

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 3, 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
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

ABSENT: Lars Nordfelt, Councilmember At-Large (Excused)

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

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

OPENING CEREMONY

Mayor Ron Bigelow conducted the Opening Ceremony and 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 APRIL 19, 2016

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

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Councilmember Christensen moved to approve the Minutes of the Regular Meeting held April 19, 2016. Councilmember Huynh seconded the motion.

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

EMPLOYEE OF THE MONTH AWARD, MAY 2016 – MERARI LOPEZ, LAW DEPARTMENT

Councilmember Vincent read the nomination of Merari Lopez, Law Department, to receive the Employee of the Month Award for May 2016. He presented the award to Ms. Lopez.

Ms. Lopez, a Victim Advocate, had been nominated for her assistance to a victim in arranging for a voucher to assist the victim in obtaining clothing and other items for herself and a baby.

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individual addressed the City Council during the comment period:

A. PUBLIC COMMENTS

Robert Erikson, 2559 S. Derby Street, addressed the City Council. Mr. Erikson thanked the Council for their service. He indicated he had been able to track the progress of ordinances online that related to changes in his neighborhood. He advised a chicken coop was being constructed in his neighborhood and he desired to see an ordinance enacted that put restrictions on this as soon as possible.

RESOLUTION NO. 16-65, AUTHORIZING AMENDING THE CONTRACT WITH TASER INTERNATIONAL FOR PARTICIPATION IN TASER'S OFFICER SAFETY PLAN, TO PROVIDE UNLIMITED STORAGE CAPACITY FOR ALL DIGITAL DATA AND EVIDENCE AS WELL AS THE PURCHASE OF 190 TASERS AT A DISCOUNTED PRICE

Mayor Bigelow presented proposed Resolution No. 16-65 that would authorize amending the contract with Taser International for participation in Taser's Officer Safety Plan, to provide unlimited storage capacity for all digital data and evidence as well as the purchase of 190 Tasers at a discounted price.

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

The Police Department had need to equip its officers with conducted energy weapons, commonly called Tasers. The Department also needed to increase the storage capacity for digital images recorded on officers' body-worn cameras. The most economical way to meet both needs would be to participate in Taser's Officer Safety Plan that would cost \$914,580.00 over the next four years.

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Taser was a sole course provider of conducted energy weapons. The Police Department was already under contract with Taser for its body-worn cameras and digital data storage, as approved by the City Council in Resolution No. 14-194. Taser would amend the current contract by prorating this new plan into the remaining four years of the existing contract. While the listed total cost of the program would be \$914,580.00 over the next four years, the actual cost above the current commitment to Taser would be in the amount of \$321,336.32 over the next four years. Annual cost of the program would be broken down as follows:

Year 1	\$126,095.00
Year 2	\$262,728.00
Year 3	\$262,728.00
Year 4	\$262,728.00
Subtotal:	\$914,279.00
Shipping:	<u>\$ 301.32</u>
Total:	\$914,580.32

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

Councilmember Huynh moved to approve Resolution No. 16-65, a Resolution Authorizing Amending the Contract with Taser International for Participation in Taser’s Officer Safety Plan to Provide Unlimited Storage Capacity for All Digital Data and Evidence, as Well as the Purchase of 190 Tasers at a Discounted Price. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-66, APPROVING AN INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING BETWEEN WEST VALLEY CITY AND HOUSTON-GALVESTON AREA COUNCIL

Mayor Bigelow presented proposed Resolution No. 16-66 that would approve an Interlocal

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Contract for Cooperative Purchasing between West Valley City and Houston-Galveston Area Council (HGAC).

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

The proposed agreement would permit West Valley City to procure necessary goods and services through the Houston-Galveston Area Council cooperative purchasing process.

Governmental entities were permitted to affiliate with one another in order to obtain collective pricing and service benefits in the procurement process. The Houston-Galveston Area Council was a significant governmental purchasing cooperative based in Houston, Texas. It was anticipated the City might be able to obtain more favorable purchase terms on certain goods and services by affiliating with the HGAC. Membership would be free of charge and could be terminated at any time. The City would not be obligated to purchase any items through HGAC or to pay any fees or surcharges on purchases through HGAC.

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. 16-66, a Resolution Approving an Interlocal Contract for Cooperative Purchase Between West Valley City and Houston-Galveston Area Council. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-67, AUTHORIZING THE CITY TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH RAR INVESTMENTS FOR STORM DRAIN IMPROVEMENTS

Mayor Bigelow presented proposed Resolution No. 16-67 that would authorize the City to enter into a Reimbursement Agreement with RAR Investments in the amount of \$30,450.00 for storm drain improvements.

Written documentation previously provided to the City Council included information as

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follows:

The subject Reimbursement Agreement would be for storm drain improvements associated with the Mountain West Truck Center Project.

Development of the Mountain West Truck Center Project at 7114 West SR-201 North Frontage Road necessitated the piping of an existing ditch. The ditch conveyed water from the south side of SR-201 to the north, and was part of a system that drained a portion of the northwest area of the City. This system was considered to be part of an Intermediate Drainage System Facility that was eligible for reimbursement under Title 18.

Under the proposed agreement the City would reimburse RAR Investments for the excess capacity required to drain the additional areas through the project. Approximately 700 feet of 24-inch pipe would be installed.

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

Councilmember Christensen moved to approve Resolution No. 16-67, a Resolution Authorizing the City to Enter Into a Reimbursement Agreement With RAR Investments for Storm Drain Improvements. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-68, AUTHORIZING THE EXECUTION AND RECORDING OF A DELAY AGREEMENT BETWEEN WEST VALLEY CITY AND RAR INVESTMENTS, LLC. FOR PROPERTY LOCATED AT 7114 WEST SR-201 NORTH FRONTAGE ROAD

Mayor Bigelow presented proposed Resolution No. 16-68 that would authorize the execution and recording of a Delay Agreement between West Valley City and RAR Investments, LLC. For property located at 7114 West SR-201 North Frontage Road.

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

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Development of the subject property required RAR Investments to install curb and gutter, roadway and sidewalk improvements, and the proposed agreement would defer the developer’s responsibility to construct the improvements to a later date.

RAR Investments had requested the delay of construction of off-site improvements for the Mountain West Truck Center Project improvements that included installation of curb, gutter, sidewalk and asphalt tie-in to the existing roadway.

The Public Works Department had recommended delay of the improvement installations due to the flat terrain in the area and installation of the curb and gutter would cause drainage problems.

In the event that curb and gutter would become feasible and necessary, as determined by the City, the property owner would be required to install the roadway improvements.

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

Councilmember Christensen moved to approve Resolution No. 16-68, a Resolution Authorizing the Execution and Recording of a Delay Agreement Between West Valley City and RAR Investments, LLC, for Property Located at 7114 West SR-201 North Frontage Road. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. RESOLUTION NO. 16-69, AUTHORIZING THE CITY TO ACCEPT A WARRANTY DEED, STORM DRAIN EASEMENT AND AN INGRESS, EGRESS AND ACCESS EASEMENT WITH BOYD ENTERPRISES UTAH, LLC, FROM AND ACROSS PROPERTIES LOCATED AT 2242 SOUTH AND 2195 SOUTH PRESIDENTS DRIVE (15-20-101-024 AND 15-20-102-002)

Mayor Bigelow presented proposed Resolution No. 16-69 that would authorize the

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City to accept a Warranty Deed, Storm Drain Easement, and an Ingress, Egress and Access Easement with Boyd Enterprises Utah, LLC, from and across properties located at 2242 South and 2195 South Presidents Drive (15-20-101-024 and 15-20-102-002).

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

Boyd Enterprises Utah, LLC had signed a Warranty Deed, Storm Drain Easement, and an Ingress, Egress and Access Easement. Boyd Enterprises was the owner and developer of the Presidential Business Center Phases IV and V. As a condition of approval for development on Lots 401 and 501, conveyance of additional right-of-way at been required at the corners of Presidents Drive and the SR-201 South Frontage Road. Storm drain easements across Lots 401 and 501 were also required, along with an Ingress, Egress and Access Easement.

B. RESOLUTION NO. 16-70, AUTHORIZING THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM AKLESH KUMAR FOR PROPERTY LOCATED AT 3015 WEST LEHMAN AVENUE (PARCEL 15-33-105-012)

Mayor Bigelow presented proposed Resolution No. 16-70 that would authorize the City to accept a Grant of Temporary Construction Easement from Aklesh Kumar for property located at 3015 West Lehman Avenue (Parcel 15-33-105-012).

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

Aklesh Kumar had signed a Grant of Temporary Construction Easement for property located at 3015 W. Lehman Avenue.

The Aklesh parcel was one of the properties affected by the Fairbourne Station Phase 2 Project. The project would include construction of 3030 West Street between 3500 South and Lehman Avenue, along with reconstruction of a portion of Lehman Avenue. Compensation would be in the amount of \$350.00. As the cost of an appraisal would likely exceed the actual value of the easements being acquired, compensation had been based on a range of rates used by other entities for similar small acquisitions.

C. RESOLUTION NO. 16-71, AUTHORIZING THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM PHILLIP W. LUCAS FOR PROPERTY LOCATED AT 3040 WEST LEHMAN AVENUE (PARCEL 15-33-104-010)

Mayor Bigelow presented proposed Resolution No. 16-71 that would authorize the

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City to accept a Grant of Temporary Construction Easement from Phillip W. Lucas for property located at 3040 West Lehman Avenue (Parcel 15-33-104-010).

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

Phillip W. Lucas had signed a Grant of Temporary Construction Easement for property located at 3040 W. Lehman Avenue.

The Lucas parcel was one of the properties affected by the Fairbourne Station Phase 2 Project. The project would include construction of 3030 West Street between 3500 South and Lehman Avenue, along with reconstruction of a portion of Lehman Avenue. Compensation for the easement would be in the amount of \$350.00. As the cost of an appraisal would likely exceed the actual value of the easement being acquired, compensation had been based on a range of rates used by other entities for similar small acquisitions.

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. 16-69, 16-70 and 16-71 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. Christensen	Yes
Mayor Bigelow	Yes

Unanimous.

CITY MANAGER SUBMIT FY2016-2017 PROPOSED BUDGET

City Manager, Wayne Pyle, submitted the Proposed Budget for the 2016-2017 Fiscal Year.

Finance Director, Jim Welch, handed out hard copies of the subject Proposed Budget to members of the City Council for review.

City Manager, Wayne Pyle, explained the Proposed Budget was a result of eight to nine months of work during a single fiscal year. Mayor Bigelow and the City Manager expressed appreciation to the Finance Director, Jim Welch, and his staff for their efforts in

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this regard.

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, MAY 3, 2016, WAS ADJOURNED AT 6:53 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, May 3, 2016.

Nichole Camac
City Recorder