

MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 21, 2017

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 21, 2017, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, 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

Paul Isaac, Assistant City Manager/ HR Director
Nicole Cottle, Assistant City Manager/ General Counsel/ CED Director
Eric Bunderson, City Attorney
Lee Russo, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Jason Ereksen, Acting Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Mark Nord, CED Department
Brandon Hill, Legal Department

APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 14, 2017

The Council considered the Minutes of the Study Meeting held February 14, 2017. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Study Meeting held February 14, 2017. Councilmember Vincent seconded the motion.

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

REVIEW AGENDA FOR REGULAR MEETING OF FEBRUARY 21, 2017

Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular Meeting scheduled later this night.

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 28, 2017

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-1-2017, FILED BY LESLIE MORTON, REQUESTING FINAL PLAT APPROVAL FOR THE CVS WEST VALLEY PLAZA SUBDIVISION- LOTS 1 & 2 AMENDED

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled February 28, 2017, in order for the City Council to hear and consider public comments regarding application No. S-1-2017, filed by Leslie Morton, requesting Final Plat Approval for the CVS West Valley Plaza Subdivision- Lots 1 & 2 Amended.

Proposed Ordinance 17-09 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ORDINANCE NO. 17-09, APPROVE THE AMENDMENT TO LOTS 1 AND 2 OF THE CVS WEST VALLEY PLAZA SUBDIVISION

Steve Lehman, CED Department, discussed proposed ordinance 17-09 that would approve the amendment to Lots 1 and 2 of the CVS West Valley Plaza Subdivision.

Written documentation previously provided to the City Council included Information as follows:

Utah CVS Pharmacy LLC, is requesting an amendment to lots 1 and 2 of the CVS West Valley Plaza Subdivision. This plat was recorded with the Salt Lake County Recorder's Office in March 2015. The subdivision plat was recorded to create two lots for retail uses. The CVS Pharmacy is located on lot 1 and a future Auto Zone will be located on lot 2.

During the construction of the CVS Pharmacy building, the water line extending from 3200 West was positioned just south of the property on which the building was being constructed. Due to both lots being in the ownership of Utah CVS Pharmacy LLC, this was not a problem. However, with the pending development of lot 2, Granger Hunter Improvement District is requesting that the water line

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servicing the CVS pharmacy be located on the property where the CVS building is located.

According to the amended plat, the north property line separating lots 1 and 2 will be moved approximately 18 feet to the south. This location will allow the water line to be fully located within the CVS pharmacy lot. All other property lines and conditions of approval related to the original subdivision plat will remain in place.

Don Christensen asked if the sale of the new property will be effected by this modification. Steve replied no and stated that he has been working with the purchaser during this process and they are anxious to move forward.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will hold a public hearing and consider proposed resolution No. 17-09 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

RESOLUTION NO. 17-26, APPROVE AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND THE SALT LAKE COUNTY CLERK'S OFFICE, ELECTIONS DIVISION, FOR THE PROVISION OF ELECTION SERVICES FOR THE 2017 PRIMARY AND GENERAL MUNICIPAL ELECTIONS

Nichole Camac, City Recorder, discussed proposed Resolution No. 17-26 that would approve an Interlocal Agreement between West Valley City and the Salt Lake County Clerk's Office, Elections Division, for the provision of election services for the 2017 Primary and General Municipal Elections.

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

This agreement authorizes the Salt Lake County Clerk's Office, Elections Division, to provide election services to the City Recorder's Office. These services include:

- Ballot layout and design
- Ballot ordering and printing
- Machine programming and testing
- Delivery of supplies and equipment
- Provision of all supplies
- Election vote center/early vote locations
- Vote by mail administration
- Updating state and county websites
- Tabulating, reporting, auditing and preparing canvassing election results

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- Conducting recounts as needed
- All notices and mailings required by law (except those required by Utah Code Ann.§ 20A-9-203)
- Direct payment of all costs associated with the election to include vote center workers, training, polling places, rovers.

The provision of these services will assist in conducting the elections in an efficient manner. The fee for these services is not to exceed \$180,198.75 and will be based on the City's pro-rata share of actual costs of the elections which will not exceed the County Clerk's estimate provided to the City for budgeting purposes.

West Valley City is one of many cities that contract with the Salt Lake County Clerk's Office, Elections Division, for their municipal elections. This has been a good partnership that has benefited the City, County and the voters by providing consolidated municipal elections, economies of scale and no-worry elections.

Councilmember Vincent requested that the agreement specify that 4 polling locations be provided on Election Day. Councilmember Nordfelt agreed and added that he feels there should be a polling location provided in every district. The Mayor and Council discussed potential polling locations in the City.

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

The City Council will consider proposed Resolution No. 17-26 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

RESOLUTION NO. 17-27, AUTHORIZE AND APPROVE THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, UTAH (THE "AUTHORITY"), AND THE GROUND LEASE(S) AGREEMENT; AUTHORIZE THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2017, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$52,500,000; AND RELATED MATTERS

Laura Lewis, Lewis Young, discussed proposed Resolution No. 17-27 that would Authorize and Approve the Execution and Delivery of a First Amendment to Master Lease Agreement By and Between the City and the Municipal Building Authority of West Valley City, Utah (The "Authority"), and the Ground Lease(s) Agreement; Authorize the Issuance and Sale by the Authority of Its Lease Revenue Bonds, Series 2017, in the Aggregate Principal Amount of Not More Than \$52,500,000; And Related Matters.

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

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The purpose of this bond issue is to provide funds to finance the acquisition, construction, equipping and furnishing of a new public safety building, a new court's building, parking facilities, HVAC and roof replacement for the Family Fitness Center and related improvements, fund capitalized interest with respect to the Series 2017 Bonds, fund any required deposits to a reserve fund, and pay costs associated with the issuance of the Series 2017 Bonds and for such other purposes as may be authorized under the General Indenture.

Wayne Pyle and Laura Lewis discussed the bond market. Councilmember Vincent asked how this project relates to private contracts and purchases occurring in City Center. Wayne replied that the project is going well, the partnership is going well, and this is a step in the right direction. He indicated that more detailed information would need to be discussed in a closed session.

Wayne discussed the Courts portion of the project regarding purchasing, coordinating with the State, etc. Councilmember Huynh asked about the Juvenile Court and Wayne explained plans for future relocation. Councilmember Buhler asked if the existing Court has secure holding rooms. Wayne replied yes. He indicated that the current court will be demolished and the proposed partner on this project would potentially build another project in its place. He stated that the goal would be to move the City's Justice Court to the existing Juvenile Court building after a remodel.

Mayor Bigelow stated that he is opposed to debt and questioned whether there is a plan to reduce the City's debt. Wayne explained what the City's goals regarding this are. The Mayor and Council discussed the pros and cons of this proposal and the impact it has on the City in years to come from both a financial and economic standpoint. Councilmember Buhler discussed bonding and the philosophy behind whether or not it is beneficial. Mayor Bigelow stated that the question is what the right amount of bonding is. Laura Lewis discussed how bonding and debt can affect the City and the City's ratings. She stated that she is not concerned about the debt burden that West Valley City has and it is her duty, as a Financial Advisor, to relay any concerns that she might see.

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

The City Council will consider proposed Resolution No. 17-27 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

RESOLUTION NO. 17-28, APPROVE THE PURCHASE OF A BULLET RECOVERY SYSTEM FOR USE BY THE POLICE DEPARTMENT

Lee Russo, Police Chief, discussed proposed Resolution No. 17-2 that would approve the purchase of a Bullet Recovery System for use by the Police Department.

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

The Police Department requests authorization to purchase a bullet recovery system which would aid our agency's certified forensic firearm examiner (one of four in the entire State of Utah) in side-by-side comparison of bullets recovered from crime scenes.

The U.S. Department of Justice has awarded the Police Department the Paul Coverdell Forensic Science Improvement Grant. The funds may be used to purchase forensic equipment and related training. This is a non-matching grant and the Department is not required to match funds. The Police Department would like to purchase a bullet recovery system from a sole source vendor.

The Police Department does not currently have a bullet recovery system and is unable to conduct comparisons in-house.

Chief Russo explained that only two Cities, including West Valley, would have this capability in the State of Utah. He discussed the benefit to the City's Police Department with this equipment. Mayor Bigelow asked if the City would provide services to other municipalities in the State. Chief Russo replied that West Valley's cases would be a priority but the City would provide assistance when possible. Chief Russo and the Council discussed personnel, training required to use the equipment, and additional workload for City employees.

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

The City Council will consider proposed Resolution No. 17-28 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

RESOLUTION NO. 17-29, APPROVE THE PURCHASE OF A BULLET RECOVERY SYSTEM FOR USE BY THE POLICE DEPARTMENT

Lee Russo, Police Chief, discussed proposed Resolution No. 17-2 that would approve the purchase of a Bullet Recovery System for use by the Police Department.

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

The Police Department requests authorization to purchase a Leica FSC Forensic Comparison Microscope which allows our agency's certified firearms examiner (one of four in the entire State of Utah) to conduct side-by-side comparisons of bullets, bullet casings, and tool mark evidence.

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The U.S. Department of Justice has awarded the Police Department the Paul Coverdell Forensic Science Improvement Grant. The funds may be used to purchase forensic equipment related training. This is a non-matching grant and the Department is not required to match funds. The Police Department would like to purchase a Leica FSC Forensic Comparison Microscope from a sole source vendor.

The Police Department does not currently have a comparison microscope and is unable to conduct comparisons in-house.

Mayor Bigelow asked if the grant will be used for anything else. Chief Russo replied that he believes this particular grant has been exhausted.

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

The City Council will consider proposed Resolution No. 17-29 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

CONSIDER APPLICATIONS S-18-2016 AND S-19-2016, FILED BY DAI UTAH, REQUESTING FINAL PLAT APPROVAL FOR JUNIPER ACRES SUBDIVISION LOCATED AT 4650 SOUTH 6000 WEST

Steve Lehman, CED Department, discussed applications S-18-2016 and S-19-2016, filed by DAI Utah, requesting Final Plat Approval for Juniper Acres Subdivision located at 4650 South 6000 West.

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

Mindy Dansie, representing DAI Utah, is requesting final plat approval for the Juniper Acres Subdivision. The subject property was rezoned in 2006 from the M zone to the R-1-8 zone, and received preliminary plat approval in January 2016. A development agreement was reviewed and approved as part of the rezone process. As a reminder, recorded development agreements run with the land and will be applicable to this proposed development.

The proposed subdivision consists of 27 lots on 8.4 acres. The overall density equates to 3.2 units per acre. Lot sizes range from 8,030 square feet to 14,600 square feet with an average lot size of 9,000 square feet.

Access to the subdivision will be gained from 3 points along 6000 West and from a stub street in the Vistas Phase 2 Subdivision to the north. Staff believes that the number of access points along 6000 West will evenly distribute traffic with each cul-de-sac comprising 7-8 lots.

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Based on the preliminary plat, a soils report was submitted for the new subdivision. The report indicated that 5 test pits were studied to determine subsurface water elevations. Four of the five test pits revealed no ground water to a depth of 11-13 feet. One test pit contained ground water to a depth of 5 feet. The subdivision plat will contain notes regarding lowest floor slab depth based on the soils investigation.

Councilmember Vincent asked if the construction material will need to meet current standards. Steve replied that the City feels the agreement for the time was good but doesn't quite meet the standards now. The Council discussed the trailhead in the area and where it will be built.

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

The City Council will consider applications S-18-2016 and S-19-2016 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR FEBRUARY 28, 2017

A. RESOLUTION 17-30, AUTHORIZE THE CITY TO ACCEPT A QUIT CLAIM DEED FROM LE NGOC HA, AN INDIVIDUAL, AND CHUA KHAI TUONG, A UTAH NON-PROFIT CORPORATION FOR A PORTION OF PROPERTY LOCATED AT 1472 WEST 3300 SOUTH

Mayor Bigelow discussed proposed Resolution No. 17-30 that would authorize the City to accept a Quit Claim Deed from Le Ngoc Ha, an individual, and Chua Khai Tuong, a Utah Non-Profit Corporation, for a portion of property located at 1472 West 3300 South.

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

Le Ngoc Ha, an individual and Chua Khai Tuong, a Utah non-profit corporation currently own a 1.23 acre foot parcel of land located at 1472 West 3300 South (parcel 15-27-426-008). This parcel is the site of the Chua Khai Tuong Buddhist Temple. As a condition of approval for a proposed building expansion, conveyance of a portion of 3300 South right-of-way was required. 3300 South is an existing public street. However some portions have not been formally dedicated or otherwise conveyed to West Valley City. The attached Quit Claim Deed conveys the south 33 feet of parcel 15-27-426-008 to West Valley City.

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

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B. RESOLUTION 17-31, RATIFY THE CITY MANAGER'S APPOINTMENT OF MELISSA LAMBOURNE TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING FEBRUARY 28, 2017 AND ENDING FEBRUARY 28, 2019

Mayor Bigelow discussed proposed Resolution No. 17-31 that would ratify the City Manager's appointment of Melissa Lambourne to the Professional Standards Review Board for a term commencing February 28, 2017 and ending February 28, 2019.

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

This resolution appoints Melissa Lambourne as a member of the Professional Standards Review Board for a two year term commencing on February 28, 2017 and ending on February 28, 2019.

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, the Council had no further questions or concerns.

The City Council will consider proposed Resolutions No. 17-30 and 17-31 at the Regular Council Meeting scheduled February 28, 2017, at 6:30 P.M.

COMMUNICATIONS

A. LEGISLATIVE UPDATE

Nicole Cottle discussed current bills being discussed at the legislature including some regarding building permits, recalling public officials based on a mental issue, RDA's, towing, education, elections, land use, ATV's, and Good Landlord Program's.

B. COUNCIL UPDATE

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Mayor Bigelow indicated that the Town Hall meeting scheduled this Thursday has several West Valley City legislative representatives attending.

Councilmember Christensen inquired where the Orchard Elementary meeting will take place. Russ Willardson replied that it will be held at the school, likely in the multi-purpose room.

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Members of the City Council had no further questions regarding the Council Update.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

There were no potential future agenda items discussed.

B. COUNCIL REPORTS

COUNCILMEMBER VINCENT- NATIONAL LEAGUE MEETING

Councilmember Vincent clarified that the City will provide an agenda with information to discuss. Wayne replied yes.

MAYOR BIGELOW- SCREAMIN' EAGLES

Mayor Bigelow stated that the opening event for the Screamin' Eagles was very successful. Councilmember Lang agreed.

C. REVIEW AGENDA FOR THE SPECIAL MUNICIPAL BUILDING AUTHORITY MEETING SCHEDULED FEBRUARY 28, 2017

MBA RESOLUTION 17-02, AUTHORIZE THE ISSUANCE AND SALE OF NOT MORE THAN \$52,500,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2017 (THE "SERIES 2017 BONDS"); AND RELATED MATTERS

Jim Welch, Finance Director, discussed MBA Resolution 17-02 that would authorize the issuance and sale of not more than \$52,500,000 Aggregate Principal Amount of Lease Revenue Bonds, Series 2017 (The "Series 2017 Bonds"); And Related Matters.

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

The purpose of this bond issue is to provide funds to finance the acquisition, construction, equipping and furnishing of a new public safety building, a new court's building, parking facilities, HVAC and roof replacement for the Family Fitness Center and related improvements, fund capitalized interest with respect to the Series 2017 Bonds, fund any required deposits to a reserve fund, and pay costs associated with the issuance of the Series 2017 Bonds and for such other purposes as may be authorized under the General Indenture.

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

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ADJOURN

Upon motion by Councilmember Lang all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY FEBRUARY 21, 2017 WAS ADJOURNED AT 6:11 P.M. BY MAYOR BIGELOW.

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, February 21, 2017.

Nichole Camac
City Recorder