

MINUTES OF COUNCIL REGULAR MEETING – JULY 26, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 26, 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
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Acting Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Councilmember Steve Vincent conducted the Opening Ceremony. He discussed celebrating Pioneer Day and shared his personal family history and the effort his ancestors took to move west. He requested 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 JULY 19, 2016

The Council considered the Minutes of the Regular Meeting held July 19, 2016. There were no changes, corrections or deletions.

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Councilmember Lang moved to approve the Minutes of the Regular Meeting held July 19, 2016. Councilmember Buhler seconded the motion.

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

PROCLAMATION DECLARING AUGUST 2016 AS "NEIGHBORHOOD NIGHTS" MONTH AND AUGUST 2, 2016 AS "NATIONAL NIGHT OUT 2016" IN WEST VALLEY CITY

Councilmember Huynh read a proclamation declaring August 2016 as “Neighborhood Nights” month and August 2, 2016 as “National Night Out 2016” in West Valley City.

Mayor Bigelow encouraged residents, City staff, and members of the Council to attend National Night Out events in their neighborhoods.

COMMENT PERIOD

A. PUBLIC COMMENTS

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

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

B. CITY COUNCIL COMMENTS

Upon inquiry, there were no members of the Council who wished to speak.

RESOLUTION NO. 16-107, APPROVE THE PURCHASE OF EMC DATA BACKUP SYSTEM (CONTINUED FROM THE JULY 5, 2016 CITY COUNCIL REGULAR MEETING)

Mayor Bigelow presented proposed Resolution No. 16-107 that would approve the purchase of EMC Data Backup System (continued from the July 5, 2016 City Council Regular Meeting)

Written information previously provided 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

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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

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

Councilmember Lang moved to approve Resolution No. 16-107, a resolution that would approve the purchase of EMC Data Backup System.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-112, AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 6 OF THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCING, INC. WITH RESPECT TO A LEASE FOR THE PURCHASE AND REPLACEMENT OF DATA PROCESSING EQUIPMENT

Mayor Bigelow presented proposed Resolution No. 16-112 that would authorize the City to enter into Property Schedule No. 6 of the Master Tax-Exempt Lease/Purchase Agreement with US Bancorp Government Leasing and Financing, Inc. with respect to a lease for the purchase and replacement of Data Processing Equipment.

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

West Valley City is required by federal law to be in compliance by mandate to secure and upgrade our data system. Our current data does not abide by this obligation, therefore we

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need to upgrade the system in order to maintain data integrity and security. This lease is intended to last 5 years with quarterly payments with an interest rate of 1.92%. The City will own the equipment at the end of the lease term.

US Bancorp Government Leasing and Finance Inc. has provided a highly competitive leasing proposal for the purchase of this equipment. The proposed lease payment schedule falls within the existing authorized budget of the city.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Huynh moved to approve Resolution No. 16-112, a resolution that would authorize the City to enter into Property Schedule No. 6 of the Master Tax-Exempt Lease/Purchase Agreement with US Bancorp Government Leasing and Financing, Inc. with respect to a lease for the purchase and replacement of Data Processing Equipment. Councilmember Lang seconded the motion.

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

Unanimous.

RESOLUTION NO. 16-113, AUTHORIZE THE EXECUTION OF A SALES CONTRACT BETWEEN WEST VALLEY CITY AND CLOUD SHERPAS FOR HOSTED GOOGLE APPS, E-MAIL, AND GOOGLE DRIVE STORAGE

Mayor Bigelow presented proposed Resolution No. 16-113 that would authorize the execution of a sales contract between West Valley City and Cloud Sherpas for hosted Google Apps, E-Mail, and Google Drive storage.

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

Cloud Sherpas is providing West Valley City with Email services.

The original contract was with Omnetic and now our Google Apps are supplied through Cloud Sherpas.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

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Councilmember Christensen moved to approve Resolution No. 16-113, a resolution that would that would authorize the execution of a sales contract between West Valley City and Cloud Sherpas for hosted Google Apps, E-Mail, and Google Drive storage. Councilmember Nordfelt seconded the motion.

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

Unanimous.

RESOLUTION NO. 16-114, AUTHORIZE WEST VALLEY CITY TO PURCHASE A TYMCO 600 SWEEPER FROM INTERMOUNTAIN SWEEPER FOR USE BY THE PUBLIC WORKS DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 16-114 that would authorize West Valley City to purchase a Tymco 600 Sweeper from Intermountain Sweeper for use by the Public Works Department.

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

Intermountain Sweeper submitted a proposal to the Public Works Department. The proposal qualifies under the provisions of the West Valley City Procurement Code 5-3-110, Procurement to Meet Existing Needs. The code allows the procurement of matching equipment when it is beneficial to operations and maintenance. The Fleet Manager and Operations Managers have negotiated the best price available.

Street sweepers are high maintenance vehicles. The current policy of replacing sweepers every four years has proven economical by avoiding high repair costs and recouping high trade-in values for the old sweepers. The street sweeper being replaced is a 2011 Tymco 600.

The Public Works Department has used Tymco sweepers for many years, and has been pleased with the equipment performance, and the customer service received from Intermountain Sweeper, the local Tymco vendor.

Approve the purchase of the Tymco 600 Sweeper, with a 2011 Tymco 600 Sweeper as a

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trade-in. Cost of the new sweeper is \$245,100 minus the trade-in value of \$81,000, with the net purchase cost at \$164,100.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Buhler moved to approve Resolution No. 16-114, a resolution that would authorize West Valley City to purchase a Tymco 600 Sweeper from Intermountain Sweeper for use by the Public Works Department. Councilmember Vincent seconded the motion.

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

Unanimous.

RESOLUTION NO. 16-115, AWARD A CONTRACT TO STAKER PARSON COMPANIES FOR THE 2016 ASPHALT OVERLAY PROJECT

Mayor Bigelow presented proposed Resolution No. 16-115 that would award a contract to Staker Parson Companies for the 2016 Asphalt Overlay Project.

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

The lowest responsible bid was received by Staker Parson Companies in the amount of \$1,741,286.81.

Bids were opened for the project on July 6, 2016. A total of three (3) bids were received. The project includes the construction of asphalt pavement rotomill and overlay, and other miscellaneous road and infrastructure repairs.

Work will be performed on the following streets within the city:

- 3000 W -- 3835 South to End of Cul-de-sac
- 3100 South -- 2700 West to Decker Lake Drive
- 3425 West -- 4400 South to Meadow Brook Drive
- Hopi Dr -- Meadow Brook Drive to 4100 South
- 3740 West -- 4700 South to End of Cul-de-sac
- 3800 South -- 2700 West to Redwood Road
- 4400 South -- 3600 West to 3200 West

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4565 West -- Manhattan Drive to 3650 South
4525 West -- 4565 West to 3650 South
6400 West -- 3100 South to Parkway Blvd
Brians Way (3420 W) -- Crestfield Drive to 4400 South
Dartmouth Drive (4520 W) -- 4700 South to Utah & Salt Lake Canal
West Point Drive -- 4800 West to Dartmouth Drive
Frontage Road -- 3600 West to 3200 West
Sunnyvale Drive -- Volta Ave to 4400 West
Thayn Drive (3935 S) -- 4800 West to 4400 West
Westshire Drive -- 2700 West to 3800 South

An overview of the capital improvements plan can be found at <https://wvc-ut.maps.arcgis.com/apps/webappviewer/index.html?id=a49389a9429a4b1a9412d627d0bc47e1>

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Nordfelt moved to approve Resolution No. 16-115, a resolution that would award a contract to Staker Parson Companies for the 2016 Asphalt Overlay Project. Councilmember Lang seconded the motion.

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

Unanimous.

CONSENT AGENDA

- A. **RESOLUTION NO. 16-116, AUTHORIZE THE CITY TO ACCEPT A NON-EXCLUSIVE SEWER EASEMENT WITH KEARNS IMPROVEMENT DISTRICT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT TO RALPH L. WADSWORTH CONSTRUCTION FOR PROPERTY LOCATED AT APPROXIMATELY 6342 WEST 5400 SOUTH**
Mayor Bigelow presented proposed Resolution No. 16-116 that would authorize the City to accept a Non-Exclusive Sewer Easement with Kearns Improvement District and a Grant of Temporary Construction Easement to Ralph L. Wadsworth Construction for property located at approximately 6342 West 5400 South.

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

UDOT's Mountain View Corridor construction necessitates the relocation of an existing sewer line, in conflict with the new roadway. Due to the depth of the sewer, the original alignment proposed by UDOT would conflict with existing traffic signal equipment on the corner of 5400 South and Mountain View Corridor. UDOT's contractor proposed realigning the sewer through the southwest corner of property owned by West Valley City and used for parking at the USANA Amphitheater. The Grant of Temporary Construction Easement will give UDOT's contractor authority to construct the sewer through the corner of the city property. The Non-Exclusive Sewer Easement will allow Kearns Improvement District to maintain their sewer through the city property. UDOT's contractor has coordinated with Pristine Alpine Entertainment (United Concerts) for the safety and security of the site during parked events. Pristine Alpine Entertainment, LLC will also sign as a grantor on the Grant of Temporary Construction Easement.

B. RESOLUTION NO. 16-117, RATIFY THE CITY MANAGER'S APPOINTMENT OF MATT MCPHERSON TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 26, 2016 AND ENDING JULY 1, 2018

Mayor Bigelow presented proposed Resolution No. 16-117 that would ratify the City Manager's appointment of Matt McPherson to the Professional Standards Review Board for a term commencing July 26, 2016 and ending July 1, 2018.

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

This resolution appoints Matt MacPherson as a member of the Professional Standards Review Board for a two year term commencing on July 26, 2016 and ending on July 1, 2018.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

C. RESOLUTION NO. 16-118, RATIFY THE CITY MANAGER'S APPOINTMENT OF JOHN O'DONNELL TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 26, 2016 AND ENDING JULY 1, 2018

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Mayor Bigelow presented proposed Resolution No. 16-118 that would ratify the City Manager's appointment of John O'Donnell to the Professional Standards Review Board for a term commencing July 26, 2016 and ending July 1, 2018.

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

This resolution appoints John O'Donnell as a member of the Professional Standards Review Board for a two year term commencing on July 26, 2016 and ending on July 1, 2018.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

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

Councilmember Vincent moved to approve Resolution Nos. 16-116, 16-117 and 16-118 as presented on the Consent Agenda. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-119, AWARD A CONTRACT TO MORGAN PAVEMENT FOR THE 2016 ASPHALT POLYMER TREATMENT PROJECT

Mayor Bigelow presented proposed Resolution No. 16-119 that would award a contract to Morgan Pavement for the 2016 Asphalt Polymer Treatment Project.

Written information previously provided the City Council included the following:

Bids were opened for the project on July 19, 2016. A total of two (2) bids were received.

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This project consists of the application of a polymer mastic seal as a high density roadway surface preservation treatment on several roads within the city. It is designed to seal the surface on newer pavements to prevent oxidation of the asphalt oil from water infiltration and ultraviolet exposure.

Work will be performed on various streets within the city. An overview of the capital improvements plan can be found at the following link.

<https://wvc-ut.maps.arcgis.com/apps/webappviewer/index.html?id=a49389a9429a4b1a9412d627d0bc47e1>

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Christensen moved to approve Resolution No. 16-119, a resolution that would award a contract to Morgan Pavement for the 2016 Asphalt Polymer Treatment Project. Councilmember Nordfelt seconded the motion.

Mr. Vincent	Yes
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 Vincent all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, JULY 26, 2016, WAS ADJOURNED AT 6:55 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 26, 2016.

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Nichole Camac
City Recorder