



Regular City Council Meeting

Tuesday, September 19, 2023

5249 South 400 East

Washington Terrace, UT 84405

801.393.8681

www.washingtonterracecity.com

1. **ROLL CALL** 6:00 P.M.
2. **PLEDGE OF ALLEGIANCE**
3. **WELCOME**
4. **CONSENT ITEMS**
 - 4.1 **APPROVAL OF AGENDA**

Any point of order or issue regarding items on the agenda or the order of the agenda need to be addressed here prior to the approval of the agenda
 - 4.2 **APPROVAL OF SEPTEMBER 5, 2023, COUNCIL MEETING MINUTES**
5. **CITIZEN COMMENTS**

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.
6. **NEW BUSINESS**
 - 6.1 **PRESENTATION/ACTION: 2023 FALL CLEAN UP SCHEDULE**
 - 6.2 **DISCUSSION/ACTION: WEBER COUNTY TRANSFER STATION SOLID WASTE FLOW AGREEMENT**
7. **COUNCIL COMMUNICATION WITH STAFF**

This is a discussion item only. No final action will be taken.
8. **ADMINISTRATION REPORTS**

This is an opportunity for staff to address the Council pertaining to administrative items.
9. **UPCOMING EVENTS**

October 3rd: City Council Meeting 6:00 p.m.
October 9th: City offices closed for Columbus Day
October 17th: City Council Meeting 6:00 p.m.

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283. CERTIFICATE OF POSTING :The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on the Public Notice Website www.utah.gov/pmn/, The City website www.washingtonterracecity.com, City Hall located at 5249 South 400 East, and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

10 ADJOURN THE MEETING: MAYOR ALLEN

11 REDEVELOPMENT AGENCY MEETING (The RDA meeting will be held immediately following the regular meeting)

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283. CERTIFICATE OF POSTING :The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on the Public Notice Website www.utah.gov/pmn/, The City website www.washingtonterracecity.com, City Hall located at 5249 South 400 East, and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

City of Washington Terrace

Minutes of a Regular City Council meeting

Held on September 5, 2023

City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen

Council Member F. Carey Seal

Council Member Jeff West

Council Member Jill Christiansen

Council Member Scott Barker

Council Member Randy Ferlin

Finance Director Shari' Garrett

City Manager Tom Hanson

City Recorder Amy Rodriguez

Others

Micheal Thomas, Bryer Thomas, Steve Nielson, Sharae Nielson, Cheryl Parkinson

1. WORK SESSION

5:00 P.M.

Topics to include; but are not limited to:

- **Citywide Citizen Survey sample questions and discussion**

Council Member West stated that the survey is a survey for the citizens of the city. He stated that as the Committee formulates questions, they need to be sure that the responses are not guided or have bias With a leading questions. Council Member West stated that we want to hear from the resident's and their concerns and circumstances. He stated that it is fine to get answers from non-residents, however, the committee will be more concerned with actual residents.

Council Member Seal stated that the survey should help find out what would benefit the residents the most and what they really want. Hanson stated that we need to balance their wants with what we can actually provide and maintain. Hanson stated that we need to give choices when asking the questions. Council Member Barker stated that we should ask questions that are in our plan and can afford. He stated that we should not leave open ended questions. Council Member Christiansen stated that we need to ask questions and make it an educational opportunity (ie. Explain the trade-off's , explain the reasons why Council may not be asking about a certain topic, cost). Hanson stated that an educational piece may be attached to each question and to keep the survey to a seven minute time fram.

Council Member West stated that the significant portion of the survey should be a validation of The plan we already have in place to make sure that we are on the right track. He stated that we don't want to lose sight of the plan that we have been working on for years. Mayor Allen agreed that residents need to know that things are on a plan. Council Member West stated that we should ask what

46 additional items do you want to see in the city that may be a trade off, or may have a tax component
47 attached. He stated to ask about what is in our capacity to support, and another question about what
48 the sacrifice could be. Council Member Barker stated that some residents are asking for things that our
49 not in our capacity to provide. Council Member Barker stated that we need to stay focused on parks, roads,
50 sewer, water, and things that we are working on within our plan and within the budget that we currently
51 have. He stated that there should only be a question or two on what people would like to see, because why
52 would we ask questions on items that we can't offer to them because they are not in our capacity.

53
54 Council Member Christiansen stated that if we stick too much to the plan, we are not going to get the buy in
55 that is needed. Council Member Barker stated that people don't know what the plans are, and asked how they
56 can answer a question without knowing all the facts and costs.

57
58 Council Member Barker stated that if people are unhappy with services or something in the survey, he would
59 like to know why they are unhappy so that we know how to address concerns. Mayor Allen stated that this
60 could be the first survey and then in six months send another about the roads, with education, and focused
61 questions on the road plan. He stated that asking the basic questions at first can provide critical information
62 on satisfaction on the plan. He stated that then we can evaluate and go into the "what do you want" questions.

63
64 Hanson stated that he wants to know what are the top areas to focus on. He asked what are the major areas in
65 which Council would like feedback. Mayor Allen stated that he would like road and sidewalk infrastructure.
66 Garrett stated that communication can be a big issue. She stated that we should find out how people find out
67 Information about the City. She stated that if we are not satisfying the communication piece, that may
68 help with the answers we are receiving (if they are being educated or informed on the topics).

69
70 Council Member West stated that we need to find out how many surveys that citizens are willing to take.
71 Council Member Seal stated that if we survey, we need to be able to have the results available to the residents
72 in a timely manner. Garrett stated that there may be a separate survey for businesses aside from residential.

73
74 Council Member West stated that we only hear from people when things don't work. He stated that
75 people do not realize how many roads, valves, fire hydrants, etc. go into making up services. Hanson asked
76 how we can bundle things in a way that they can be ranked. Hanson would like to see everything in which we
77 are "front facing" have a question on the survey. Council Member Barker stated that we need to ask if we
78 are too strict or not strict enough concerning code enforcement. He stated that we should focus on what
79 runs the city. He stated that people are going to be putting down and wanting things that we cannot get at this
80 time without raising taxes. Garrett agreed, stating that parks will be a major question next year during the
81 budget process, as to how important are parks and what is Council willing to do to fund and maintain the
82 parks. Council Member Barker stated that we need to ask the residents what they are willing to
83 do for their wants. Garrett stated that we have a Parks Master Plan that can help guide the conversation on the
84 future of parks and their importance to Council. Council Member Barker stated that we should focus on the
85 necessities of the city and then feed off of that to send out another survey to receive more information on
86 parks, or code enforcement.

87
88 Council Member Christiansen stated that we should be able to use the answers from the Recreation Survey
89 performed last year to frame some of the questions this year. Mayor Allen stated that we should ask how
90 willing the residents would be in taking another survey.

Council Member Ferlin suggested a short video before the survey explaining why we are asking for the survey and what the goal of the survey would be. He stated that we should set expectations of the city stating that the goal of the survey is to help unify the residents of our city in the goal of making the city a better place.

Hanson stated that he would like to have the survey launch by mid-October. Hanson stated that Qualtrics will have all the data retrieved by the December retreat meeting and then we would publish the results. Hanson stated that there will be a presentation during Council Meeting. Council Member Barker stated that it cannot be perceived that we are trying to promote a current candidate with our questions.

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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member F. Carey Seal
Council Member Jeff West
Council Member Jill Christiansen
Council Member Scott Barker
Council Member Randy Ferlin
Code Enforcement Officer Martin Nish
City Manager Tom Hanson
City Recorder Amy Rodriguez

Others Present

Micheal Thomas, Bryer Thomas, Steve Nielson, Sharae Nielson, Cheryl Parkinson, Ulis Gardiner,
Amy Miller, Zunayid Zishon, Kathleen Craynor

2. ROLL CALL

6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA

5.2 APPROVAL OF AUGUST 15, 2023, COUNCIL MEETING MINUTES

Items 5.1 and 5.2 were approved by general consent.

6. CITIZEN COMMENTS

Amy Miller, representing the United Methodist Church, updated Council on the September programs. She stated that the boutique raising funds for the 20,000 meals program will be held on the first weekend in November. She has left September program brochures for residents.

Steve Nielson stated that he feels that Council may be over complicating the survey and stated That they should simplify the survey. He stated that Council should stick to the priorities that are already in our plan. He stated that the survey should be done in two minutes and Council should look at the response rate to gage whether another survey needs to be done or expanded . He stated that there should be three lines on top being clear and concise on what the survey will be. He stated that he is glad that we have code enforcement and is unsure about it being part time. He stated that we should consider putting it full time. He stated that he is unsure if code enforcement can use drones. He thought that would be a great idea Hanson stated that would be a privacy issue

Kathleen Craynor stated that she is concerned about the chemicals on the flip the strip people's weeds and them being washed into the gutter, stating that it is more concerning than people putting pool water into the gutter.

7. NEW BUSINESS

7.1 PRESENTATION: INTRODUCTION OF CODE ENFORCMENT OFFICER MARTIN NISH

Hanson introduced Martin Nish, noting that he has come from a long career and background in the Probation Office. Hanson stated that he can have conversations with residents in a way that will Build a better representation of the City. Hanson stated that he appreciates Martin's ability to have Conversations with residents. Hanson stated that he believes that Martin has seen the vision that Council would like for the city. Hanson stated that our goal is to remedy situations before they make their way into court. Nish wanted to alleviate some concerns. He stated that he is committed to fulfilling the duties of the job. He stated that he recognizes that there are different degrees in what people's challenges are and has been working in the City with his former career for many years.

7.2 MOTION: CHIEF BUILDING OFFICIAL/PLANNER POSITION AND STATUS CHANGES

Hanson stated that the intent is to officially and budgetarily make the split between code enforcement and Building Official. Hanson stated that the positions will be separate moving forward. Hanson would like to keep the capacity in the budget for professional/technical help and possibly for any programs to help clean up yards. Hanson stated that the part time position will have pro-rated benefits. Hanson stated that the code enforcement position is a 20 hour a week position. He stated that he will work on the schedule with Nish. Hanson stated that he will be linked in through our "go-to" phone system. Hanson stated that the intent is to work every other Friday for availability and scheduling. Hanson stated that he will have a set schedule, but they are still working on the schedule. Mayor Allen wanted to make sure that Nish has an identifying badge or car so residents will know that he is in the City.

Motion by Council Member Christiansen

Seconded by Council Member West

To approve the changes to the full time Chief Building Inspector/Planner

Position and create two part time positions

Approved unanimously (5-0)

8. COUNCIL COMMUNICATION WITH STAFF

Council Member Seal stated that several residents have approached him for a stop sign to be located at 150 E 5600 South. He suggests a stop sign to be facing north.

Council Member Christiansen stated that several residents are concerned on speed around the area of north of 4700 South on 200 West. She stated that the intersection is around 4650 South, as it merges into 200 West. She suggested that a speed study may be completed in that area. Lt. Ryan will put a speed trailer in that area.

Council Member Christiansen asked if we can organize a day of service to go in and help residents who really need it and clean up their yard. She stated that she would like to get the residents aware and involved in helping people who need it. Hanson stated that Mayor and Council might be able to reach out and help organize. Council Member West stated that this weekend is a day of service that Ogden City is sponsoring. He stated that he likes the idea and will get information as to how it is organized and maybe we can contribute in a way. Mayor Allen suggested that Nish might be able to keep his eye out for residents who could really use the help but do not know where to go for help.

Council Member West asked if there has been any conversation with Wilkinson on the pass through walkway. Council Member Barker stated that it is overgrowth from the cities on each side.

Council Member Barker stated that the Fiber company has done a wonderful job in front of his house and wondered if anyone has heard any other feedback on the progress. Hanson stated that their goal is to follow up on clean and repair. Council Member Barker stated that if you get your roof replaced and you do not get a permit, your insurance company will not insure your roof. He stated that there may be a lot of people getting their roof replaced.

Council Member Barker stated that he sprays his weeds in his "flip the strip" and asked if it is causing a problem with our storm system. He stated that it is a good point and would like for us to educate our residents on fertilizer or weed spray and how it effects our storm drain system.

Council Member Seal stated that Weber Basin Water stated that they have not seen any difference between grass and gravel. He stated that they are not concerned about that issue.

Council Member West asked if we need to make adjustments to our code concerning the weeds that are coming through the rocks on the zero landscaping.

Council Member Ferlin stated that he was at Rohmer Park last week and saw a few safety concerns by the water tower. He stated that the area was cleaned up and taken care of within a day. He stated that he appreciates the quick responsiveness to get the area cleaned up.

Mayor Allen gave a reminder that the drainage of the pools should not go into the storm drain, as the chlorine is not good for the fish in the river. He suggests putting it in the sewer.

Mayor Allen stated that he and Hanson attended the Sheriff meeting last week and he has decided that it will be a required meeting for Council. He stated that there was a lot of information on the Traffic Patrol unit. He stated that they will saturate an area and take care of the problems.

9. ADMINISTRATION REPORTS

Hanson stated that we were paying 1.2 million in 2003 for our own department. He stated that we are at a 1.2 million contract with the Sheriff's Office currently. Hanson stated that there was an incident today in one of the schools in which the bomb threat squad, along with federal agents, and Riverdale force responded. Hanson stated that we would never have had the capacity to deal with this incident if we were our own force.

Hanson stated that we are working on our website to format it so that it is cleaner and more accessible.

Hanson stated that we are working with Connex on inspections and to verify that things are being done according to plan.

276 **10. UPCOMING EVENTS**
277 September 6-8: Utah League of Cities and Towns Convention – Salt Lake City
278 September 19th: City Council Meeting 6:00 p.m.
279 September 28th: Planning Commission Meeting 6:00 p.m.(tentative)
280 October 3rd: City Council Meeting 6:00 p.m.
281 October 9th: City offices closed for Columbus Day
282 October 17th: City Council Meeting 6:00 p.m.
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285 **11 ADJOURN THE MEETING: MAYOR ALLEN**

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287 **Motion by Council Member Barker**
288 **Seconded by Council Member Seal**
289 **To adjourn the meeting**
290 **Approved unanimously (5-0)**
291 **Time: 6:53 p.m.**
292

293
294 _____
295 **Date Approved**

City Recorder

296 **12 REDEVELOPMENT AGENCY MEETING**

297 Council adjourned into the RDA meeting immediately following the regular meeting.
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City Council Staff Report

Author: Jake Meibos

Subject: Fall Cleanup

Date: September 19th, 2023

Type of Item: Discussion / Approval



Summary Recommendation: Approve the scope of the Fall cleanup and dates.

Description:

A. **Topic:** 2023 Fall Green Waste Cleanup

B. **Background:** Republic Services will no longer provide curb side pickup for Green Waste material twice a year.

C. **Analysis:** Staff will provide a Green Waste drop-off area at the Public Works Facility for the month of November. There will be designated area for Residents to drop off their green waste at the shop in large roll off dumpsters.

The drop off area will be open November 1st – November 30th

- Monday – Friday 7:00 am – 3:00 pm
- Saturday Nov. 18th from 8:00am to 4:00pm.

The site will be close Sundays, Nov. 10th (Veterans Day) Nov. 23rd-24th (Thanksgiving)

D. **Fiscal Impact:** No Fiscal Impact

E. **Department Review:** Public Works, City Manager

Alternatives:

A. **Approve the Request:** Approve the scope of the 2023 Fall Green Waste Cleanup.

City Council Staff Report



Author: Tom Hanson

Subject: Solid Waste Flow Control

Date: 9/19/2023

Type of Item: Discussion / Action

Summary Recommendation: Summary Recommendation: Weber County and various cities within the county have been effectively utilizing the Weber County Transfer Station as the primary destination for disposing of curbside waste. Its central location makes it an ideal facility for the disposal of solid waste throughout the entire county. Contracted cities, waste transporters, and local residents have all recognized the Transfer Station as a valuable service for the greater Weber County area, particularly for the proper disposal of Mainstream Waste (MSW).

To ensure the continued availability of the Transfer Station for both current and future needs, the Solid Waste Committee, chaired by Mayor Allen, recommends adopting a collaborative approach. This entails entering into an Interlocal Cooperation Agreement, which would guarantee a consistent waste supply to the transfer station. Under this agreement, all parties utilizing the facility would have the added confidence that the Transfer Station will remain open for waste disposal, with the condition that each municipality commits to using the Transfer Station exclusively for MSW disposal.

Description:

- A. **Topic:** Interlocal Cooperation Agreement for Mainstream Waste
- B. **Background:** After the forced closure of the Weber County landfill in 1997 the county opened the rail transfer station in 1999 where the operation continued rail car transfers until 2006 when the operation and transportation changed to a trucking operation. Waste is and has been a commodity that is in high demand...that demand creates an environment of potential risk to the local benefit of the Transfer Station. In order to maintain the sustainability of the Transfer Station and ensure our residents with the most affordable and convenient location for disposal of waste we have learned that assurances a waste stream for MSW will support all those who use the Transfer Station for years to come.
- C. **Analysis:** Supporting the guaranteed waste stream will be in the best interest of the residents and city operations for many more years into the future.
- D. **Fiscal Impact:** The fiscal impact will be based on any future cost increases regardless of this Agreement. However, this agreement will help keep costs down while we collectively work together to supply the Transfer Station with the waste commodity needed to keep the Transfer Station operationally sound.
- E. **Department Review:** Staff will recommend entering into the agreement in an effort to collectively work together to support the valuable services provided by the Weber Transfer Station. Please review the interlocal agreement.

INTERLOCAL COOPERATION AGREEMENT

by and among

(CITY)

and

WEBER COUNTY

Relating to the delivery of municipal solid waste to the Weber County Transfer Station

INTERLOCAL COOPERATION AGREEMENT

THIS IS AN INTERLOCAL COOPERATION AGREEMENT between (CITY), which is a municipality and political subdivision of the State of Utah (“City”), and WEBER COUNTY, a political subdivision of the State of Utah (“County”).

RECITALS

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, found in Utah Code Title 11, Chapter 13, public agencies are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, the Solid Waste Management Act, found in Utah Code Title 19, Chapter 6, Part 5, specifically authorizes public entities to supervise and regulate the collection, transportation, and disposition of solid waste generated within their jurisdiction, and to require municipal residential waste generated within their jurisdiction to be disposed of at a solid waste management facility owned or operated by a public entity; and

WHEREAS, the County owns and operates a transfer station (“Transfer Station”) where solid waste is collected, processed, and then shipped to appropriate disposal sites; and

WHEREAS, the County has invested a significant amount of money in facilities and equipment to provide solid waste disposal services to county residents; and

WHEREAS, as a public benefit, the County accepts waste transported to the Transfer Station by individual county residents; and

WHEREAS, the County also provides or participates in various additional expanded services, including household hazardous waste collection, green waste recycling and

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

compost/wood product sales, electronics recycling, tire recycling, chlorofluorocarbon (Freon) recovery, and community education; and

WHEREAS, the services provided by the County constitute a direct benefit to the public good by providing an appropriate disposal facility for waste, thereby reducing the unlawful or inappropriate disposal of waste materials and allowing for some of them to be re-used; and

WHEREAS, the long-term committed delivery of municipal residential curb-side collected waste to the Transfer Station is critical to the funding and amortizing of the Transfer Station and its operational expenses, including expanded services; to the ability of the County to provide solid waste services to the general public in an efficient, cost-effective manner; and to the County's ability to obtain better long-term agreements for the transportation and disposal of the waste, thereby providing a lower long-term cost to the residents of the City and other parts of Weber County;

NOW, THEREFORE, the Parties mutually agree, pursuant to the terms and provisions of the Interlocal Cooperation Act, as follows:

Section 1. Purpose.

This Agreement has been established and entered into for the purpose of facilitating the efficient operation of solid waste services provided by the Parties.

Section 2. Effective Date; Duration.

a. This Agreement shall become effective upon the completion of all of the following actions:

i. The Agreement is reviewed as to proper form and compliance with applicable law by the attorney for each Party;

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

- ii. The Agreement is approved and signed by each Party; and
- iii. The Agreement is filed with the keeper of records of each Party.
- b. The initial term of this Agreement shall be from the effective date through December 31, 2023.
- c. The Agreement shall automatically renew for additional terms of two years each, unless terminated earlier as provided in this Agreement, for a maximum of 12 years. Either Party shall have the option to terminate this Agreement at any time, by providing written notice of termination to the other Party at least six months before the date the termination will take effect.
- d. This Agreement may also be terminated at any time by mutual written agreement of the Parties.

Section 3. Waste Disposal.

In accordance with the purpose stated above, the Parties agree to the following:

- a. The City agrees to deliver, or cause to be delivered, exclusively to the County's Transfer Station, all of the curb-side waste generated by the City's residents. The County agrees to accept such waste, subject to the fee schedules, rules, regulations, and procedures adopted by the County. Curb-side recycling, commercial waste, and other types of waste may be brought to the Transfer Station, but are not governed by this agreement.
- b. The County agrees to own and operate the Transfer Station throughout the term of this Agreement.
- c. The City shall elect one of the following billing and payment options:

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

- i. The County will bill the City for the tipping fees for curb-side waste generated by the City's residents, and the City agrees to pay each bill within 30 days of receipt.
- ii. Or, the County will directly charge the haulers of curb-side waste generated by the City's residents. The City shall ensure that the haulers timely pay all appropriate fees.

Section 4. Additional Provisions Required by the Interlocal Cooperation Act.

- a. This Agreement and the actions contemplated herein shall not receive separate financing, nor shall a separate budget be required. Each Party to this Agreement shall pay for its own obligations arising under this Agreement.
- b. Each Party shall maintain separate ownership and control over its own real and personal property. Therefore, there will be no need for joint disposal of property upon the termination of the Agreement.
- c. Since this Agreement does not establish an interlocal entity, the Parties agree that the County's Community Development Director, or the Community Development Director's successor or designee, shall act as the administrator responsible for the administration of this Agreement.
- d. Since this Agreement relates to the use of the County's Transfer Station, voting shall be weighted in favor of the County, with the County's vote outweighing the City's vote on any issue related to this Agreement.
- e. A copy of this Agreement shall be placed on file in the office of the official keeper of records of each Party.

Commented [E1]: We are waiting for comments from the Ogden City Attorney's Office.

Section 5. Indemnification.

Each of the Parties is a political subdivision of the State of Utah and claims the privileges, protections, and immunities of the Governmental Immunity Act of Utah. Each of the Parties agrees to indemnify and hold harmless the other for damages, claims, suits, and actions arising out of the indemnifying Party's negligent or intentional errors or omissions in connection with this Agreement.

Section 6. Publication of Notice of Agreement.

Immediately after execution of this Agreement by both Parties, each Party shall cause notice of this Agreement to be published pursuant to Utah Code Section 11-13-219.

Section 7. Notices and Contacts.

Any notice required or permitted to be given under this Agreement shall be deemed sufficient if given by a written communication and shall be deemed to have been received upon personal delivery, actual receipt, or three days after such notice is deposited in the United States Mail, postage prepaid, and certified, and addressed to the Parties as set forth below:

For the County:

Community Development Director
Weber County
2380 Washington Blvd., Ste. 250
Ogden, UT 84401

For the City:

(fill in information)

Section 8. Miscellaneous Provisions.

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

- a. Integration. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof, and supersedes all prior agreements and understandings pertaining to this subject.
- b. Waiver. No failure by any Party to insist upon the strict performance of any provision of this Agreement or to exercise any right or remedy based upon a breach thereof shall constitute a waiver of any such breach or of a breach of any other provision.
- c. Rights and Remedies. Any party in breach of this Agreement shall be liable for all damages arising out of such breach, to the fullest extent permitted by applicable law.
- d. Severability. If any provision of this Agreement, or the application thereof to any person or circumstance, shall be invalid or unenforceable to any extent, then the remaining provisions of the Agreement shall remain in full force and effect, unless the invalidation of the provision materially alters the Agreement by interfering with the purpose of the Agreement or by resulting in non-compliance with applicable law. If the invalidation of the provision materially alters the Agreement, then the Parties shall negotiate in good faith to modify the Agreement to match, as closely as possible, the original intent of the Parties. To the extent permitted by applicable law, the Parties hereby waive any provision of law which would render any of the terms of this Agreement unenforceable.
- e. Litigation. If any action, suit, or proceeding is brought by a Party with respect to this Agreement, each Party shall bear its own costs, including attorneys' fees.

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

- f. Recitals. The Recitals, as set forth above, are incorporated into this Agreement.
- g. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.
- h. Amendments. This Agreement may not be amended except by an instrument in writing, approved and executed in compliance with the requirements of the Interlocal Cooperation Act.
- i. No Third Party Beneficiaries. The Parties do not confer any rights or remedies upon any person other than the Parties to this Agreement.

IN WITNESS WHEREOF, the Parties have signed and executed this Agreement on the dates listed below:

(CITY)

By: _____ DATED: _____
(Name)
(Title)

Approved: _____
Attorney

WEBER COUNTY

By: _____ DATED: _____
Gage Froerer

Interlocal Agreement—Municipal Solid Waste Disposal
Weber County and (CITY)

County Commission Chair

Attest: _____ DATED: _____
Ricky Hatch, CPA
Weber County Clerk/Auditor

Approved: _____
Deputy County Attorney



City of Washington Terrace
Redevelopment Agency Meeting
Tuesday, September 19, 2023
following the Regular City Council Meeting
City Hall Council Chambers
5249 South 400 East, Washington Terrace City

1. **ROLL CALL**

2. **INTRODUCTION OF GUESTS**

3. **CONSENT ITEMS**

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

3.1 **APPROVAL OF AGENDA**

3.2 **APPROVAL OF MEETING MINUTES FROM SEPTEMBER 5, 2023**

4. **MOTION: ADJOURN INTO CLOSED SESSION**

- To discuss the character, professional competence, or physical or mental health of an individual.
- Strategy session to discuss pending or reasonably imminent litigation
- Discussion regarding deployment of security personnel, devices, or systems
- Strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimate value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

5. **ADJOURNMENT OF MEETING: CHAIR ALLEN**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF
POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on the Utah Public Notice Website www.utah.gov/pmn/index, the City Website www.washingtonterracecity.com, and City Hall located at 5249 S 400 East, Washington Terrace. Amy Rodriguez, City Recorder.

City of Washington Terrace
Minutes of a Redevelopment Meeting
Held on September 5, 2023
Following the Regular City Council Meeting
City Hall, 5249 South 400 East, Washington Terrace City, Utah

BOARD MEMBERS AND STAFF MEMBERS PRESENT

Chair Mark C. Allen
Vice Chair Jeff West
Board Member F. Carey Seal
Board Member Jill Christiansen
Board Member Scott Barker
Board Member Randy Ferlin
City Recorder Amy Rodriguez
City Manager Tom Hanson

Others Present- None

1. ROLL CALL

2. INTRODUCTION OF GUESTS

3. CONSENT ITEMS

3.1 APPROVAL OF AGENDA

3.2 APPROVAL OF MEETING MINUTES FROM AUGUST 15, 2023

Items 3.1 and 3.2 were approved by general consent.

4. MOTION: ADJOURN INTO CLOSED SESSION

The Board adjourned into closed session to discuss:

- Strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimate value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

Motion by Board Member West

Seconded by Board Member Christiansen

To adjourn into a closed session

Approved unanimously (5-0)

Roll Call Vote

5. ADJOURNMENT OF MEETING: CHAIR ALLEN

Motion by Board Member West

Seconded by Board Member Seal

To adjourn the closed session and regular meeting

Approved unanimously (5-0)

Time: 7:22 p.m.

Date Approved

City Recorder