

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 23, 2015, 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, Mayor Pro Tem
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Carel Hicks, Acting City Recorder

ABSENT: Mayor Ron Bigelow

STAFF PRESENT:

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

17055 **OPENING CEREMONY**

The Opening Ceremony was conducted by Councilmember Steve Buhler who presented the “Unofficial West Valley City Royalty,” Madeline Buhler, Aiza Higley and Gillian Rosier. Each young woman introduced herself and explained what she appreciated about West Valley City. After introductions, Madeline Buhler led the Pledge of Allegiance to the Flag.

17056 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 9, 2015**

The Council read and considered Minutes of the Regular Meeting held June 9, 2015. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-2-

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held June 9, 2015, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

17057 **PROCLAMATION DECLARING JULY 1–7, 2015 AS “INDEPENDENTS WEEK” IN WEST VALLEY CITY**

Councilmember Buhler read a Proclamation declaring July 1-7, 2015, as “Independents Week” in West Valley City.

17058 **COMMENT PERIOD**

Upon inquiry by Mayor Pro Tem Rushton, the following individual addressed the City Council during the comment period:

A. **PUBLIC COMMENTS**

Larry Wood addressed the Council and stated he was a long-time resident of West Valley City. He spoke concerning his property located at 4079 South 3600 West and advised that in the past he had received many beautification awards at his other properties. Mr. Wood stated he received violation notices, indicated he was not running a business and was working on his property that he believed was in much better condition than when he purchased it.

17059 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-1-2015, FILED BY WEST VALLEY CITY, REQUESTING A ZONE CHANGE FROM ZONE ‘C-2’ (GENERAL COMMERCIAL) AND ZONE ‘R-4-8.5’ (RESIDENTIAL 4-PLEX) TO ZONE ‘CC’ (CITY CENTER) FOR PROPERTY LOCATED AT APPROXIMATELY 3001 WEST 3500 SOUTH**

Mayor Pro Tem Rushton informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-1-2015, filed by West Valley City, requesting a zone change from zone ‘C-2’ (General Commercial) and zone ‘R-4-8.5’ (Residential 4-Plex) to zone ‘CC’

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-3-

(City Center) for property located at approximately 3001 West 3500 South.

City Manager, Wayne Pyle, presented proposed Ordinance No. 15-21 related to the application to be considered by the City Council after the public hearing, as follows:

Proposed Ordinance No. 15-21 would amend the Zoning Map to show a change of zone for property located at approximately 3001 West 3500 South from zone 'C-2' (General Commercial) and zone 'R-4-8.5' (Residential 4-Plex) to zone 'CC' (City Center).

West Valley City had requested a zone change for 11 parcels totaling 3.5 acres at 3001 West 3500 South from 'C-2' (General Commercial) and 'R-4-8.5' (Residential 4-Plex) to 'CC' (City Center). Surrounding zones included 'R-4-8.5' to the south, 'CC' to the east, 'C-2' to the north and a portion of the west, and 'RM' (Residential, Multi-Family) for the remaining west portion. Surrounding land uses included the Aspen Village Apartments to the west, commercial uses to the north, the Embassy Suites Hotel to the east and a duplex (soon to be demolished) and vacant property to the south. The subject property had been designated as retail/office north of Weigh Station Road and very high density residential south of Weigh Station Road in the Fairbourne Station Vision that was part of the West Valley City General Plan.

The 11 subject properties were all located within the City Center Redevelopment Project Area established in 2004. All 11 parcels were owned by the West Valley City Redevelopment Agency. Of the 11 parcels, seven had buildings on them that were recently demolished and three still had buildings on them. The remaining three buildings would be demolished between now and July.

The subject parcels had been acquired to facilitate additional redevelopment within Fairbourne Station. These properties were needed to extend Weigh Station Road to the west, develop a new commercial use along 3500 South and build a new road at 3030 West between 3500 South and Lehman Avenue. Extending the 'CC' zone to these parcels would be necessary to accommodate the anticipated commercial use along 3500 South and to ensure consistency within Fairbourne Station.

Mayor Pro Tem Rushton opened the public hearing. There being no one to speak in favor or in opposition, Mayor Pro Tem Rushton closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 15-21, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3001 WEST 3500 SOUTH FROM ZONE 'C-2' (GENERAL COMMERCIAL) AND ZONE 'R-4-8.5'

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-4-

(RESIDENTIAL 4-PLEX) TO ZONE ‘CC’ (CITY CENTER)

The Council previously held a public hearing regarding Application No. Z-1-2015, filed by West Valley City, and considered proposed Ordinance No. 15-21 that would amend the Zoning Map to show a change of zone for property located at approximately 3001 West 3500 South from zone ‘C-2’ (General Commercial) and zone ‘R-4-8.5’ (Residential 4-Plex) to zone ‘CC’ (City Center).

After discussion, Councilmember Vincent moved to approve Ordinance No. 15-21, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at Approximately 3001 West 3500 South from Zone ‘C-2’ (General Commercial) and Zone ‘R-4-8.5’ (Residential 4-Plex) to Zone ‘CC’ (City Center). Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

17060

RESOLUTION NO. 15-107, APPROVE AGREEMENTS WITH SELECTHEALTH TO PROVIDE INSURANCE BENEFITS AND SERVICES FOR CITY EMPLOYEES FOR FISCAL YEAR 2015-2016

City Manager, Wayne Pyle, presented proposed Resolution No. 15-107 that would approve agreements with SelectHealth to provide insurance benefits and services for City employees for the fiscal year 2015-2016.

SelectHealth had been providing medical benefits for West Valley City for the past 11 years. Since SelectHealth had been providing benefits the City had also contracted with them to provide retiree benefits and post 65 benefits. Success had been achieved in keeping the premium costs low during the past several years and, this year, an 8% increase had been negotiated that was well below the 10-12% standard increase.

After discussion, Councilmember Lang moved to approve Resolution No. 15-107, a Resolution Authorizing the City to enter into Agreements with SelectHealth to Provide Insurance Benefits and Services for City Employees for Fiscal Year 2015-2016. Councilmember Buhler seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-5-

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

Unanimous.

17061 **RESOLUTION NO. 15-108, APPROVE AN AGREEMENT WITH BEHAVIORAL HEALTH STRATEGIES TO PROVIDE MENTAL HEALTH BENEFITS FOR CITY EMPLOYEES FOR FISCAL YEAR 2015- 2016**

City Manager, Wayne Pyle, presented proposed Resolution No. 15-108 that would approve an agreement with Behavioral Health Strategies to provide mental health benefits for City employees for fiscal year 2015-2016.

Behavioral Health Strategies had provided mental health benefits for West Valley City for the past three years. Bloomquist Hale, the current employee assistance provider, and the University of Utah Health Care had teamed together to provide mental health benefits at a low cost to the City. Amazing success in keeping premium costs low during the past few years had been achieved.

After discussion, Councilmember Buhler moved to approve Resolution No. 15-108, a Resolution Authorizing the City to enter into an Agreement with Behavioral Health Strategies to Provide Mental Health Benefits for City Employees for Fiscal Year 2015-2016. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

17062 **RESOLUTION NOS. 15-109, CONSIDER A RESOLUTION APPROVING AN ACKNOWLEDGMENT, WAIVER AND CONSENT AGREEMENT BETWEEN WEST VALLEY CITY AND HUNT ELECTRIC**

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-6-

City Manager, Wayne Pyle presented proposed Resolution No. 15-109 that would approve an Acknowledgment, Waiver and Consent Agreement between West Valley City and Hunt Electric.

Pursuant to Utah Code Annotated Section 11-42-209 and the Assessment Area Act, the City may designate a voluntary assessment area for the purpose of financing energy efficiency upgrades and renewable energy systems. The City and Hunt Electric proposed to do so through the issuance of assessment bonds issued under authority of the Assessment Area Act and by the authorization of the City Council.

The proposal would authorize execution of an acknowledgment and waiver agreement between the City and Hunt Electric. Pursuant to the requirements of the Assessment Area Act, Hunt Electric could waive certain noticing requirements and give consent to the creation of the assessment area and the levy of the assessment that would ultimately serve as the revenue stream to repay the bonds. The proposed agreement was Hunt's consent to the creation of the assessment area, the levy of the assessment, and included Hunt's representations concerning the status of title and compliance with the requirements of the Assessment Area Act.

This was the first of four actions to be approved as part of the process to authorize issuance of the bonds.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 15-109, a Resolution Approving the Execution of an Acknowledgment, Waiver, and Consent Agreement between the City and Hunt Electric. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

17063

RESOLUTION NO. 15-110, CONSIDER A RESOLUTION DESIGNATING A VOLUNTARY ASSESSMENT AREA FOR THE PURPOSE OF LEVYING ASSESSMENTS AGAINST ONE OR MORE PROPERTIES WITHIN THE VOLUNTARY ASSESSMENT AREA TO FINANCE THE

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-7-

CONSTRUCTION AND INSTALLATION OF CERTAIN ENERGY EFFICIENCY UPGRADES AND/OR RENEWABLE ENERGY SYSTEMS AND RELATED IMPROVEMENTS; AND RELATED MATTERS

City Manager, Wayne Pyle, presented proposed Resolution No. 15-110 that would designate a Voluntary Assessment Area for the purpose of levying assessments against one or more properties within the Voluntary Assessment Area to finance the construction and installation of certain energy efficiency upgrades and/or renewable energy systems and related improvements; and related matters.

Pursuant to Utah Code Annotated Section 11-42-209 and the Assessment Area Act, the City may designate a voluntary assessment area for the purpose of financing energy efficiency upgrades and renewable energy systems. The City and Hunt Electric proposed to do so through the issuance of assessment bonds issued under authority of the Assessment Area Act and by the authorization of the City Council.

The proposal would designate the voluntary assessment area as agreed upon by Hunt Electric.

This was the second of four actions to be approved as part of the process to authorize issuance of the bonds.

After discussion, Councilmember Lang moved to approve Resolution No. 15-110, a Resolution of the City Council (the “City Council”) of West Valley City, Utah (the “City”), Designating a Voluntary Assessment Area for the Purpose of Levying Assessments Against One or More Properties Within the Voluntary Assessment Area to Finance the Construction and Installation of Certain Energy Efficiency Upgrades and/or Renewable Energy Systems and Related Improvements; and Related Matters. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

17064

ORDINANCE NO. 15-22, CONSIDER AN ORDINANCE CONFIRMING THE ASSESSMENT LIST AND LEVYING AN ASSESSMENT AGAINST

ONE OR MORE PROPERTIES IN THE WEST VALLEY CITY, UTAH VOLUNTARY ASSESSMENT AREA (HUNT 1920 LLC, C-PACE) 2015-1; AND RELATED MATTERS

City Manager, Wayne Pyle, presented proposed Ordinance No. 15-22 that would confirm the Assessment List and levy an assessment against one or more properties in the West Valley City, Utah, Voluntary Assessment Area (Hunt 1920 LLC, C-PACE) 2015-1; and related matters.

Pursuant to Utah Code Annotated Section 11-42-209 and the Assessment Area Act, the City may designate a voluntary assessment area for the purpose of financing energy efficiency upgrades and renewable energy systems. The City and Hunt Electric proposed to do so through the issuance of assessment bonds issued under authority of the Assessment Area Act and by the authorization of the City Council

After discussion, Councilmember Vincent moved to approve Ordinance No. 15-22, an Ordinance Confirming the Assessment List and Levying an Assessment Against One or More Properties in the West Valley City, Utah, Voluntary Assessment Area (Hunt 1920 LLC, C-PACE) 2015-1” (The “Voluntary Assessment Area”) to Finance the Costs of Acquiring, Constructing and Installing Certain Energy Efficiency Upgrades and/or Renewable Energy Systems and Related Improvements (Collectively, the “Improvements”) to be Owned by One or More Property Owners; Establishing a Reserve Fund; Providing for Certain Remedies Upon Default in the Payment of Assessments; Establishing the Effective Date of this Ordinance; and Related Matters. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

17065 **RESOLUTION NO. 15-111, CONSIDER A RESOLUTION ESTABLISHING THE TERMS AND CONDITIONS OF THE ISSUANCE OF THE ISSUER’S ASSESSMENT BONDS (HUNT 1920 LLC, C-PACE 2015-1), SERIES 2015 (FEDERALLY TAXABLE) IN THE TOTAL PRINCIPAL AMOUNT OF NOT TO EXCEED \$100,500 (THE SERIES 2015 BONDS), FOR THE PURPOSE OF (A) FINANCING THE COSTS OF**

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-9-

ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN ENERGY EFFICIENCY UPGRADES AND/OR RENEWABLE ENERGY SYSTEMS AND RELATED IMPROVEMENTS TO BE OWNED BY HUNT 1920 LLC, AND TO COMPLETE SAID IMPROVEMENTS IN A PROPER AND WORKMANLIKE MANNER IN THE WEST VALLEY CITY, UTAH VOLUNTARY ASSESSMENT AREA (HUNT 1920 LLC, C-PACE) 2015-1 (B) FUNDING A DEBT SERVICE RESERVE FUND, AND (C) PAYING COSTS OF ISSUANCE OF SAID SERIES 2015 BONDS; AUTHORIZING THE EXECUTION BY THE ISSUER OF A MASTER RESOLUTION, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND RELATED MATTERS

City Manager, Wayne Pyle, presented proposed Resolution No. 15-111 that would establish the terms and conditions of the issuance of the issuer's Assessment Bonds (Hunt 1920 LLC, C-PACE 2015-1), Series 2015 (Federally taxable) in the total principal amount of not to exceed \$100,500 (the Series 2015 Bonds), for the purpose of (a) financing the costs of acquisition, construction and installation of certain energy efficient upgrades and/or renewable energy systems and related improvements to be owned by Hunt 1920 LLC, and to complete said improvements in a proper and workmanlike manner in the West Valley City, Utah, Voluntary Assessment Area (Hunt 1920 LLC, C-PACE) 2015-1; (b) funding a debt service reserve fund, and (c) paying costs of issuance of said Series 2015 Bonds; authorizing the execution by the issuer of a Master Resolution, a Bond Purchase Agreement, and other documents required in connection therewith; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the proposed Resolution; providing a severability clause; providing an effective date; and related matters.

Pursuant to Utah Code Annotated Section 11-42-209 and the Assessment Area Act, the City may designate a voluntary assessment area for the purpose of financing energy efficiency upgrades and renewable energy systems. The City and Hunt Electric proposed to do so through the issuance of assessment bonds issued under authority of the Assessment Area Act and by the authorization of the City Council.

The proposal would cause the Authorizing Resolution to be executed with the Master Resolution executed under that authority. These resolutions set forth the parameters governing issuance and repayment of the bonds.

This was the fourth of four actions to be taken as part of the process to authorize issuance of the bonds.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-10-

After discussion, Councilmember Huynh moved to approve Resolution No. 15-111, a Resolution Establishing the Terms and Conditions of the Issuance of the Issuer's Assessment Bonds (Hunt 1920 LLC, C-Pace 2015-1), Series 2015 (Federally Taxable) in the Total Principal Amount of Not to Exceed \$100,500 (The Series 2015 Bonds), for the Purpose of (A) Financing the Costs of Acquisition, Construction and Installation of Certain Energy Efficiency Upgrades and/or Renewable Energy Systems and Related Improvements to be Owned by Hunt 1920 Llc, and to Complete Said Improvements in a Proper and Workmanlike Manner in the West Valley City, Utah Voluntary Assessment Area (Hunt 1920 Llc, C-Pace) 2015-1 (B) Funding a Debt Service Reserve Fund, and (C) Paying Costs of Issuance of Said Series 2015 Bonds; Authorizing the Execution by the Issuer of a Master Resolution, a Bond Purchase Agreement, and Other Documents Required in Connection Therewith; Authorizing the Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution; Providing a Severability Clause; Providing an Effective Date; and Related Matters. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

17066

MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Vincent moved to adjourn and reconvene in an Executive Session for discussion of professional competency of an individual. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-11-

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 23, 2015, WAS ADJOURNED AT 7:00 P.M., BY MAYOR PRO TEM RUSHTON.

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MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-12-

THE WEST VALLEY CITY COUNCIL RECONVENED IN EXECUTIVE SESSION ON TUESDAY, JUNE 23, 2015, AT 7:05 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton, Mayor Pro Tem
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Carel Hicks, Acting City Recorder

ABSENT: Ron Bigelow, Mayor

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Lee Russo, Police Chief

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JUNE 23, 2015, WAS RECESSED AT 7:35 P.M., BY MAYOR PRO TEM RUSHTON.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 23, 2015

-13-

SWORN STATEMENT

As the Mayor Pro Tem, I presided at a closed meeting of the West Valley City Council on June 23, 2015. Pursuant to Section 52-4-206(6)(a) Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this _____ day of _____, 2015.

MAYOR PRO TEM

ATTEST:

Acting City Recorder

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, June 23, 2015.

Carel Hicks, CMC
Acting City Recorder