be constructed within future phases of the development located at 5610 West 5400 South.

In 2011, the City entered into a development agreement with SCP Westridge, LLC for 16.39 acres at 5610 W 5400 S. The agreement addresses standards for the commercial and residential portions of the development. For the residential portion, the agreement required that the townhomes be constructed like the renderings included in the agreement. The second phase of the project is under construction and being built in accordance with the development agreement.

Henry Walker Homes started this project but has since been acquired by Oakwood Homes. Oakwood Homes has requested the proposed amendment to the development agreement. According to Oakwood Homes, the style of townhomes built in the first phase performed poorly in the marketplace. Hence, they would like to change the design of these townhomes to make them more marketable. Staff is supportive of the changes for the following reasons:

- There are 5 fewer units in the latest proposal.
- The original townhomes included one and two car garages. The proposed townhomes all have 2 car garages with 2 car driveways that are 18' deep.
- The proposed townhomes are larger (1,420 sq. ft. and 1,588 sq. ft.) 3 bedroom units. The original townhomes included one, two and three bedroom units (870 sq. ft., 1,236 sq. ft. and 1,390 sq. ft.).
- The proposed townhomes will include basements for storage or additional living space. The original townhomes did not include basements.
- While different, the latest architecture is, in staff's opinion, of comparable or better quality than the original architecture.

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 No. 16-106, a resolution that would authorize the execution of an amendment to the Development Agreement with Oakwood Homes of Utah, LLC for property located at approximately 5610 West 5400

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South. Councilmember Don Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-107, APPROVE THE PURCHASE OF EMC DATA BACKUP SYSTEM

Mayor Bigelow presented proposed Resolution No. 16-107 that would approve the purchase of EMC Data Backup System.

Written information previously provided to the City Council included the following:

We currently use Evault to back up our data. Their encryption modules are not FIPS 140-2 certified as required to send criminal justice information off site. We worked with them to get certified but they made a business decision not to become FIPS compliant. We are currently only licensed for 10TB of backup space and we are about to exceed that limit.

Formal bidding will not be required for this purchase because EMC holds a contract with the State of Utah. If approved, this purchase would increase the disk storage for the City's backup systems both onsite and at our disaster recovery site to 49TB each. Encryption and other features will meet Criminal Justice and other standards. Backups will be much easier to manage and restoration from backup will be quicker and more reliable. This system cannot be affected by ransomware or other malware and allows us to retrieve any file from any point in time.

* This amount will be financed through US Bank

City Manager, Wayne Pyle, stated that the leasing contract will not be available until the end of July. He indicated that he would recommend that the Council continue this item to no date certain so that contract can be acquired and reviewed with the purchase.

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

Councilmember Karen Lang moved to continue Resolution No. 16-107, a Resolution that would approve the purchase of EMC Data Backup System, to no date certain.

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Councilmember Lars Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous. This item was CONTINUED.

RESOLUTION NO. 16-108, AUTHORIZE THE CITY TO ENTER INTO A WRECKER TOWING AND IMPOUND SERVICES AGREEMENT WITH CAL BROWN TOWING, LLC

Mayor Bigelow presented proposed Resolution No. 16-108 that would authorize the City to enter into a wrecker towing and impound services agreement with Cal Brown Towing, LLC.

Written information previously provided to the City Council included the following:

West Valley City Police, Ordinance Enforcement, and other Departments within West Valley City, tow vehicles on a regular basis during the normal course of their duties. The last City Contract was approved by the City Council in 2013. The current contract will expire on July 1, 2016. Cal Brown Towing was the previous contract holder, and has been the contract company since July 2007. Two proposals were received for the forthcoming contract from the following companies:

Cal Brown Towing
Mountain West Towing

Cal Brown Towing has proposed a \$60.00 flat rate for Class A&B tows involving City vehicles/police holds and a \$75.00 flat rate for Class A&B tows involving citizen vehicles. The A&B wrecker service is by far the most needed wrecker service in West Valley City. The other requested rates are posted in an attached spread sheet. Other notable charges would be a \$3.00 per loaded mile rate for tows **outside of Salt Lake County** and a \$40-45dollar charge (plus materials) for vehicle response not requiring a tow (such as fuel delivery or a tire change). Cal Brown towing has held the city contract for the past 9 years. They have been excellent to work with during that time. Overall, their proposal has the lowest rates.

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Mountain West Towing has proposed a Class A&B \$50.00 flat fee for non-accident tows and a \$50.00 **per hour fee** for accident tows involving City vehicles/police holds and a \$125.00 flat fee for non-accident tows and a \$125.00 per hour for accident tows involving citizen vehicles. The A/B wrecker service is by far the most needed service. Their other rates are posted in an attached spread sheet. The majority of city vehicle tows/police holds are damaged vehicles from accidents. The hourly rate would certainly apply more often than not over the flat fee, and add up quickly. Their loaded mileage cost would be variable from \$1.50-\$2.00 depending on whether it is a city vehicle/police hold (\$1.50) or citizen vehicle (\$2.00). **This fee begins at West Valley City Limits**, not Salt Lake County like Cal Brown's and a \$40 charge (plus materials) for vehicle response not requiring a tow (such as fuel delivery or a tire change). This would also incur a \$1.50 per mile charge for any service outside WVC limits.

Both companies are offering the use of three trucks and three drivers. Both can meet all the requirements of the towing contract. Overall, Cal Brown Towing has the cheapest rates for both City vehicles and citizen vehicle tows based on what the towing needs are currently. Cal Brown towing scores 100% in the criteria for selection standards. Mountain West Towing scores 70%. It is recommended that Cal Brown Body Towing be awarded the City contract, as that would be in the best interests of West Valley City.

During the past 12 plus years, the City has used a contract for these services. The contract has been beneficial to the City and its citizens. The contract has regulated the service charges to the City and the public, given standards regarding response time, and required a level of professionalism from tow truck operators. This has reduced the number of complaints from citizens to the City and the risk management office. When complaints have been made the contract has provided enforceable rules making it easier to resolve problems for all parties involved.

Councilmember Steve Buhler stated that this is not the only towing contract the City utilizes and indicated that there is also a rotational one with various other companies. He added that he has been assured that the City pays last and only if there is no funding provided by other means such as insurance, etc. Councilmember Buhler stated that he has received complaints from citizens regarding cleanup on the road after an accident and encouraged the Police Department to give companies time to do a thorough job. Mayor Bigelow agreed and indicated debris can cause additional accidents.

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. 16-108, a Resolution that would authorize the City to enter into a wrecker towing and impound services agreement with Cal Brown Towing, LLC. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, JULY 5, 2016, WAS ADJOURNED AT 6:48 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, July 5, 2016.

Nichole Camac
City Recorder