The Study Electronic Meeting of the West Valley City Council will be held on Tuesday, September 26, 2023, at 4:30 PM, in the Multipurpose Room, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

A G E N D A

1. Call to Order

2. Roll Call

3. Approval of Minutes:

   A. September 19, 2023

4. Regular City Council Meeting has been Canceled

5. Public Hearings Scheduled for October 3, 2023

   A. Accept Public Input Regarding Re-Opening the FY 2023-2024 Budget

      Action: Consider Ordinance 23-34, Amend the Budget of West Valley City for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds

   B. Accept Public Input Regarding Application GPZ-8-2023, Filed by Lieu Tran, Requesting a General Plan Change from Parks and Open Space Existing to Light Manufacturing and a Zone Change from A-1 (Agriculture, Minimum Lot Size 1 acre)

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

to M (Manufacturing) for Property Located at 7007 West Apaloosa Drive

Action: Consider Ordinance 23-35, Amend the General Plan to Show a Change of Land Use from Parks and Open Space Existing to Light Manufacturing for Property Located at 7007 West Apaloosa Drive

Action: Consider Ordinance 23-36, Amend the Zoning Map to Show a Change of Zone for Property Located at 7007 West Apaloosa Drive from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing)

6. Public Hearings Scheduled For October 10, 2023

A. Accept Public Input Regarding Application GPZ-7-2023, Filed by Christopher Clifford, Requesting a General Plan Change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 unites/acre) and a Zone Change from A (Agriculture, Minimum Lot Size 1/2 acre) to RM (Multiple Unit Dwelling Residential) for Property Located at 5143 West 3500 South

Action: Consider Ordinance 23-37, Amend the General Plan to Show a Change of Land Use from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 unites/acre) for Property Located at 5143 West 3500 South

Action: Consider Ordinance 23-38, Amend the Zoning Map to Show a Change of Zone for Property Located at 5143 West 3500 South from A (Agriculture, Minimum Lot Size 1/2 acre) to RM (Multiple Unit Dwelling Residential)

Action: Consider Resolution 23-142, Authorize the City to Enter into a Development Agreement with Matrix Capital Advisors, LC for Approximately 4.34 Acres of Property Located at Approximately 5143 West 3500 South

7. Resolutions:

A. 23-143: Approve the Purchase of a Fire Engine and Related Equipment for Use by the Fire Department

B. 23-144: Authorize the Acceptance of a Proposal by Keddington and Christensen, Certified Public Accountants, LLC to Provide Auditing Services to West Valley City for the Fiscal Year Ending June 30, 2023

8. Consent Agenda Scheduled for October 10, 2023

A. Reso. 23-145: Authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed and a Temporary Construction Easement With and From APX Holdings, LLC for Property Located at 3338 West Parkway Boulevard

B. Reso. 23-146: Authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed and a Temporary Construction Easement With and From Hrair Bezdjan for Property Located at 2652 South Constitution Boulevard

C. Reso. 23-147: Ratify the City Manager's Appointment of Members of the Healthy West Valley Committee

9. Communications:

A. Bingham Point Discussion (10 min)

B. RDA/Granger Crossing Program Overview (10 min)

C. Council Calendar

10. New Business:

A. Potential Future Agenda Items

B. Council Reports

C. Strategic Discussion List

D. Review Agenda for Regular Municipal Building Authority Meeting Scheduled October 3, 2023

11. Motion for Closed Session (if necessary)

12. Adjourn

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 19, 2023
-1-

THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, SEPTEMBER 19, 2023 AT 4:30 P.M. AT WEST VALLEY CITY HALL, MULTIPURPOSE ROOM, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large *(electronically)*
Tom Huynh, Councilmember District 1 *(arrived as noted)*
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 *(electronically)*

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder
Eric Bunderson, City Attorney *(electronically)*
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
John Flores, HR Director
Sam Johnson, Strategic Communications Director *(electronically)*
Mark Nord, Economic Development Director *(electronically)*
Ken Cushing, IT
Jake Arslanian, Facilities Director

APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 12, 2023
The Council considered the Minutes of the Study Meeting held September 12, 2023. There were no changes, corrections or deletions.

Councilmember Whetstone moved to approve the Minutes of the Study Meeting held September 12, 2023. Councilmember Harmon seconded the motion.

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

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REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF SEPTEMBER 19, 2023

Wayne Pyle, City Manager, noted that the one item on the Study Meeting agenda for tonight, Resolution 23-141, has been added to the Regular Meeting agenda as well.

Councilmember Huynh arrived at 4:35 PM.

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

RESOLUTION 23-141: AUTHORIZE THE PURCHASE OF A BOILER SYSTEM FROM AMERICAN MECHANICAL SYSTEMS SERVICE, LLC

Jake Arslanian, Facilities, presented proposed Resolution 23-141 that would authorize the Purchase of a Boiler System from American Mechanical Systems Service, LLC

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

From Three State of Utah purchasing pre-qualified bidders, the lowest bid for the Project was received from American Mechanical Systems Service LLC. A total of Three (3) bids were received:

- American Mechanical Systems Service, LLC SOU Contract ID. MA2606 $145,047.00
- American Chiller Mechanical Service SOU Contract ID. MA3361 $153,900.00
  - CCI Mechanical Service SOU Contract ID. MA3518 $219,260.00

The West Valley City Performing Arts Center boiler system has exceeded its anticipated life expectancy. The Facilities HVAC Division has upheld the system to the best of its ability using outdated components and a worn-out system. For this reason, we recommend replacing the system with a more energy-efficient boiler and modern operating system to ensure proper heating operation of the Performing Arts Center.

Mayor Lang asked if this was the anticipated cost. Jake replied it is slightly lower than anticipated. Councilmember Christensen stated that a school he was employed at during his career had a boiler go out and it took from approximately this same time frame in

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September to December to get it replaced. He noted that he would be in favor of getting this taken care of as soon as possible.

The City Council will consider Resolution 23-141 at the Regular Council Meeting scheduled September 19, 2023 at 6:30 P.M

COMMUNICATIONS

A. NEIGHBORHOOD TRAFFIC CALMING DISCUSSION

Dan Johnson, Public Works Director, provided a PowerPoint presentation summarized as follows:

- Getting Started
  - Residents requesting neighborhood traffic calming submit a request which includes a **TEN-signature petition** from neighbors supporting the request for a traffic study.
  - Neighborhood Traffic Study Request forms are available on the Public Works Department website.
- Current Policy/ Speed Scoring Criteria
  - Speed Points (85th %-ile) 10 points/mph over limit
  - Traffic Volume 1/2 point per 100 vehicles
  - Sidewalks 5 points if no sidewalk
  - Elementary Schools 5 points for each Elem. School
  - Pedestrian Generators 5 points for each park, Jr. High, High School, etc
- Current Policy/Action Thresholds
  - < 75 points: No Action
  - 75–99 points: Driver Feedback Signs
  - > 100 points: Physical Constructed Calming Device (Normally speed humps)
- Study Example Highlights
  - 2855 West
    - 85th Percentile Speed: **32 mph** x 10 pts/mph over limit = 7 mph x 10 = **70 points**
    - Volume: **1,114 vehicles** x ½ point per 100 vehicles = 11.1 x ½ = **6 points** (rounded)
    - Sidewalk (5 points if no sidewalk exists): Yes = 0 points
    - Elementary Schools (5 points for each elementary school in the area): Yes = **5 points**
    - Pedestrian Generators (5 points for each park, Jr. High/High School, other ped generator): None = 0 points

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- **Total Index Score: 81 points**
- **Project qualified for driver feedback signs. Installed.**

- Chatterleigh Road
  - 85th Percentile Speed: **35 mph** x 10 pts/mph over limit = 10 mph x 10 = **100 points**
  - **AUTOMATICALLY QUALIFIED FOR SPEED HUMPS on Speed Alone**
  - Volume: **1315 vehicles** x ½ point per 100 vehicles = 13.1 x ½ = **7 points** (rounded)
  - Sidewalk (5 points if no sidewalk exists): Yes = 0 points
  - Elementary Schools (5 points for each elementary school in the area): **One School = 5 points**
  - Pedestrian Generators (5 points for each park, Jr. High/High School, etc.): No = **0 points**
  - **Total Index Score: 112 points Speed Humps Installed**
- Stanton Drive
  - 85th Percentile Speed: **30 mph x 10 pts/mph** over limit = 5 mph x 10 = **50 points**
  - Volume: **589 vehicles** x ½ point per 100 vehicles = 5.9 x ½ = **3 points** (rounded)
  - Sidewalk (5 points if no sidewalk exists): Yes = 0 points
  - Elementary Schools (5 points for each elementary school in the area): Yes **(3 schools counted)** = **15 points**
  - Pedestrian Generators (5 points for each park, Jr. High/High School, other ped generator): 1 park = **5 points**
  - **Total Index Score: 73 points**
  - **Could be considered for Speed Feedback Signs**
- Palmer Drive
  - 85th Percentile Speed: **30 mph** x 10 pts/mph over limit = 5 mph x 10 = **50 points**
  - Volume: **1550 vehicles** x ½ point per 100 vehicles = 15.5 x ½ = **8 points** (rounded)
  - Sidewalk (5 points if no sidewalk exists): Yes = 0 points
  - Elementary Schools (5 points for each elementary school in the area): **Two Schools = 10 points**
  - Pedestrian Generators (5 points for each park, Jr. High/High School, other ped generator): No = **0 points**
  - **Total Index Score: 68 points**

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        - **Does Not Qualify for Traffic Calming Under Current Criteria**
        - **Could be considered for Speed Feedback Signs**
- Past Study Result Summary
    - Map indicating location of speed humps
    - Map indicating location of radar signs
- Study Summary- Historical Index Score
- Other City's Policies
    - No consistency among area cities regarding traffic calming policies
        - **Salt Lake County -** Nearly identical to WVC (80 points and above qualify for traffic calming)
        - **West Jordan**
            - *Historical high use of speed humps*
            - *Moving away from speed humps*
        - **South Jordan City –** Has used them in the past, now prohibits new speed humps by policy
        - **Riverton City** – Prohibits speed humps by ordinance
        - **Sandy City** – Uses signage, and radar signs. No speed humps.
        - **Draper** – Speed Enforcement requests
        - **Salt Lake City**
            - *Ended Traffic Calming Program in 2005*
            - *Brought robust traffic calming back in 2021*
        - Everything in between can be found
        - Policies change overtime
    - Pros of More Speed Humps
        - Well-designed speed hump and traffic calming networks can be effective in lowering neighborhood speeds
        - Some complaints will go away
    - Cons of New Speed Humps
        - Other complaints will come
        - Resources
            - Budget has not been the limiting factor in the past
            - Lowering the threshold and building more humps may strain resources
            - Growing the program substantially will require additional resources
        - Maintenance
            - **Thayn Drive Example**
                - Installed in Late 90's

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        - Asphalt overlay 2016 replaced four asphalt humps with concrete humps
    - **Overlay from 4400 West to 4800 West**
        - $93,800
        - Four asphalt speed humps replaced with concrete - $22,000
        - 23% of overlay cost to replace speed humps
    - Traffic Diverts to other routes
        - Speed humps often entice drivers to avoid them, moving the speeding problem to a parallel route
        - Area network should be considered when installing traffic calming
- Traffic Calming Criteria Priorities
    - Speed, volume, other (proximity to pedestrian generators)
- Recap of current policy
- Past study result summary (336 speed studies)
- Neighborhood Traffic volume summary (2005-2022)
- "Other" Criteria
    - Sidewalks? Yes or No
        - 5 points for NO SIDEWALK
    - Proximity to Elementary Schools
        - 5 points for each elementary school
    - Pedestrian Generators (Parks, Jr. High or High School, or other)
        - 5 points for each
    - Public Works Dept. PROPOSES TO LIMIT POINTS FOR "OTHER" TO 10 Points

Mayor Lang asked how much speed bumps cost. Dan replied approximately $3,000. He noted that while the cost isn't an issue, the City doesn't have the crews to do more than a few a year. Councilmember Harmon verified that the cost is about $3,000 in house and about $7,000 if contracted out. Dan replied yes. Councilmember Harmon stated that there are speed bumps on Benview and noted that Benview hasn't been redone in many years. Councilmember Huynh stated that people in the area know their streets the best. He indicated that people see speed bumps and instinctively slow down.

Councilmember Nordfelt asked how the study is conducted. He indicated that the location of the radar would be very important. Erik Brondum, Public Works, stated that radar devices are mounted on lights or signposts. He indicated that he tries to

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place them between intersections, not close to a dip or curve, and on straight aways where vehicles tend to pick up speed. Erik stated that the radar devices are in place for a full week (typically a Monday-Monday) and are posted on weeks that avoid holidays or snow. Councilmember Harmon asked if there is a map that indicates where radars were placed in specific studies. Erik replied yes. Mayor Lang asked what the purpose of the flashing signs that indicate speed is. Erik replied that these are primarily used by the Police Department but added that some signs do have the ability to track as well.

Councilmember Harmon asked what staff would suggest to change the criteria to increase speed bumps. Dan replied that he would suggest starting slow. He noted that if the Council felt the 100-point threshold was too high, they could take that down a bit. Councilmember Harmon asked if residents could install their own speed bumps if they chose to pay for it. Dan replied that he would not suggest this and noted that speed bumps should be installed based on need with data that is consistent and applicable citywide. He noted that cost is not the limiting factor. Councilmember Harmon asked how many studies can be done on a particular street per year. Dan replied that the policy has been one study per street per year. Erik stated that the signature petition requirement was added because the City used to do a study based on a single complaint which wasn't necessarily representative of the entire neighborhood and therefore was a drain on resources. Councilmember Whetstone asked if the Council could make an exception under specific circumstances instead of changing the criteria threshold. Dan replied that they could but cautioned that this would be the new way that everyone would request speed bumps.

Councilmember Huynh stated that he supports the need for speed bumps on Palmer Drive based on the residents who have expressed concern multiple times. Wayne noted that the accident totals on Benview (with speed bumps) and on Palmer (without speed bumps) are very similar and asked if more accidents would be expected on Benview if the speed bumps were removed. Dan replied that crashes in neighborhoods most often happen because the driver is distracted and most accidents involve parked vehicles. He noted that in most cases, speed is not a factor. Wayne asked why West Jordan is moving away from speed bumps. Dan replied he believes it's the current political climate but added that the speed bumps in West Jordan are high and uncomfortable so that could be a factor as well. Wayne asked where speed bumps will be installed this year in the City. Dan replied on Oquirrh Mesa Drive in Sunset Hills. He added that the City is doing a new test on Beagley Lane with "speed cushions" in response to racing concerns expressed by the Police Department. Mayor Lang asked if staff communicates with the residents to ensure they are aware of school routes. Erik replied yes. Mayor Lang encouraged open

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communication between staff and the residents requesting the study through the process. Erik noted that he will often go out with residents and use a radar gun to see what the speeds actually are. He stated that perception and actual speed can be very different.

Councilmember Harmon stated that he would be in favor of reducing the point threshold and also doubling points for proximity to schools. Councilmember Nordfelt suggested adding points as well for vicinity to trail systems where pedestrians are more likely to walk. Councilmember Harmon stated that safety should be highly focused on in addition to speed. He noted that he has a hard time understanding the difference between Benview and Palmer. Dan replied that the speed bumps were installed on Benview before the traffic study program was in place. Wayne indicated that the purpose of the traffic study is to provide a consistent threshold backed by data and numbers as opposed to installing speed bumps when they are requested. Mayor Lang agreed that consistency is best she wouldn't be comfortable allowing the Council to make exceptions on a case-by-case basis. Councilmember Whetstone stated that he would be concerned about making too significant of a change that would swing the pendulum too far in the other direction. Mayor Lang suggested having Police Officers do their reports on known streets with speeding concerns, like Palmer. She noted that just the presence of a Police vehicle would slow many people down.

Wayne asked how many speed bumps can be installed in a year with current resources. Dan replied 4-6. Councilmember Nordfelt stated that Park City recently decreased the speed limit in neighborhoods. Dan replied that Salt Lake City recently did that as well. Councilmember Nordfelt asked if data shows whether this has made a difference. Dan replied that information is not available yet.

Councilmember Fitisemanu stated that budget is not a limiting factor, but the Council should decide whether speed bumps are effective at mitigating speed and tragedies while also responding to resident concerns. He stated that his two considerations are whether the Council is willing to reduce the threshold to allow more speed bumps and whether to add more flexibility/allowance for points as they relate to various factors, such as trail systems and proximity to schools. Councilmember Fitisemanu stated this his preference is to have a numerical score threshold and not allow Council leeway to override data. After further discussion, the Council requested that staff return with a recommendation in a month.

The Mayor and Council had no further questions or concerns.

B. DEBT SERVICE SCHEDULE REVIEW

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Mayor Lang verified that this is all bonded debt. Wayne replied yes. Mayor Lang asked if the City is still paying the debt for Embassy Suites. Wayne replied that the City holds the debt but it is being completely paid by the owner as agreed by contract when it was sold.

Councilmember Harmon verified that the Cultural Center bond is the one that started at 15 million and will be 50 million by the time that is paid off. Wayne replied yes and noted that this is the 2010 bond series.

Mayor Lang asked if the RDA makes their money from the Maverik Center and the Fire Stations by the City making payments. Wayne replied money is also accrued by tax increment generated by the property taxes in the RDA project areas. Mayor Lang asked what revenue refunding for the mall is. Wayne replied that this would be a refinance of an earlier debt. He detailed how tax increment works for payments.

Wayne stated that most of the City debt is very straight forward but noted that the Cultural Center bond is unique. He indicated that the legislature enacted a SARR funding source that created this different amortization schedule. Wayne stated that RDA doesn't believe it will happen as it was originally anticipated due to legislative changes that could occur. He indicated that staff will continue lobbying at the legislative level to create a better situation and noted that things change, leaderships change, and decisions regarding RDA funding happen every year. Wayne detailed other options the Council can consider to approach this debt in the coming years.

Councilmember Whetstone asked if Fitch considers RDA debt as well as the hotel debt when assigning ratings. Wayne replied yes. Jim Welch, Finance Director, added that they rate the bonds and look at how things are being paid separately and together.

Wayne detailed how non-callable debt can be adjusted as time passes. Councilmember Harmon asked if extra principal payments can be made on non-callable debts. Jim replied no and detailed how the bonds are paid.

Councilmember Harmon stated that the parking structure has an early pay off date of 2027. He indicated that the City should be thinking about how to restructure or pay that down. Wayne agreed and added that staff is always looking at these trying to find ways to approach the bonds and get them paid in the best manner possible. Councilmember Harmon stated that the overall debt is reasonable with the exception of the Cultural Center. Councilmember Huynh requested a communication update once a year.

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C. CITY MANAGER HIRING PROCESS UPDATE

John Flores, HR Director, stated that Affion is putting together research on the City, structure, organization, and history. He noted that they will meet with each individual Councilmember on October 18-19 to discuss what an ideal candidate will look like and then will put together a brochure to begin moving forward.

D. COUNCIL CALENDAR

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

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

Jessica Hancock, Victim Services, stated October is Domestic Violence Awareness month. She indicated that there will be an event next Tuesday in the lobby of City Hall where members of the public can write letters of support to survivors of domestic violence. She stated that these will be posted in the lobby throughout the month of October. Mayor Lang stated that this is a great idea. Jessica stated that she thought this would be something new and would be uplifting for victims to receive words of encouragement and support.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

N/A

B. COUNCIL REPORTS

COUNCILMEMBER WHETSTONE- COUNTRY MEADOWS PARK AND CHAT WITH THE CHIEF

Councilmember Whetstone stated that he attended the Country Meadows ribbon cutting. He indicated that it was great to see multiple generations of families in attendance. Councilmember Whetstone stated that he also attended the virtual Chat with the Chief but noted attendance was better when the event was hosted by the Police Department's Facebook page and asked if there is an update on getting that restored after it was hacked. Wayne replied that Facebook has been difficult to work with on getting it fixed and staff is determining whether to keep trying or to create a new page and rebuild it.

C. STRATEGIC DISCUSSION LIST

Mayor Lang stated that items would continue to be discussed on the list.

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Mayor Lang asked if pet licensing on the website is working. Layne replied yes. Councilmember Harmon asked if Nichole could provide a communication schedule for the month and noted he is curious when the Code Enforcement discussion is scheduled. Wayne replied that this has not been scheduled because the QR code that Councilmember Harmon had questions on is not working. He stated that there is an issue with the website and the program that would tie the QR code to a case, but IT is working on it.

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 STUDY MEETING ON TUESDAY SEPTEMBER 19, 2023 WAS ADJOURNED AT 6:07 PM BY MAYOR LANG.

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, September 19, 2023.

_____
Nichole Camac, CMC
City Recorder

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Item: _____
Fiscal Impact: _____
Funding Source: _____
Account #: _____
Budget Opening Required: _____

ISSUE:

Approve an ordinance to re-open the fiscal year 2023-2024 budget for the purpose of making amendments to reflect changes in actual revenues and expenditures.

SYNOPSIS:

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City to amend its budget during the year. The City holds public hearings on budget amendments on a quarterly basis each fiscal year.

BACKGROUND:

A Public Notice was posted September 21, 2023, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City's Website. Notice was given that a public hearing is to be held October 3, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

RECOMMENDATION:

City staff recommends approval of the Ordinance amending the budget of West Valley City Corporation for the fiscal year beginning July 1, 2023, and ending June 30, 2024, to reflect changes in the budget from increased revenues and authorize the disbursement of funds.

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: 9/20/2023

Date Adopted: _____

Effective Date: _____

AN ORDINANCE AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 TO REFLECT CHANGES IN THE BUDGET AND AUTHORIZE THE DISBURSEMENT OF FUNDS.

WHEREAS, the West Valley City Council adopted by ordinance the budget of West Valley City Corporation for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in accordance with the requirements of Title 10, Chapter 6, Utah Code Annotated 1953, as amended; and

WHEREAS, the Finance Director, as the Budget Officer of West Valley City, has prepared and filed with the City Manager and City Recorder proposed amendments to said duly-adopted budget for consideration by the City Council and inspection by the public; and

WHEREAS, said proposed amendments reflect changes in the budget from increased revenues and transfers as reflected; and

WHEREAS, notice was duly given of a public hearing to be held on October 3, 2023, to consider the proposed amendments; and

WHEREAS, a public hearing to consider the proposed amendments was held on October 3, 2023 in accordance with said notice, at which hearing all interested parties were afforded an opportunity to be heard for or against said proposed amendments; and

WHEREAS, all conditions precedent to the amendment of the budget have been accomplished;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

Section 1. The budget amendments attached hereto and made a part of this Ordinance are hereby adopted and incorporated into the budget of West Valley City, Utah, for the fiscal year

beginning July 1, 2023 and ending June 30, 2024, in accordance with the requirements of Title 10, Chapter 6, Utah Code Annotated 1953, as amended.

Section 2. The City Recorder is hereby directed to have this Ordinance certified by the Budget Officer and filed with the State Auditor, as required by law.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WEST VALLEY CITY GENERAL FUND - FUND 10
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
PROPERTY TAX:		
Current Year	34,452,170	34,452,170
Prior Year	466,493	466,493
Street Lights	0	0
Fitness Center	0	0
Total Property Tax	**34,918,663**	**34,918,663**
SALES TAX:		
General Sales Tax	39,727,285	39,727,285
Transportation Sales Tax	3,315,085	3,315,085
Total Sales Tax	**43,042,370**	**43,042,370**
UTILITY TAX:		
Cable TV/Bch Adv	691,280	691,280
Telecommunications	505,529	505,529
Electricity	6,141,581	6,141,581
Gas	4,138,118	4,138,118
Total Utility Tax	**11,476,508**	**11,476,508**
LICENSES AND PERMITS:		
Business & Econ. Services	1,200,000	1,200,000
Animal Licenses	80,000	80,000
Building Permits	2,700,000	2,700,000
Subdivision Fees	140,000	140,000
Disproportionate Service	575,000	575,000
Total Licenses & Permits	**4,695,000**	**4,695,000**
MISCELLANEOUS:		
Taylorsville DS Reimb.	137,000	137,000
Taylorsville Contract Services	320,000	320,000
Animal Shelter Vaccinations	20,000	20,000
Animal Shelter Misc. Fees	40,000	40,000
Animal Shelter Donations	20,000	20,000
Animal Sterilization	30,000	30,000
Amphitheater	450,000	450,000
Court Maintenance	0	0
District Court Fines	35,000	35,000
Engineer Consultant Fees CED	60,000	60,000
Excavation Perm-Prop Bond	300,000	300,000
Finger Print/Work Cards	0	0
Fire Prevention/Haz Mat	175,000	175,000
Harman Home Maint., etc.	60,000	60,000
Harman Home SL CO.	18,786	18,786
Indigent Defense	15,000	15,000
Miscellaneous	370,000	370,000
Operation My Hometown	0	0
Park Reservations/Activities	8,000	8,000
Parking Ticket Fines	230,000	230,000
Police Reimbursement	570,000	570,000
Police Reports	100,000	100,000
Professional Shop Services	300,000	300,000
Rent-Housing Authority	42,000	42,000
Rent-Redevelop Agency	25,000	25,000
Roads Funds HB244 2021	1,100,000	1,100,000
Tower Lease	93,107	93,107
UIA	578,280	578,280
Vehicle Fees	1,800,000	1,800,000
Total Miscellaneous	**6,897,173**	**6,897,173**

WEST VALLEY CITY GENERAL FUND - FUND 10
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
JUSTICE COURT:			
Small Claims Fees	140,000	140,000	
Traffic Fines	3,089,661	3,089,661	
Total Justice Court	**3,229,661**	**3,229,661**	
ADMINITRATIVE COURT:			
ACE Program	139,000	139,000	
Bail Fines & Forfeitures	0	0	
Civil Penalties	207,000	207,000	
Total Adminstrative Court	**346,000**	**346,000**	
INTEREST:			
Investment Interest	1,500,000	1,500,000	
Ambulance Interest	17,473	17,473	
RDA Interest	57,023	57,023	
Total Interest	**1,574,496**	**1,574,496**	
OTHER:			
Appropriation from Fund Balance	1,500,000	2,682,902	3,5,7,8,10,19,24
Delayed Expenditures	0	0	
Reserved Funds	300,000	300,000	
Reserved Debt Service Funds	1,879,898	1,879,898	
Sale of Land/Assets	0	0	
Total Other	**3,679,898**	**4,862,800**	
Subtotal	**109,859,769**	**111,042,671**	
RESTRICTED FUNDS:			
Forfeited Assets	0	0	
Bond Proceeds	0	0	
Bond Interest	0	0	
Total Restricted Funds	**0**	**0**	
Grand Total	**109,859,769**	**111,042,671**	

WEST VALLEY CITY GENERAL FUND - FUND 10
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
LEGISLATIVE:			
City Council	850,891	850,891	
Elections	231,800	231,800	
Total Legislative	**1,082,691**	**1,082,691**	
ADMINISTRATIVE:			
City Manager	1,383,305	1,383,305	
Justice Court	2,341,733	2,341,733	
Human Resources	1,397,291	1,397,291	
Community & Media Relations	886,050	886,050	
Recorder	820,720	820,720	
Public Facilities	1,994,890	1,994,890	
Total Administrative	**8,823,989**	**8,823,989**	
NON-DEPARTMENTAL			
UTOPIA	4,508,877	4,508,877	
Capital Projects/Fleet Xfer to CIP	1,900,000	1,900,000	
Council Contingency Misc.	0	0	
Wage Under Runs	(2,000,000)	(2,000,000)	
Storm Water (Prof.Service)	(485,744)	(485,744)	
Sanitation (Prof.Service)	(532,531)	(532,531)	
Ambulance (Prof.Service)	(400,000)	(400,000)	
CARES/ARP Act (Sold Service)	0	0	
Transfers In	(7,680)	(85,680)	16
Benefits Accrual	1,050,000	1,050,000	
Fitness Center	1,461,086	1,461,086	
Theater	50,000	50,000	
Arena	1,131,520	1,131,520	
Cultural Center	1,287,667	1,287,667	
WV Arts Foundation	40,000	40,000	
Transportation Sales Tax to CIP	3,315,085	4,392,217	8
Stonebridge Golf Course	0	0	
Transfer Out	0	0	
Professional/Technical	175,000	175,000	
Special Projects	0	0	
Utilities	862,858	862,858	
Total Non-Departmental	**12,356,138**	**13,355,270**	

WEST VALLEY CITY GENERAL FUND - FUND 10
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
DEBT SERVICE:		
Animal Shelter/CPD Facility	740,950	740,950
Public Safety/Stonebridge	0	0
Fitness Center Refinance	0	0
UCCC & Arena Equipment	1,210,506	1,210,506
Road Revenue Bonds	1,099,012	1,099,012
Bond Fees	25,000	25,000
Fire Truck Lease, SunTrust #2	0	0
USB #1 - Public Safety Radios	0	0
USB #2 - Public Safety Radios	0	0
USB #4 - Police Radios	0	0
USB #6 - EMC Data Domain System	0	0
USB #7 - Public Safety Radios	9,987	9,987
USB #9 - Public Safety Radios	52,044	52,044
USB #10 - Public Safety Radios	88,747	88,747
USB #11 - Police Computers	0	0
USB #13 - Data Backup System	0	0
USB #15 - Sophos Software	0	0
USB #16 - Police Computers	0	0
USB #18 - Police Computers	9,842	9,842
USB #21 - I.T. Equipment	25,152	25,152
USB #22 - Police Computers	29,711	29,711
Transfer Out	0	0
Fire Truck Lease 2014 to CIP	0	0
Fire Truck & Trailer to CIP	70,342	70,342
Energy Savings Projects to CIP	283,630	283,630
Fire Sta 71, 72 & 76 to BA	524,500	524,500
MBA S 2017-PD & Courts to BA	2,238,650	2,238,650
MBA S 2017-Parking to BA	1,086,800	1,086,800
MBA S 2019-Parks Bldg to BA	220,791	220,791
MBA S 2022-Courts Reno to BA	382,500	382,500
Subtotal	**8,098,164**	**8,098,164**
DEBT SERVICE (CONTINUED):		
Transfers In:		
Fire Station Impact Fees	(150,000)	(150,000)
Police Impact Fees	(250,000)	(250,000)
Debt Service Reserve (CIP)	(1,310,405)	(1,310,405)
RDA (UCCC)	(1,210,506)	(1,210,506)
Fitness Center	(73,848)	(73,848)
UCCC	(19,683)	(19,683)
Street Lights	(155,627)	(155,627)
Subtotal	**(3,170,069)**	**(3,170,069)**
Total Debt Service	**4,928,095**	**4,928,095**

WEST VALLEY CITY GENERAL FUND - FUND 10
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
COMMUNITY & ECONOMIC DEVELOPMENT:			
Administration	442,578	455,744	10
Planning Commission	16,121	16,121	
Board of Adjustment	4,191	4,191	
Building Inspection	1,194,229	1,194,229	
Neighborhood Services	345,878	348,771	5
Planning & Zoning	759,182	759,182	
Total Comm. & Econ. Dev.	**2,762,179**	**2,778,238**	
FINANCE:			
Administration	621,343	621,343	
Purchasing	153,220	153,220	
Business Licenses	301,184	301,184	
Treasury	352,579	352,579	
Accounting	541,472	541,472	
Budget & Disbursements	410,656	410,656	
Total Finance	**2,380,454**	**2,380,454**	
FIRE:			
Administration	14,923,495	15,001,495	16
Emergency Operations	71,395	71,395	
Fire Prevention	25,383	25,383	
Logistics	538,895	538,895	
Special Operations	21,335	21,335	
Development Services	31,823	31,823	
Medical Services	147,271	147,271	
Total Fire	**15,759,597**	**15,837,597**	
LEGAL:			
Civil/Prosecutor/Risk	3,018,969	3,019,549	3
Risk Financing	1,463,308	1,463,308	
Victim Assistance	487,917	487,917	4,14,15
Information Technology	2,944,673	2,944,673	
Central Services	3,169,995	3,169,995	
Communications	154,355	154,355	
Total Law	**11,239,217**	**11,239,797**	
PARKS & RECREATION:			
Parks & Rec. Administration	918,595	918,595	
Park Maintenance	2,310,179	2,315,688	19
Recreation	37,837	37,837	24
Harman Home Operations	301,855	385,477	7,24
Total Parks & Recreation	**3,568,466**	**3,657,597**	

WEST VALLEY CITY GENERAL FUND - FUND 10
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
POLICE:			
Administration	37,543,367	37,543,367	
Records	45,200	45,200	
Training	173,611	173,611	
Crossing Guards	691,153	691,153	
Evidence	29,350	29,350	
Forensics	47,600	47,600	
Community Policing	22,710	22,710	
Investigation	185,455	185,455	
Uniform Patrol	97,210	97,210	
K-9	0	0	
S.W.A.T. Unit	92,560	92,560	
Traffic Enforcement	0	0	
Special Operations	63,600	63,600	
Intelligence/Internal Affairs	51,000	51,000	
Bomb Squad Unit	7,500	7,500	
Drone Operations	0	0	
Police Grants	0	0	20,21,22
Total Police	**39,050,316**	**39,050,316**	
PUBLIC WORKS:			
Administration	578,855	578,855	
Highways	1,628,736	1,628,736	
Transportation	395,834	395,834	
Engineering	1,237,433	1,237,433	
Street Lights	0	0	
Fleet Maintenance	1,323,755	1,323,755	
Total Public Works	**5,164,613**	**5,164,613**	
COMMUNITY PRESERVATION			
Administration	356,225	356,225	
Animal Control	1,612,249	1,612,249	
Ordinance Enforcement	775,540	775,540	
Total Community Preservation	**2,744,014**	**2,744,014**	
OTHER:			
Appropriation to Fund Balance	0	0	
Total Other	**0**	**0**	
Total Operating Expenses	**109,859,769**	**111,042,671**	
RESTRICTED FUNDS:			
Forfeited Assets	0	0	
Total Restricted Funds	**0**	**0**	
Grand Total	**109,859,769**	**111,042,671**	
Net Change (Loss) in Fund Balance	**0**	**0**	

WEST VALLEY CITY "C" ROADS - FUND 11
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
"C" Roads			
"C" Road Fund	5,300,000	5,300,000	
Misc. Revenue	0	0	
Interest Revenue	0	0	
Gain on Sale of Assets	0	0	
Appropriation from Fund Balance	0	750,003	17
Subtotal	**5,300,000**	**6,050,003**	

WEST VALLEY CITY "C" ROADS - FUND 11
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATIONS:			
Office Supplies	0	0	
Equipment	35,000	35,000	
Utilities	0	0	
Gasoline & Diesel	2,000	2,000	
Professional Svcs. (Intern)	845,000	845,000	
Professional Svcs. (Ext.)	54,320	127,520	17
Special Supplies	150,000	150,000	
Crack Seal	540,000	540,000	
Concrete & Salt	280,000	280,000	
Trafiic Controls	0	0	
Capital Equipment	824,000	1,140,803	17
Special Projects	300,000	300,000	
Transfer Out	7,680	7,680	
Transfer In	0	0	
Subtotal Streets	**3,038,000**	**3,428,003**	
ENGINEERING:			
Software	7,500	7,500	
Professional Svcs. (Intern)	570,000	570,000	
Special Supplies	8,000	8,000	
Special Projects	844,633	1,204,633	17
Subtotal Engineering	**1,430,133**	**1,790,133**	
TRANSPORTATION:			
Equipment	1,000	1,000	
Utilities	13,000	13,000	
Professional Svcs. (Int.)	0	0	
Professional Svcs. (Ext.)	430,000	430,000	
Signs	35,000	35,000	
Traffic Controls	35,000	35,000	
Capital Equipment	0	0	
Special Projects	50,000	50,000	
Transfer Out	267,867	267,867	
Subtotal Transportation	**831,867**	**831,867**	
Total Expenditures	**5,300,000**	**6,050,003**	

WEST VALLEY CITY FITNESS CENTER - FUND 21
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
FITNESS CENTER:			
Facility Drop-In Fees	490,000	490,000	
Annual Passes	1,500,000	1,500,000	
Activity Area	375,000	375,000	
Children's Area	425,000	425,000	
Aquatics	189,000	189,000	
Community Rooms	40,000	40,000	
Pro Shop	30,000	30,000	
Snack Bar/Catering	190,000	190,000	
Sports Programs	205,000	205,000	
Miscellaneous Rev.	64,859	64,859	
WestFest	85,000	85,000	
Appropriation from Fund Balance	0	173,976	19
Total Fitness Center	**3,593,859**	**3,767,835**	

WEST VALLEY CITY FITNESS CENTER - FUND 21
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
FITNESS CENTER:			
Transfers In GF/			
Operating Infusion	(1,461,086)	(1,461,086)	
Community Serv. Fd Contribution	0	0	
Permanent Employees	1,246,059	1,246,059	
O.T. Employees	8,000	8,000	
Temporary Employees	1,298,918	1,298,918	
Additional Pay	10,000	10,000	
Employee Benefits	719,678	719,678	
Uniform Allowance	500	500	
Books & Dues	1,300	1,300	
Advertising	25,000	25,000	
Travel & Training	23,000	23,000	
Office Supplies	43,000	43,000	
Snack Bar	140,000	140,000	
Equipment Maint.	225,000	225,000	
Gasoline & Diesel	4,000	4,000	
Software	45,390	45,390	
Building/Grounds	51,000	51,000	
Utilities	371,652	371,652	
Telephone	12,000	12,000	
Professional Services	320,000	320,000	
General Health	5,000	5,000	
Special Supplies	37,000	37,000	
Healthy Community Grant	0	99,863	19
Children's Programs	85,000	85,000	
Adult Programs	45,000	45,000	
Aquatics	25,000	56,760	19
WestFest	85,000	127,352	19
Insurance	74,600	74,600	
Capital Equipment	50,000	50,000	
Capital Res.(Transfer to BA)	30,000	30,000	
Debt Service (Transfer to GL)	73,848	73,848	
Total Fitness Center	**3,593,859**	**3,767,835**	

WEST VALLEY CITY THEATER - FUND 23
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
THEATER:		
Theater Rent	20,000	20,000
Theater Revenue	20,000	20,000
Concessions	0	0
Costume Rentals	5,000	5,000
Ticket Sales	0	0
Theater Rental	0	0
Total Theater	**45,000**	**45,000**

WEST VALLEY CITY THEATER - FUND 23
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
THEATER:		
Books & Dues	5,500	5,500
Advertising	5,000	5,000
Travel & Training	4,000	4,000
Office Supplies	15,000	15,000
Equip. Maintenance	10,500	10,500
Gasoline	1,250	1,250
Auto Maintenance	900	900
Auto Parts	1,200	1,200
Software	10,000	10,000
Building & Grounds	35,000	35,000
Utilities	0	0
Telephone	8,000	8,000
Contingency	0	0
Professional Services	10,000	10,000
General Health	250	250
Special Supplies	10,000	10,000
Signs	5,000	5,000
Special Projects	10,000	10,000
Capital Equipment	0	0
Transfer Out to Cap Res (BA)	50,000	50,000
Transfer Out to CIP	0	0
Transfer In from Foundation Fd	(86,600)	(86,600)
Transfer In from Gen.Fund	(50,000)	(50,000)
Appropriation to Fund Balance	0	0
Total Theater	**45,000**	**45,000**

WEST VALLEY CITY ARENA - FUND 25
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
ARENA REVENUES	**6,463,500**	**6,463,500**	

WEST VALLEY CITY ARENA - FUND 25
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
ARENA:			
Operations	7,167,868	7,167,868	
Transfers Out	2,475,000	2,475,000	
Transfers In	(3,179,368)	(3,179,368)	
Total Arena	**6,463,500**	**6,463,500**	

WEST VALLEY CITY SANITATION - FUND 27
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
SANITATION:			
Garbage Fees	6,400,000	6,400,000	
Donations	0	1,000	6
Interest	0	0	
Appropriation from Fund Balance	435,530	438,316	17
Total	**6,835,530**	**6,839,316**	

WEST VALLEY CITY SANITATION - FUND 27
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
SANITATION:			
Permanent Employees	160,945	160,945	
O.T. Employees	3,000	3,000	
Temporary Employees	6,000	6,000	
Employee Benefits	68,399	68,399	
Books/Subscriptions	650	650	
Travel & Training	2,500	2,500	
Office Supplies	7,000	7,000	
Gasoline & Diesel	6,000	6,000	
Auto Parts	5,000	5,000	
Prof. Services Internal	1,226,036	1,226,036	
Prof. Services External	3,500,000	3,500,000	
Landfill Fees	1,600,000	1,600,000	
Special Supplies	180,000	180,000	
Insurance	0	0	
Capital Equipment	35,000	37,786	17
Transfer Out	0	0	
Transfer In	0	0	
Clean & Beautiful Expenses	8,855	9,855	6
Clean & Beautiful Transfer Out	26,145	26,145	
Appropriation to Fund Balance	0	0	
Total	**6,835,530**	**6,839,316**	

WEST VALLEY CITY ROAD IMPACT FEES - FUND 31
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Road Impact Fees	200,000	200,000
Interest	0	0
Appropriation from Fund Balance	0	0
Total	**200,000**	**200,000**

WEST VALLEY CITY ROAD IMPACT FEES - FUND 31
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Professional Services	30,000	30,000
Road Projects	170,000	170,000
Impact Fee Reimbursements	0	0
Transfer Out	0	0
Total Expenditures	**200,000**	**200,000**

WEST VALLEY CITY PARK IMPACT FEES - FUND 32
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Park Impact Fees	1,000,000	1,000,000
Interest	0	0
Appropriation from Fund Balance	0	0
Total Revenue	**1,000,000**	**1,000,000**

WEST VALLEY CITY PARK IMPACT FEES - FUND 32
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Park Impact Expenses	1,000,000	1,000,000
Transfers Out	0	0
Total Expenditures	**1,000,000**	**1,000,000**

WEST VALLEY CITY FIRE IMPACT FEES - FUND 33
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Fire Impact Fees - Facility	150,000	150,000
Fire Impact Fees - Apparatus	0	0
Interest	0	0
Total Revenue	**150,000**	**150,000**

WEST VALLEY CITY FIRE IMPACT FEES - FUND 33
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Fire Station 74 Debt Transfer (GF)	150,000	150,000
Total Expenditures	**150,000**	**150,000**

WEST VALLEY CITY POLICE IMPACT FEES - FUND 34
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Police Impact Fees	250,000	250,000
Interest	0	0
Appropriation from Fund Balance	0	0
Total Revenue	**250,000**	**250,000**

WEST VALLEY CITY POLICE IMPACT FEES - FUND 34
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Police Debt Serv Transfer to Gen Fd	250,000	250,000
Total Expenditures	**250,000**	**250,000**

WEST VALLEY CITY FLOOD IMPACT FEES - FUND 35
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
FLOOD IMPACT FEES:		
Decker District	0	0
Brighton District	0	0
Riter District	0	0
Lake Park District	0	0
Appropriation from Fund Balance	0	0
Total Revenue	**0**	**0**

WEST VALLEY CITY FLOOD IMPACT FEES - FUND 35
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Riter District	0	0
Total Expenditure	**0**	**0**

WEST VALLEY CITY STORM WATER UTILITY - FUND 36
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
STORM WATER UTILITY:			
Storm Water Utility Fees	5,335,000	5,335,000	
Interest Income	0	0	
Penalties/Late Fees	0	0	
Gain on Sale of Assets	0	0	
Miscellaneous Revenue	0	0	
Appropriation from Fund Balance	2,210,797	2,372,983	17
Total Revenue	**7,545,797**	**7,707,983**	

WEST VALLEY CITY STORM WATER UTILITY - FUND 36
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
STORMWATER OPERATIONS:			
Travel & Training	5,000	5,000	
Office Supplies	0	0	
Equip Maintenance	60,000	60,000	
Fuel	25,000	25,000	
Auto Maintenance	52,000	52,000	
Vehicle Parts	60,000	60,000	
Utilities	32,000	32,000	
Prof./Tech (internal)	521,604	521,604	
Prof./Tech. (external)	90,000	90,000	
Special Supplies	75,000	75,000	
Insurance	10,000	10,000	
Capital Equipment	342,000	504,186	17
Depreciation	1,210,297	1,210,297	
Subtotal	2,482,901	2,645,087	
STORMWATER ENIGEERING PROJECTS:			
Books/Dues	500	500	
Travel & Training	8,500	8,500	
Office Supplies	3,800	3,800	
Equip. Maintenance	0	0	
Fuel	5,000	5,000	
Software	17,500	17,500	
Prof/Tech (internal)	749,629	749,629	
Prof./Tech. (external)	22,000	22,000	
Special Supplies	11,000	11,000	
Capital Equipment	0	0	
Special Projects	3,018,616	3,018,616	
Capitalized Spec Proj	0	0	
Debt Service	0	0	
Subtotal	3,836,545	3,836,545	
STORMWATER ADMINISTRATON:			
Public Notices	21,326	21,326	
Travel/Training	2,000	2,000	
Office Supplies	4,000	4,000	
Prof/Tech (internal)	923,158	923,158	
Prof./Tech. (external)	8,000	8,000	
Transfer Out	267,867	267,867	
Transfer In	0	0	
Subtotal	1,226,351	1,226,351	
Total Expenditure	**7,545,797**	**7,707,983**	

THE DIVISION OF ARTS AND CULTURE - FUND 37
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
Cultural Center:		
Miscellaneous	0	0
Cultural Center Revenue	400,000	400,000
Concessions/Alcohol Revenue	12,000	12,000
Donations/Endow/Grants	0	0
Catering Commission	15,000	15,000
Membership/Season Tickets	0	0
Art Sales	0	0
Pop-Up Art	0	0
Appropriation from Fund Balance	0	0
Total Revenue	**427,000**	**427,000**

THE DIVISION OF ARTS AND CULTURE - FUND 37
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
Operations:			
Permanent Employees	1,274,554	1,274,554	
Overtime	10,000	10,000	
Temporary Employees	274,488	274,488	
Employee Benefits	550,011	550,011	
Books & Dues	5,000	5,000	
Advertising	5,000	5,000	
Travel & Training	6,000	6,000	
Office Supplies	23,000	23,000	
Equip. Maintenance	20,500	20,500	
Gasoline	1,250	1,250	
Auto Maintenance	900	900	
Auto Parts	900	900	
Software	10,000	10,000	
Building & Grounds	50,000	50,000	
Utilities	150,263	150,263	
Telephone	12,000	12,000	
Contingency	60,000	60,000	
Professional Services	8,028	8,028	
General Health	250	250	
Special Supplies	25,000	25,000	
Signs	2,500	2,500	
Insurance	10,000	10,000	
Sold Services	(321,544)	(344,403)	11
Special Projects	15,000	37,859	11
ZAP Activities	0	0	
Cultural Arts Board (CAB)	0	0	
Gallery Exhibits/Receptions	0	0	
WorldStage Concerts	0	0	
Artrageous	0	0	
Day of the Dead Celebration	0	0	
Mash-Up	0	0	
Winter Market	0	0	
Greek Show	0	0	
Shakespeare Educational Program	0	0	
Special Projects In The Schools	0	0	
Wasatch International Food Festival	0	0	
Cost of Goods Sold	5,000	5,000	
Transfer Out	19,693	19,693	
Transfer In from GF	(1,312,587)	(1,312,587)	
Transfer In from Foundation	(521,856)	(521,856)	
Subtotal Operations	**383,350**	**383,350**	
Maintenance:			
Equipment Maintenance	16,450	16,450	
Gasoline	1,200	1,200	
Building & Grounds	26,000	26,000	
Subtotal Maintenance	**43,650**	**43,650**	
Total Expenditures	**427,000**	**427,000**	

WEST VALLEY ARTS FOUNDATION - FUND 38
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
Arts Foundation:			
Misc. Revenue	0	0	
Concessions	0	0	
Art Sales	10,000	10,000	
Donations/Contributions	400,000	400,000	
Restricted Purpose Donations	45,000	45,000	
Restricted Purpose Donations - Sustaina	69,000	69,000	
Restricted Purpose Donations - Grants	289,000	311,859	11
Gallery Exhibits/Receptions	12,000	12,000	
ARTragous Program	0	0	
Day of the Dead	9,000	9,000	
Theatrical Productions	650,000	650,000	
Winter Concerts Program	0	0	
Greek Show Program	0	0	
Summer Play	12,000	12,000	
Total Revenue	**1,496,000**	**1,518,859**	

WEST VALLEY ARTS FOUNDATION - FUND 38
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
Operations:			
Memberships/Dues/Subscriptions	0	0	
Travel/Training	0	0	
Office Supplies	0	0	
Fuel	0	0	
Software	0	0	
Professional/Technical	4,000	4,000	
Special Supplies	19,960	19,960	
Sustainability Grant	0	0	
Signs	0	0	
UCCC Events	0	0	
Sold Service	0	0	
Special Projects	15,000	37,859	11
Gallery Exhibits/Receptions	15,000	15,000	
WorldStage Concerts	20,000	20,000	
Artrageous	43,000	43,000	
Summer Concerts	30,000	30,000	
Day of the Dead Celebration	10,000	10,000	
Theatre Productions	660,584	660,584	
Winter Market	0	0	
Greek Show	5,000	5,000	
Shakespeare Educational Program	5,000	5,000	
Wasatch International Food Festival	60,000	60,000	
Summer Play	0	0	
Transfers Out	608,456	608,456	
Transfers In	(40,000)	(40,000)	
Appropriation to Fund Balance	40,000	40,000	
Total Expenditures	**1,496,000**	**1,518,859**	

WEST VALLEY CITY STREET LIGHTS - FUND 39
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
STREET LIGHTS:			
Misc. Revenue	0	0	
Street Light Fees	1,300,000	1,300,000	
Interest	0	0	
Appropriation from Fund Balance	49,555	597,668	17
Total	**1,349,555**	**1,897,668**	

WEST VALLEY CITY STREET LIGHTS - FUND 39
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
STREET LIGHTS:			
Permanent Employees	224,804	224,804	
O.T. Employees	1,000	1,000	
Temporary Employees	4,000	4,000	
Employee Benefits	96,023	96,023	
Bks/Subscriptions/Memeberships	500	500	
Travel/Training	4,000	4,000	
Equipment Maintenance	200,000	202,976	17
Gasoline & Diesel	15,000	15,000	
Software	0	0	
Utilities	120,000	120,000	
Prof./Tech (internal)	43,550	43,550	
Prof./Tech. (external)	150,000	150,000	
Capital Equipment	30,000	199,422	17
Special Projects	305,051	680,766	17
Transfer Out	155,627	155,627	
Transfer In	0	0	
Appropriation to Fund Balance	0	0	
Total	**1,349,555**	**1,897,668**	

CAPITAL IMPROVEMENTS FUND - FUND 45
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
REVENUES:			
Miscellaneous	0	0	
Developer Capital Fees/Contrib.	0	0	
Fed/State Capital Projects	0	0	
SL County Capital Projects	0	0	
Fire Apparatus Reimbursement	0	0	
Interest	0	0	
Gain on Sale of Asset	0	29,000	23
Total Revenues	**0**	**29,000**	
OTHER SOURCES:			
Bond/Lease Proceeds	0	1,559,180	17
Appropriation from Fund Balance	1,310,405	26,033,972	2,9,13,17,18,24
Total Other Sources	**1,310,405**	**27,593,152**	
Total Revenue and Other Sources	**1,310,405**	**27,622,152**	

CAPITAL IMPROVEMENTS FUND - FUND 45
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
EXPENDITURES:			
Rolling Stock Lease Payments	565,455	565,455	
Special Projects	0	0	
Legal/RDA Office Remodel	410,000	410,000	
Facilities Projects	400,000	1,512,817	17,18
Maverik Arena Parking Lot	0	0	
PW-Engineering Renovation	0	0	
Pickleball & Skate Park Lighting	0	187,730	24
Parkway Blvd Widening	0	3,538,784	17
2700 W Improvement Project	0	66,717	17
4100 S Reconstruction	0	78,954	17
4700 S Reconstruction	0	1,618,767	17
PW/Parks Building	0	600,550	17
Overlay Projects	0	844,992	17
City Courts/Legal Bldg	0	602,575	17
Energy Efficiency Upgrades	0	440,244	17
Crosstowne Trail	0	2,417,176	17
6800 West Improvements	0	1,188,741	17
3100 S ATP Overlay Project	0	2,123,090	17
Lancer Way Reconstruction	0	1,102,818	17
4100 S Hawk Signals Project	0	157,067	17
6800 West Pond Overflow	0	590,365	17
3900 South Roadway Improvements	0	3,000,000	17
SFR Widening Project	0	1,842,843	17
3500 South Sidewalk	0	300,000	17
UTA Midvalley BRT	0	600,000	9
Road Revenue Bonds	0	151,662	17
Transportation Sales Tax Projects	3,315,085	5,303,056	8,17
Finance Special Projects	0	3,024	17
CPD Special Projects	0	66,637	17
Police Special Projects	0	37,136	17
Fire Special Projects	0	520,658	2,16
Rolling Stock	1,500,000	2,526,863	17,23
Transfers Out	1,310,405	2,491,104	13,16
Transfers In	(6,190,540)	(7,267,672)	8
Appropriation to Fund Balance	0	0	
Total Expenditures	**1,310,405**	**27,622,152**	

THE RIDGE GOLF CLUB FUND - FUND 55
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings
OPERATING REVENUE:		
Green Fees	1,010,000	1,010,000
Driving Range	60,000	60,000
Carts	445,000	445,000
Pull Carts	0	0
Golf Club Rentals	2,000	2,000
Gratuities - Operations	55,000	55,000
Pro Shop	210,000	210,000
Grill/Catering	415,959	415,959
Gratuities - Grill & Catering	0	0
Miscellaneous	5,000	5,000
Gain on Sale of Assets	35,000	35,000
Appropriation from Fund Balance	176,657	176,657
Total Revenue	**2,414,616**	**2,414,616**

THE RIDGE GOLF CLUB FUND - FUND 55
EXPENSE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATING EXPENSES			
OPERATIONS:			
Personnel	433,755	433,755	
Operations	177,564	177,564	
Professional Services	31,405	31,405	
Utilities	36,000	36,000	
Operations Subtotal	**678,724**	**678,724**	
MAINTENANCE:			
Personnel	424,663	424,663	
Operating Supplies	225,760	743,290	13
Utilities	181,250	181,250	
Maintenance Subtotal	**831,673**	**1,349,203**	
GRILL/CATERING			
Personnel	366,462	366,462	
Operating Supplies	66,100	66,100	
Snack Bar Subtotal	**432,562**	**432,562**	
COST OF SALES:			
Cost of Goods Sold	125,000	125,000	
Grill/Snack Bar	170,000	170,000	
Depreciation	176,657	176,657	
Cost of Sales Subtotal	**471,657**	**471,657**	
Total Operating Expenses	**2,414,616**	**2,932,146**	
NON-OPERATING EXPENSES:			
Transfer In	0	(517,530)	13
Transfer Out	0	0	
Total Non-Operating Expenses	**0**	**(517,530)**	
Total Expenses	**2,414,616**	**2,414,616**	

STONEBRIDGE GOLF COURSE FUND - FUND 57
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATING REVENUE:			
Green Fees	1,272,741	1,272,741	
Driving Range	35,000	35,000	
Carts	460,000	460,000	
Pull Carts	0	0	
Rental Clubs	11,000	11,000	
Gratuities - Operations	77,000	77,000	
Pro Shop	250,000	250,000	
Grill/Catering	560,000	560,000	
Gratuities - Grill & Catering	0	0	
Misc.	5,000	5,000	
Total Op. Revenue	**2,670,741**	**2,670,741**	
NON-OPERATING REVENUE:			
Gain on Sale of Assets	0	0	
Interest	0	0	
Appropriation from Fund Balance	73,139	108,036	19
Total Non-Operating Rev	**73,139**	**108,036**	
Total Revenue	**2,743,880**	**2,778,777**	

STONEBRIDGE GOLF COURSE FUND - FUND 57
EXPENSE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATING EXPENSES			
OPERATIONS:			
Personnel	539,569	539,569	
Operations	233,631	233,631	
Professional Services	45,000	45,000	
Utilities	45,000	45,000	
Operations Subtotal	**863,200**	**863,200**	
MAINTENANCE:			
Personnel	457,504	457,504	
Operating Supplies	253,051	861,117	13,19
Utilities	195,750	195,750	
Maintenance Subtotal	**906,305**	**1,514,371**	
GRILL/CATERING:			
Personnel	408,836	408,836	
Operating Supplies	82,400	82,400	
Snack Bar Subtotal	**491,236**	**491,236**	
COST OF SALES:			
Cost of Goods Sold	165,000	165,000	
Grill/Snack Bar	225,000	225,000	
Depreciation	93,139	93,139	
Cost of Sales Subtotal	**483,139**	**483,139**	
Total Oper Expenses	**2,743,880**	**3,351,946**	
NON-OPERATING EXPENSES:			
Sales Tax Rev Bonds S 2016	0	0	
Transfer In	0	(573,169)	13
Transfer Out	0	0	
Total Non-Operating Expenses	**0**	**(573,169)**	
Total Expenses	**2,743,880**	**2,778,777**	

GRANTS - FUND 60
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
CDBG Projects	163,538	163,538	
HOME & Federal Grants	0	1,998,899	20,21,24
State Grants	0	627,364	14,15,20,24
Other Governmental Agencies	0	24,800	20
Subtotal	**163,538**	**2,814,601**	

GRANTS - FUND 60
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
Personnel	163,538	163,538	
General Operations	0	0	
CDBG Projects	0	0	
HOME & Federal Grants	0	1,998,899	20,21,24
State Grants	0	627,364	14,15,20,24
Other Governmental Agencies	0	24,800	20
Subtotal	**163,538**	**2,814,601**	

AMBULANCE FUND - FUND 66
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATING REVENUE:			
Ambulance Fees	3,502,315	3,502,315	
Collections Proceeds	125,000	125,000	
Gain on Sale of Assets	0	0	
Misc.	0	0	
Appropriation from Fund Balance	0	217,000	1
Total Operating Revenue	**3,627,315**	**3,844,315**	

AMBULANCE FUND - FUND 66
EXPENSE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
OPERATING EXPENSES			
OPERATIONS			
Permanent Employees	1,169,937	1,169,937	
Overtime	46,970	58,970	16
Additional Pay	0	0	
Employee Benefits	532,290	532,290	
Benefit Expense	0	0	
Uniform Allowance	14,400	14,400	
Travel/Training	5,825	5,825	
Office Supplies	2,390	2,390	
Equipment Maint.	2,987	2,987	
Gas/Diesel	30,588	30,588	
Auto Maintenance	52,974	52,974	
Auto Parts	43,000	43,000	
Prof/Tech WVC	400,000	400,000	
Billing Services	165,000	165,000	
Ambulance Service Provider Assess.	115,000	115,000	
Public Safety Supplies	93,450	310,450	1
Insurance	7,650	7,650	
Capital Equipment	0	0	
Depreciation	361,000	361,000	
Total Operating Expenses	**3,043,461**	**3,272,461**	
NON-OPERATING EXPENSES:			
Lease Agreement	372,371	372,371	
Transfer Out to CIP	211,483	211,483	
Transfer In	0	(12,000)	16
Total Non-Operating Expenses	**583,854**	**571,854**	
Total Expenses	**3,627,315**	**3,844,315**	

As authorized by the Uniform Fiscal Procedures Act for Utah Cities, the operating budget of West Valley City is periodically amended to accommodate regular and necessary changes in expenditures and revenues that occur throughout the fiscal year. These budget modifications are called “budget openings”. They are considered by the City Council and accompanied by a public hearing to provide authorization to expend resources for grants received, rollovers of projects from the prior years, emergency expenditures, take advantage of economic opportunities, or other expenditures deemed to be appropriate and timely. Regular budget openings are necessary to maintain regular and orderly city operations and stay in compliance with State laws.

BUDGET OPENING
JULY 2023 - SEPT 2023
WEST VALLEY CITY CORP.
FISCAL YEAR 2023-2024

No.		Amount	Description	Source
			ROLLOVERS	
1	$	217,000.00	Rollover Reimbursement to Fire Dept for Costs Associated with the COVID Pandemic *(FEMA Reimbursement for funds spent on COVID supplies and deferred purchases due to COVID)*	FEMA
2	$	610,658.28	Rollover Fire Dept. Reimbursements for Out of State Fire Suppression Deployments in FY 22-23 *(Reimburse Salaries, Overtime and Supplies for Firefighters)*	Restricted CIP Fund Balance
3	$	580.33	Rollover Victims Assistance Funds *(Rollover Donated Funds to Assist Victims of Domestic Violence)*	Restricted General Fund Balance
5	$	2,892.53	Rollover Healthy in All Policies Grant *(Grant for The Healthy West Valley City Coalition)*	Restricted General Fund Balance
7	$	56,470.21	Rollover PO for Harman Senior Center - Replacement of HVAC Units *(Replace Air Conditioning Units which were Vandalized)*	Restricted General Fund Balance
8	$	1,077,131.77	Rollover Transportation Sales Tax Received in FY 22-23 *(Transportation Sales Tax Revenue received in FY 22-23 was above the Budgeted amount for last year)*	Restricted General Fund Balance
10	$	13,166.17	Rollover Operation My Hometown Donated Funds *(Donations for Operation My Hometown)*	Restricted General Fund Balance
11	$	22,859.25	Rollover Cultural Captial Facility Grant *(Repair/Replace UCCC Railing and Concrete)*	State of Utah
12	$	3,387.37	Rollover Program Funds for Harman Senior Center *(Senior Center Program Donations)*	Restricted General Fund Balance
17			Rollover CIP/Public Works On-Going Projects	
17	$	360,000.00	*2023 Micro Surface Project*	Restricted C Roads Fund Balance
17	$	73,200.00	*Pavement Management*	Restricted C Roads Fund Balance
17	$	316,802.87	*Rollover PO's 23-004912,23-005981,23-006174 - Equipment not yet received*	Restricted C Roads Fund Balance
17	$	2,785.60	*Rollover PO 23-005843 Equipment not yet received*	Restricted Sanitation Fund Balance
17	$	162,185.80	*Rollover PO's 23-005844, 23-006174 Equipment not yet received*	Restricted Storm Water Fund Balance
17	$	375,715.00	*Street Light Infill Project*	Restricted Street Light Fund Balance
17	$	169,422.00	*Street Light Bucket Truck*	Restricted Street Light Fund Balance
17	$	2,976.43	*Rollover PO's 23-000847, 23-002955 Equipment not yet received*	Restricted Street Light Fund Balance
17	$	753,171.55	*PW Facilities Projects*	Restricted CIP Fund Balance
17	$	39,644.97	*Rollover PO 23-004811 Equipment not yet received*	Restricted CIP Fund Balance
17	$	3,538,783.56	*Parkway Blvd Widening MVC 6400 W*	Restricted CIP Fund Balance
17	$	600,550.01	*PW Operations & Parks Bldgs*	Restricted CIP Fund Balance

No.		Amount	Description	Source
17	$	78,954.22	*4100 S Reconstruction*	Restricted CIP Fund Balance
17	$	602,575.00	*City Court/Legal Dept Construction*	Restricted CIP Fund Balance
17	$	1,618,767.39	*4700 S Reconstruction*	Restricted CIP Fund Balance
17	$	66,716.83	*2700 W Improvements 4100S-4700S*	Restricted CIP Fund Balance
17	$	2,417,175.89	*Crosstowne Trail-2700 W to Bangerter*	Restricted CIP Fund Balance
17	$	1,188,741.00	*6800 West Improvements*	Restricted CIP Fund Balance
17	$	2,123,090.39	*3100 S ATP Overlay Project*	Restricted CIP Fund Balance
17	$	1,102,817.55	*Lancer Way Reconstruction*	Restricted CIP Fund Balance
17	$	157,067.00	*4100 S Hawk Signals Project*	Restricted CIP Fund Balance
17	$	590,365.00	*6800 West Pond Overflow*	Restricted CIP Fund Balance
17	$	844,991.51	*2023 Overlay Project*	Restricted CIP Fund Balance
17	$	3,000,000.00	*3900 South Roadway Improvements*	Restricted CIP Fund Balance
17	$	1,842,842.79	*SFR Widening Project*	Restricted CIP Fund Balance
17	$	300,000.00	*3500 South Sidewalk*	Restricted CIP Fund Balance
17	$	910,839.39	*Transportation Sales Tax Funds*	Restricted CIP Fund Balance
17	$	3,024.30	*Finance Dept One-Time Capital Projects*	Restricted CIP Fund Balance
17	$	66,636.51	*CPD One-Time Capital Projects*	Restricted CIP Fund Balance
17	$	37,136.12	*Police One-Time Capital Projects*	Restricted CIP Fund Balance
17	$	22,572.32	*Rolling Stock*	Restricted CIP Fund Balance
17	$	8,016.22	*Rollover PO's 23-005721, 23-005723 Equipment not yet received*	Restricted CIP Fund Balance
17	$	440,243.64	*US Bank Lease #20 Energy Efficiency*	Lease Proceeds
17	$	151,662.00	*Road Revenue Bonds*	Lease Proceeds
17	$	967,274.00	*Rolling Stock Fire Dept*	Lease Proceeds
19	$	173,975.76	Rollover for Fitness Center *(UCLT Grant, Swim Team Fundraising, and Westfest)*	Restricted Fitness Center Fund Balance
19	$	34,897.38	Rollover PO #23-005662 Toro Groundsmaster 3300 Purchase *(Equipment not yet received)*	Restricted Stonebridge Fund Balance
19	$	5,509.00	Rollover PO #23-005537 Scottsdale Playground *(Equipment not yet received)*	Restricted General Fund Balance
20	$	1,952.17	Rollover 2023 Liquor Tax Grant *(Funds used for equipment, DUI enforcement and alcohol cessation programs)*	State of Utah
20	$	9,334.57	Rollover CCJJ Halfway House Grant FY 2022 *(Police Operations related to reducing crime in the area of Halfway Houses)*	State of Utah
20	$	543.24	Rollover 2020 JAG Grant *(Justice Assistance Grant used for Police Special Supplies)*	US Dept of Justice
20	$	27,710.28	Rollover 2021 JAG Grant *(Justice Assistance Grant used for Police Special Supplies)*	US Dept of Justice
20	$	37,470.60	Rollover 2022 JAG Grant *(Justice Assistance Grant used for Police Special Supplies)*	US Dept of Justice
20	$	3,072.88	Rollover SAFG Grant - Police Dept FY 2023 *(State Asset Forfeiture Grant FY 2023)*	State of Utah
20	$	24,800.00	Rollover DPS Mental Health Grant *(Mental Health Grant Awarded to WV Police Dept)*	State of Utah
24			Rollovers for Parks & Rec Projects and Harman Seinor Center Donations	
24	$	184,500.00	*TRCC Grant Pickleball and Skate Park Lighting*	Salt Lake County
24	$	187,730.00	*Pickleball and Skate Park Lighting*	CIP Fund Balance
24	$	191,565.00	*Westview Park Challenge Course Grant*	State of Utah
24	$	1,918,175.00	*ARPA Grant for Wetland Park*	State of Utah
24	$	1,099,000.00	*CDBG Bicycle Pump Track*	HUD

No.		Amount	Description	Source
24	$	300,000.00	*CDBG Playground Replace Country Meadows Park*	HUD
24	$	27,151.97	*Rollover Program Funds for Harman Senior Center*	Restricted General Fund Balance
			GRANTS	
4	$	15,000.00	CDBG Funds for Victims Services *(Funding for Victims Services from CDBG Grant)*	HUD
14	$	75,000.00	Utah Victims Services Program Grant *(Funding for Victim Advocates' Salaries)*	State of Utah
15	$	161,939.31	VOCA Grant #23VOCA50 FY 202\32-24 *(Salaries, Benefits, Travel/Training and Direct Aid for Victim Advocates)*	State of Utah
21	$	15,000.00	Police Dept ICAC Grant FY 22-23 *(Internet Crimes Against Children Grant)*	State of Utah
22	$	60,000.00	CDBG Funds for Police *(Funding for the Police Dept from CDBG Grant)*	HUD
			OTHER	
6	$	1,000.00	Donation for the Clean & Beautiful Committee *(Donation for the Clean & Beautilful Annual Awards Program)*	West Valley Office Holdings
9	$	600,000.00	UTA Midvally BRT 8 Foot Wall *(Privacy Wall to be installed along 2700 West)*	CIP Fund Balance
13	$	1,090,699.16	Golf Course Equipment Purchase *(Equipment for both The Ridge and Stonebridge Golf Courses)*	CIP Fund Balance
16	$	90,000.00	Fire Dept Overtime *(Fire Dept Deployment Reimbursements Previously Recevied)*	Transfer from CIP to General Fund and Ambulance Fund
18	$	320,000.00	Fire Stations 74 and 75 Repairs/Renovations *(Capital Improvements to Fire Stations 74 and 75)*	CIP Fund Balance
23	$	29,000.00	Police Vehicle Purchase *(Sale of 2005 Chevrolet Truck for Future Vehicle Purchase for Police)*	T. Bowles

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: N/A

Budget Opening Required: ☐

ISSUE:
Application: #GPZ-8-2023
Applicant: Lieu Tran
Location: 7007 West Apaloosa Drive
Size: 5.91 acres

SYNOPSIS:
A General Plan change from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing).

BACKGROUND:
The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

RECOMMENDATION:
The Planning Commission recommends approval.

SUBMITTED BY:
Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE ON 5.91 ACRES.

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such General Plan amendment should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah that the General Plan be amended as follows:

SECTION 1. GENERAL PLAN AMENDMENT.

The property described in Application #GPZ-8-2023, filed by Lieu Tran, and located at 7007 West Apaloosa Drive within West Valley City, is hereby amended by reclassifying the following described property from Parks and Open Space Existing to Light Manufacturing. Said property is more particularly described as follows:

Parcel #: 14-22-376-008

SECTION 2. GENERAL PLAN MAP AMENDMENT.

The West Valley City General Plan Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE ON 5.91 ACRES FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING)

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in Application #GPZ-8-2023, filed by Lieu Tran, and located at 7007 West Apaloosa Drive within West Valley City, is hereby classified from zone A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing), said property more particularly described as follows:

Parcel #: 14-22-376-008

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

GPZ-8-2023
Lieu Tran
7007 West Apaloosa Drive
General plan change from Parks and Open Space Existing to Light Manufacturing and zone change from A-1 to M
5.91 acres

Lieu Tran has submitted a General Plan/zone change application for a 5.91-acre parcel located at 7007 West Apaloosa Drive. The property is currently zoned A-1 (Agriculture, minimum lot size 1 acre) acre) and the current General Plan designation is Parks and Open Space Existing. The current General Plan designation is in place because this property used to be part of the mobile home park to the west and was used as recreation space for the mobile home park residents. The proposed zone is M (Manufacturing) and the proposed General Plan designation is Light Manufacturing. The property includes a manufactured home along the west side that is accessed from Apaloosa Drive.

Surrounding zones include A-1 to the east and most of the south, RMH (Residential Mobile Home) to the west and remaining south portion, and M to the north. Surrounding land uses include largely vacant property owned by Magna Water to the south and east; the Western Mobile Estates mobile home park to the south; and the Riter Canal, Beagley Lane, and the ARA Industrial Park to the north. The property includes a manufactured home along the west side that is accessed from Apaloosa Drive.

Development Proposal

The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

Self-storage facilities, warehouses, and light industrial require a conditional use permit within the M zone whenever these uses are adjacent to a residential use, residential zone, or agricultural zone. If this application is approved, a conditional use permit will be required given the neighboring A-1 zoning.

The applicant provided the following justification for the proposed changes:

> "There is M Zoning to the north with several large distributions buildings. Manufacturing would be a logical use for the property. Other surrounding land uses include a mobile home park, a mobile homes subdivision and a single family detached subdivision to the northwest across Beagley Road. Magna Water Company owns the wetlands to the south and east. The property owner wishes to build a self storage facility and flex space for

manufacturing uses. The residential areas near the property would benefit from the self storage units, especially those residents in mobile homes. Beagley Road, a busy street that serves both industry and residential, provides good access to all planned manufacturing uses. Flexspace provides new or small manufacturing businesses with a space to grow. Home startup businesses often expand through renting flexspace. Flexspace has the ability to grow or shrink with a businesses need and ability to pay. It has created the opportunity for many entrepreneurs to start a business with minimal initial capital investment. There is water and sewer available in Beagley Road."

Issues to Consider

Since the adoption of the City's first General Plan in the 80's, the Riter Canal has been the dividing line between industrial uses to the north and residential uses to the south in the northwest part of the City. However, much has changed in the northwest part of the City since the 80's. The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

Access

If the Commission believes M zoning is appropriate here, the primary access would need to be off of Beagley Road. This will require the applicant to obtain permission to build a bridge over the Riter Canal. If this application is approved, access to the site will need to be addressed as part of the conditional use permit.

Staff Alternatives:

1. Approval. This application should be approved.

2. Continuance. This application should be continued for reasons determined during the public hearing.

3. Denial. Industrial uses should not be developed on the south side of the Riter Canal.

Discussion: Steve Pastorik presented the application. He pointed out that the City has used the Riter Canal as the dividing line between industrial and residential zoning. However, over time, there have been many changes to the area. Steve explained that Magna Water owns the wetland property to the south and west of the subject property and this property will most likely remain that way since it is a public utility. He noted that Magna Water has water wells accessing the groundwater on the property. Steve said running roads through Magna's property to access the subject property is unlikely. He stated that if this parcel were to develop residentially, a single access from the mobile home park to the west would not be sufficient. Steve explained that one access would need to come from the north through developed industrial property, which is not ideal.

Stephen McCutchan, Land Planner, said the applicant requested he speak on her behalf. He stated that they feel this application is logical and sensible for this area, and he is happy to answer any questions.

Commissioner Woodruff said he feels the applicant has done well with this application, especially where the property is challenging to develop.

Motion: Commissioner Woodruff motioned to approve GPZ-8-2023.

Commissioner Lovato seconded the motion.

Vote:	Commissioner Lovato	Yes
	Chair Fuller	Yes
	Commissioner Wood	Yes
	Commissioner Woodruff	Yes
	Commissioner McEwen	Yes

Unanimously – GPZ-8-2023 – Approved



Stephen G. McCutchan
Land & Community Planner
PO Box 382 Draper, UT 84020
(801) 557-6945
stevemplan@gmail.com

August 10, 2023

Re: General Plan/Zone Change Amendment Application Background

7007 Series Of Chinita, LLC requests a general plan/zone change amendment on 5.91 Acres at 7007 Apaloosa Drive in West Valley City. The change would be from Parks and Open Space Existing to Light Manufacturing and A-1 to M, respectively.

With the application, we have submitted a Concept Plan. Some explanation of the recent history of our efforts to prepare the Concept Plan is required to understand aspects of the plan, notably access.

The property is 5.91 Acres, located at 7007 Apaloosa Drive. The property is primarily landlocked except for access from a private street, Apaloosa Drive, located in the Western States mobilehome park, and 190 feet of frontage on Beagley Road that the Riter Canal separates. There is a residence on the property.

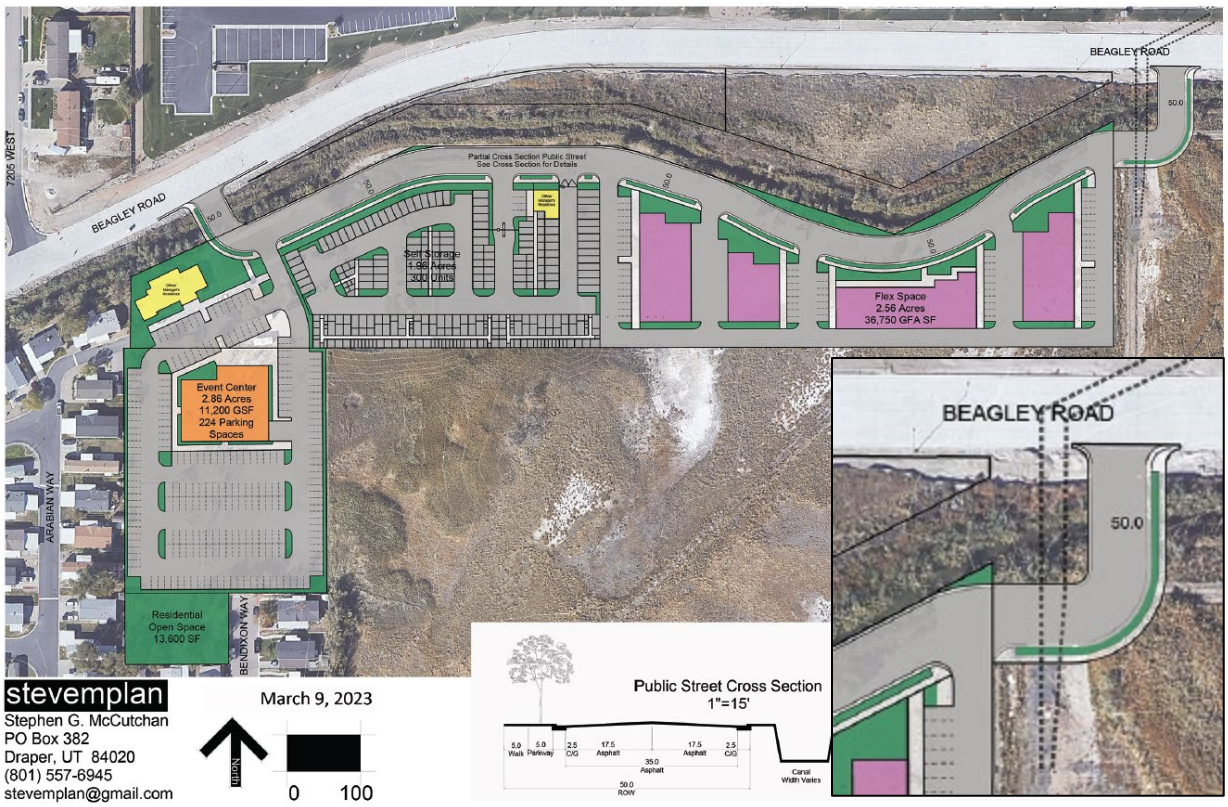


PROPERTY ACCESS

During the past year, we have tried to secure a second point of access to the property. We can access Beagley Road within the 190 feet of frontage, but a second access would require crossing one of three private properties.

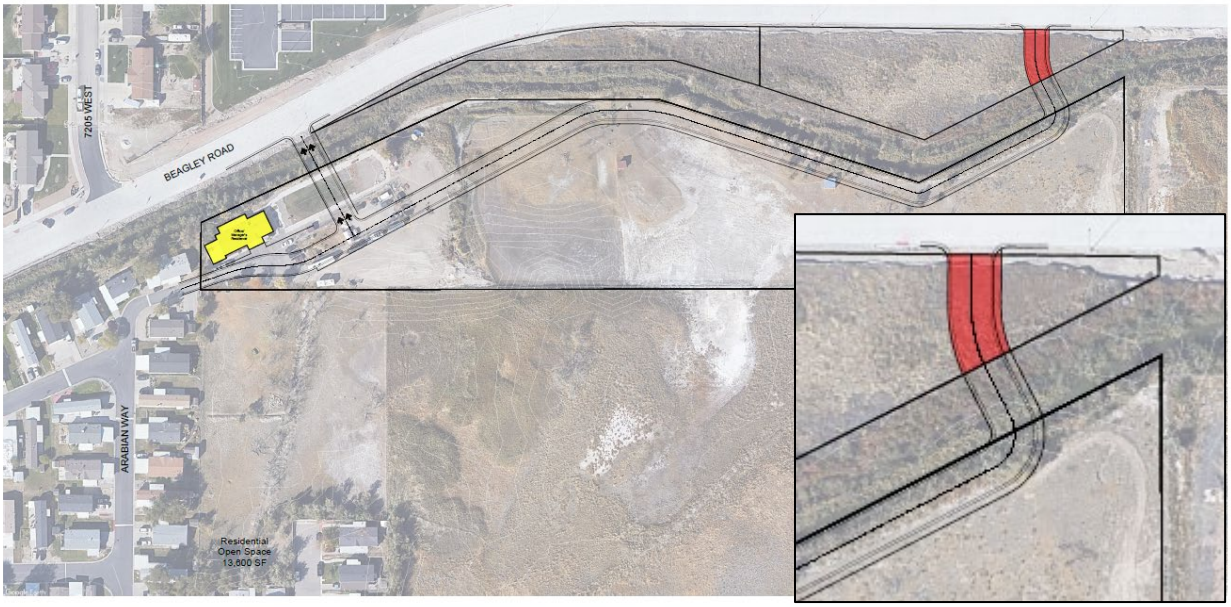
1. The logical location for a second point of access would be across Parcel 14223760080000, a 1.22 Acre parcel located north of the east half of our property. We attempted to contact the property owner, Natomas Meadows, LLC, without success.

2. Subsequently, we contacted Magna Water Company and had several meetings with their engineering staff. We submitted a proposal shown in the following exhibit. The inset figure shows our street proposal crossing the northwest corner of the Company's property. After considering our proposal, the Company decided against granting us right-of-way.

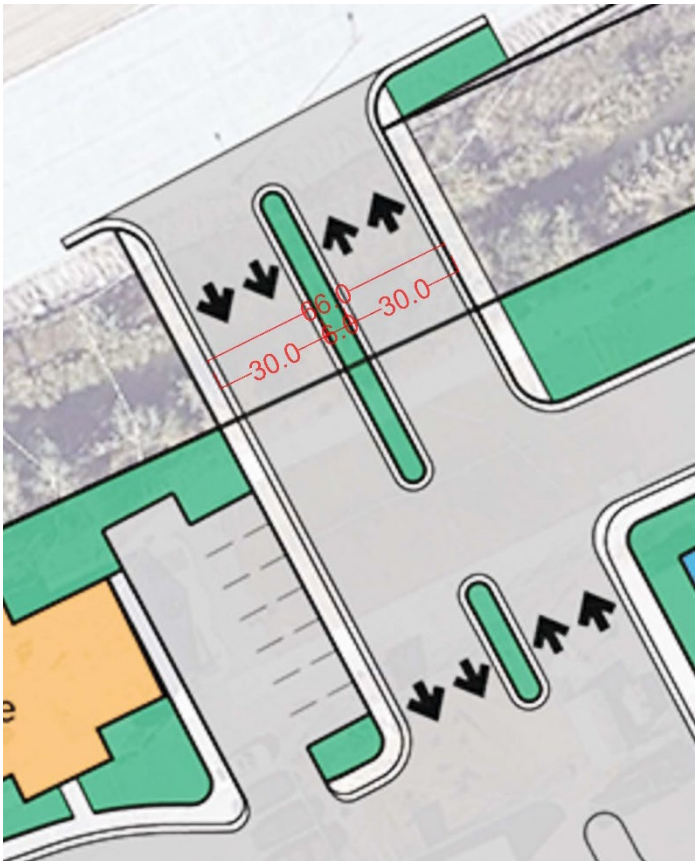


3. Our third proposal was again to Natomas Meadows, LLC. This time we were successful in contacting them. We proposed to purchase either an easement or

their entire property. We submitted to them the following graphic showing the street crossing their property. After considering our proposal, they declined.



With our options to secure a Beagley Road second access exhausted, we designed a single access point that could function as two access points in an emergency. As shown in the figure at right, we propose two access drives divided by a raised median, each with two lanes of travel, a total back of curb width of 66 feet. On each side of the raised median there is 30 feet back of curb to back of curb.



Understanding that this is a unorthodox alternative, we asked Hales Engineering, a respected traffic engineering firm, to review and comment on our proposal. Their study is attached.

Their study conclusions are the following.

Conclusions

The findings of this study are as follows:

- The proposed development includes 300 self-storage units and 40,000 square feet of manufacturing space. It is anticipated that the project will have one primary access onto Beagley Road and one emergency access to the west of the site onto Appaloosa Drive.
- It is anticipated that the proposed project will generate approximately 790 trips on an average weekday, including 62 trips during the morning peak hour, and 64 trips during the evening peak hour.
- The proposed access onto Beagley Road is anticipated to operate to have minimal impact to operations on Beagley Road and will have sufficient capacity to accommodate the demands of the project traffic and heavy vehicles that will access the project site.

There is an additional ingress/egress to and from the property. City Engineering Staff requested that we leave the access to Apaloosa Drive open and accessible to the mobilehome park residents. Currently, the Western States mobilehome park has a single point of ingress/egress. This would give mobilehome park residents a second point of ingress/egress.



CONCEPT PLAN USES AND DESIGN

We are proposing rezoning to M (Manufacturing) Zone. The uses of the property would need to be those permitted in the M Zone. The Concept Plan shows three (3) uses – Office, Self-Storage and Flex Space.

The Concept Plan is subject to change regarding both land uses and design. These are the land uses and design that the property owner contemplates now. All land uses and design of the property will require City approval.

Land Uses

Three (3) land uses are contemplated at this time – Office, Self-Storage and Flex Space.

Office

There is an existing residence on the property. The owner intends to convert this building for office use. The building is roughly 3,800 square feet.

Professional offices are a permitted use in the M Zone.

Self-Storage

Self-storage uses are usually permitted in the M Zone, but it is a conditional use because the property is adjacent to both residential and agricultural zoned land.

Roughly 35,000 square feet, or about 300 units, are shown on the Concept Plan. The facility would be enclosed with a wall and include two gates, an entrance and an exit. There is also an office/manager's residence.



Example self-storage frontage and entrance.

Flex Space

Flex space buildings are, by design, "flexible" and allow for a wide range of office, manufacturing and warehouse uses. They can be used for many purposes and are easier to retrofit to meet a company's needs than typical warehouse buildings. This flexibility is ideal for many uses requiring office space with a manufacturing or warehouse component. Flex buildings usually have a slightly lower ceiling clear height (14 – 24 ft

clear) and a larger percentage of office space than typical manufacturing or distribution warehouse buildings.

Roughly 30,000 square feet of flex space is contemplated in four buildings. Each building would have a front entrance and parking area and a rear delivery area with roll-up truck doors. The following photo is an example of current flex space exterior design.



Circulation Design

All streets within the development would be private. No parking would be permitted along the interior streets. The office, self-storage and flex space areas will have private drives with off-street parking.



Private Street Section

The private street cross-section is on the right.

Landscaped Setbacks

The M Zone requires a 20-foot setback between M Zone uses and residential and agricultural zoned land and residential uses. The landscaping along the south and east boundaries is this setback.

Very truly,



Stephen G. McCutchan



GPZ-8-2023
Lieu Tran
7007 West Apaloosa Drive

GPZ-8-2023

Petition by LIEU TRAN requesting a change to the General Plan from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing). The property is located at 7007 West Apaloosa Drive on 5.91 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



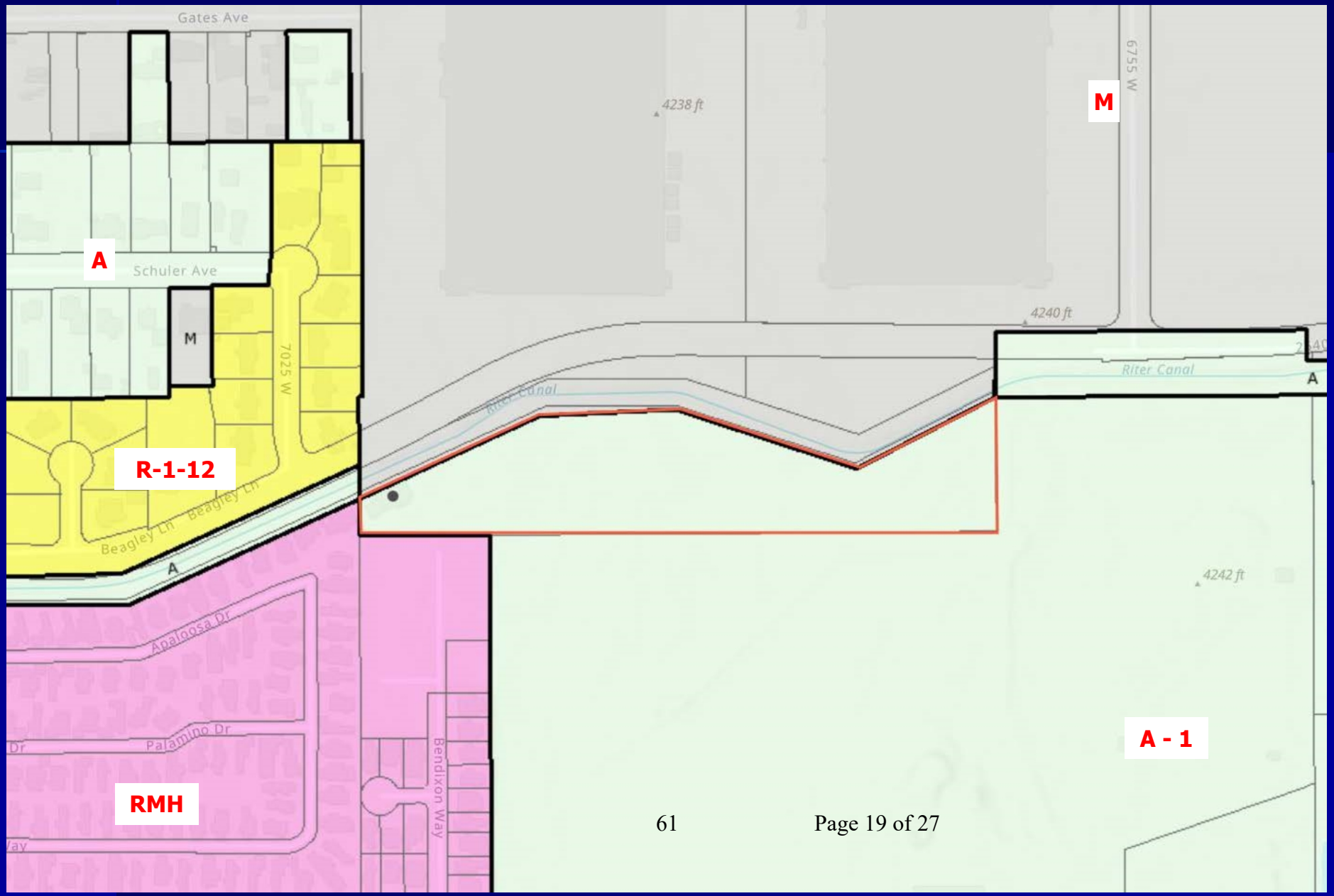
GPZ-8-2023

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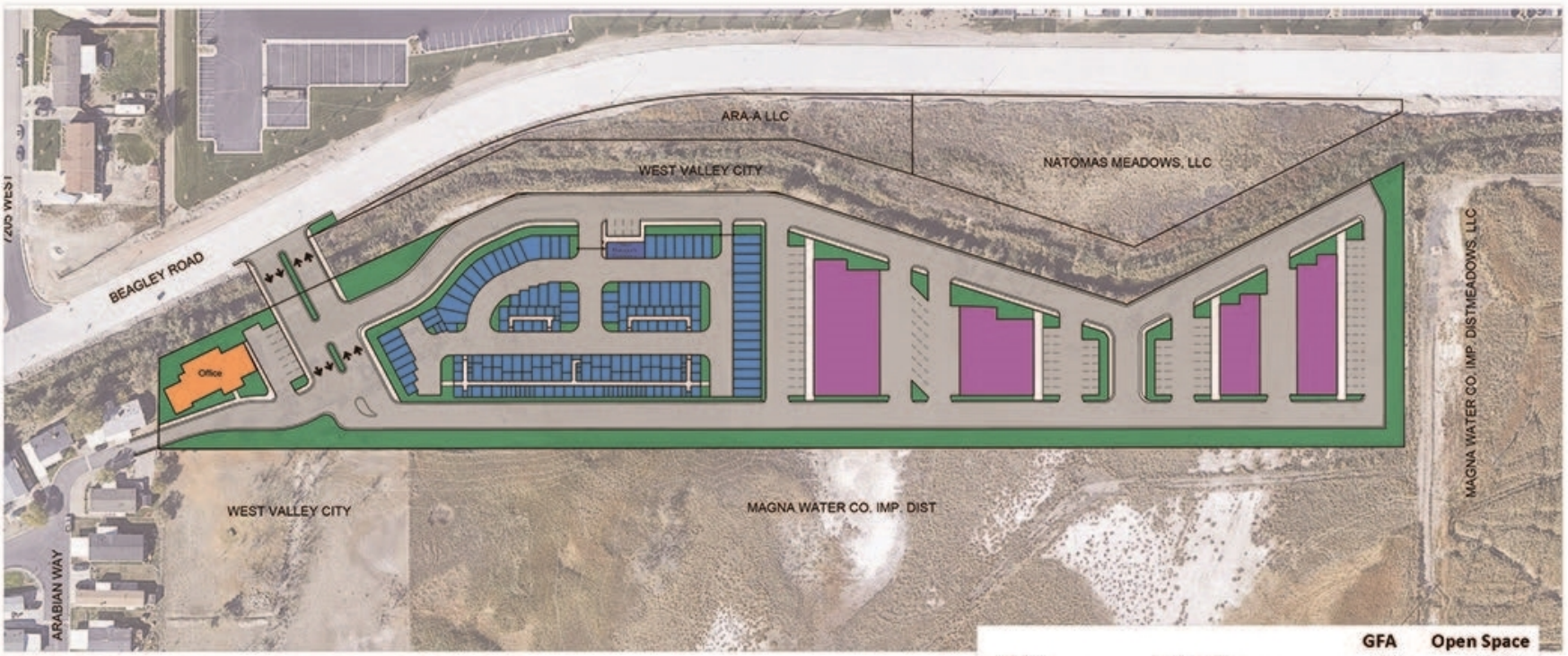
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GPZ-8-2023

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General Plan/Zoning Amendment Concept Plan

This Concept Plan is subject to design and land use changes. Ultimate design and uses shall conform to the requirements of West Valley City codes and standards.

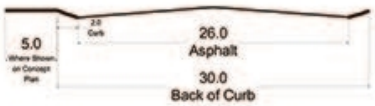
Acres	Land Use	GFA SF	Open Space Acres
0.28	Office	4,000	0.07
1.59	Self-Storage	35,000	0.16
1.95	Flex Space	30,000	0.39
0.81	Area Open Space		0.81
1.29	Private Streets		
5.91	**Total**	**69,000**	**1.43**

Land Planner:
Stephen G. McCutchan
PO Box 382
Draper, UT 84020
(801) 557-6945
stevemplan@gmail.com

March 9, 2023

NORTH

0 100

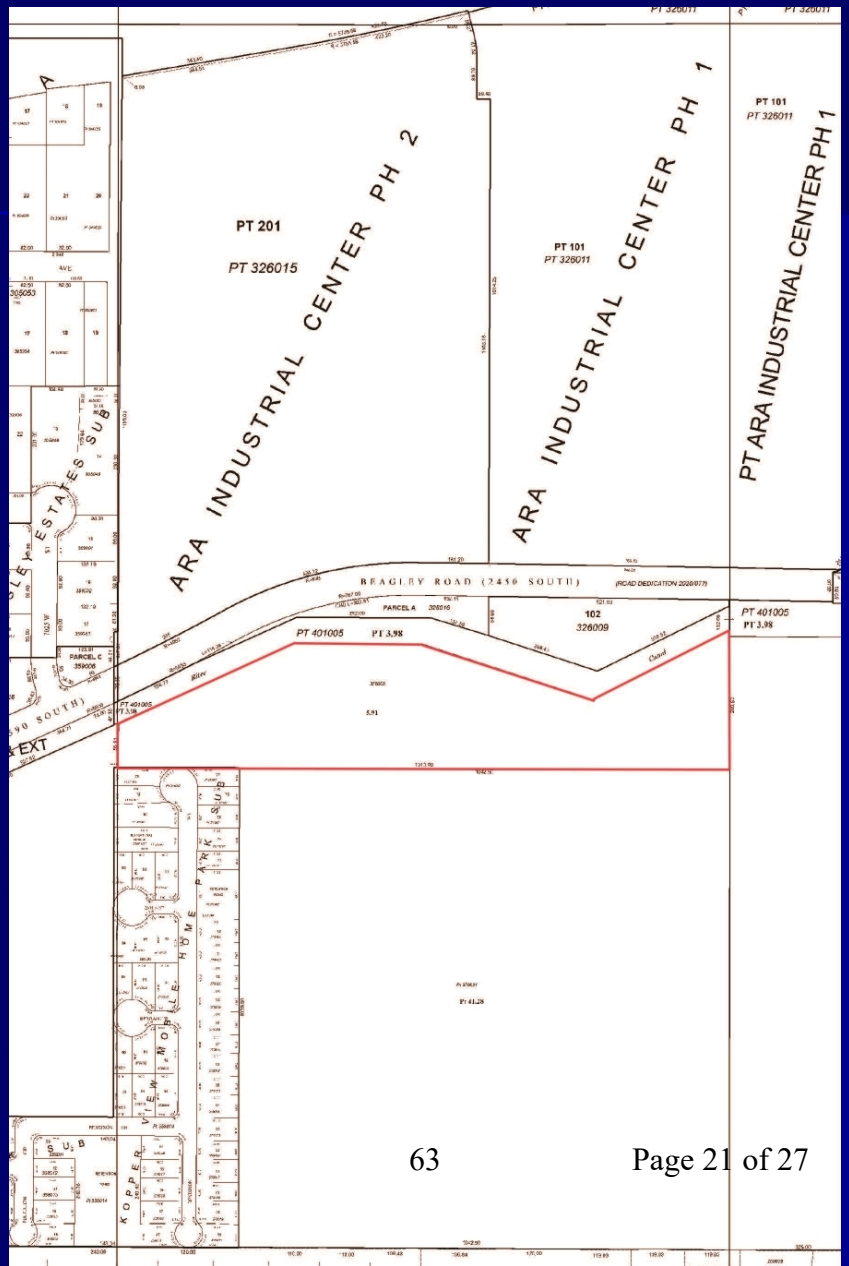


Private Street Section

APN: 14223760080000
Applicant/Owner: 7007 SERIES OF CHINITA, LL
Contact: Lieu Tran
Email: lieu@lachinita.com

GPZ-8-2023

Petition by LIEU TRAN requesting a change to the General Plan from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing). The property is located at 7007 West Apaloosa Drive on 5.91 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



GPZ-8-2023

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GPZ-8-2023

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GPZ-8-2023

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GPZ-8-2023

Petition by LIEU TRAN requesting a change to the General Plan from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing). The property is located at 7007 West Apaloosa Drive on 5.91 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: Westward Terrace

Budget Opening Required: ☐

ISSUE:

Application: #GPZ-7-2023
Applicant: Christopher Clifford
Location: 5143 West 3500 South
Size: 4.34 acres

SYNOPSIS:

A General Plan change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 units/acre) and a zone change from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential).

BACKGROUND:

The applicant is proposing to demolish the existing home and develop a 21-unit planned unit development (PUD) of twin homes and one single unit dwelling. The proposed density is 4.8 units/acre. The streets would be public and utilize the 44' right-of-way allowed in Section 7-13-705 for planned unit developments (PUDs) with attached units.

Last year, Mr. Clifford submitted a General Plan/zone change application on the same three parcels along with an additional parcel to the south. The General Plan request was the same (Small Lot Residential); however, the zoning requested was RS (Residential Sustainability). The Planning Commission recommended approval of the previous application on 2/9/2022; however, the City Council denied the application on 4/12/2022. One of the objections to the application was the use of private streets. A copy of the City Council meeting minutes from 4/12/2022 is included with this report. The City Council later prohibited the use of private streets by passing Ordinance 22-29 on 7/27/2022.

RECOMMENDATION:

The Planning Commission recommends approval subject to a development agreement.

SUBMITTED BY:

Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE AND LARGE LOT RESIDENTIAL (2 TO 3 UNITS/ACRE) TO SMALL LOT RESIDENTIAL (4 TO 7 UNITS/ACRE) FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH ON 4.34 ACRES.

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such General Plan amendment should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah that the General Plan be amended as follows:

SECTION 1. GENERAL PLAN AMENDMENT.

The property described in Application #GPZ-7-2023, filed by Christopher Clifford, and located at 5143 West 3500 South within West Valley City, is hereby amended by reclassifying the following described property from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 units/acre). Said property is more particularly described as follows:

Parcel #s 14-36-201-003, 14-36-201-004, and the following portion of 14-36-201-010: BEGINNING AT A POINT BEING SOUTH 00°09’13” EAST 609.37 FEET AND NORTH 89°50’47” WEST 242.99 FEET FROM THE NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°50'47" EAST 334.24 FEET; THENCE SOUTH 03°41'11" WEST 75.97 FEET; THENCE SOUTH 89°50'47" WEST 313.92 FEET; THENCE NORTH 11°31'14" WEST 77.32 FEET TO THE POINT OF BEGINNING.

SECTION 2. GENERAL PLAN MAP AMENDMENT.

The West Valley City General Plan Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH ON 4.34 ACRES FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL)

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in Application #GPZ-7-2023, filed by Christopher Clifford, and located at 5143 West 3500 South within West Valley City, is hereby classified from zone A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential), said property more particularly described as follows:

Parcel #s 14-36-201-003, 14-36-201-004, and the following portion of 14-36-201-010: BEGINNING AT A POINT BEING SOUTH 00°09’13” EAST 609.37 FEET AND NORTH 89°50’47” WEST 242.99 FEET FROM THE NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°50'47" EAST 334.24 FEET; THENCE SOUTH 03°41'11" WEST 75.97 FEET; THENCE SOUTH 89°50'47" WEST 313.92 FEET; THENCE NORTH 11°31'14" WEST 77.32 FEET TO THE POINT OF BEGINNING.

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: Westward Terrace

Budget Opening Required: ☐

ISSUE:
A resolution authorizing the City to enter into a development agreement with Matrix Capital Advisors, LC

SYNOPSIS:
This resolution authorizes a development agreement between the City and Matrix Capital Advisors, LC to establish minimum standards for a PUD at 5143 West 3500 South.

BACKGROUND:
Chris Clifford with Matrix Capital Advisors, LC has submitted a General Plan/zone change application (GPZ-7-2023) on 4.34 acres to change the zoning from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential) and to change the General Plan from Mixed Use and Large Lot Residential (2 to 3 units per acre) to Small Lot Residential (4 to 7 units per acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a summary of the standards in the development agreement:

- The number of homes is capped at 21.
- The minimum square footage of finished, above-ground, habitable floor space for homes is at least 1,650 square feet for single story ramblers and 2,400 square feet for two story dwellings.
- At least 20% of building exteriors will be brick or stone.
- All homes will be ENERGY STAR certified.
- A list of interior features for homes is included.
- A list of amenities is included.

RECOMMENDATION:
The Planning Commission recommends approval to the City Council.

SUBMITTED BY:
Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MATRIX CAPITAL ADVISORS, LC FOR APPROXIMATELY 4.34 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5143 WEST 3500 SOUTH.

WHEREAS, Matrix Capital Advisors, LC (herein "Developer") owns real property within the limits of West Valley City, Utah, on which Developer proposes to develop a residential project (herein the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein "Agreement"); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City's Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein the "Agreement") is entered into this _____ day of _____, 20____, by and between Matrix Capital Advisors, LC, a Utah limited liability company, (herein "Developer") for the land to be included in or affected by the project located at approximately 5143 West 3500 South in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the "City").

RECITALS

WHEREAS, Developer owns or is under contract to acquire approximately 4.34 acres of real property located at approximately 5143 West 3500 South in West Valley City, Utah, as described in Exhibit "A" (the "Property"), on which Developer proposes to establish minimum standards for a new residential development (the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Agreement; and

WHEREAS, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City's master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq*., and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit "A". No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.

2. **Reserved Legislative Powers**. Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards**. Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees, and compliance with the City's design and construction standards.

4. **Specific Design Conditions**. The Project shall be developed and constructed as set forth in the specific design conditions set forth in Exhibit "B". The Project shall also comply with all requirements set forth in the minutes of the City Council hearings on this matter.

5. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

7. **No Joint Venture, Partnership or Third Party Rights**. This Agreement neither creates any joint venture, partnership, undertaking or business arrangement between the parties hereto nor conveys any rights or benefits to third parties, except as expressly provided herein.

8. **Integration. Modification, and Entire Agreement**. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits "A" and "B" are hereby incorporated into this Agreement.

9. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:	Matrix Capital Advisors, LC Christopher Clifford 2715 Swasont Way Holladay, UT 84117
TO CITY:	West Valley City Wayne Pyle, City Manager 3600 Constitution Blvd. West Valley City, Utah 84119
WITH A COPY TO:	West Valley City Attorney's Office Attn: Brandon Hill 3600 Constitution Blvd. West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. **Choice of Law and Venue**. Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

11. **Court Costs**. In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

APPROVED AS TO FORM
WVC Attorney's Office

By: _____

Date: _____

DEVELOPER

By _____:

Its: _____

State of _____)
:ss
County of _____)

On this _____ day of _____, 20___, personally appeared before me_____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and affirmed that he or she is the _____of Matrix Capital Advisors, LC, a Utah limited liability company, and that said document was signed by him or her in behalf of said limited liability company by authority of its members or articles of organization, and he or she acknowledged to me that said entity executed the same.

_____
No tary Pu b lic

EXHIBIT A

LEGAL DESCRIPTION

Parcel #: 14-36-201-003
BEG 569 FT E & 40 FT S FR N 1/4 COR OF SEC 36, T 1S, R 2W, SL M; W 272 FT; S 438.37 FT; E 280 FT M OR L; N'LY 438.37 FT TO BEG. 2.78 AC M OR L.

Parcel #: 14-36-201-004
BEG S 478.37 FT & E 253.22 FT FR N 1/4 COR SEC 36, T 1S, R 2W, S L M; S 131 FT; E 332.5 FT M OR L; N'LY 131 FT M OR L; W 338 FT M OR L TO BEG. 1.0 AC M OR L.

Portion of Parcel #: 14-36-201-010
BEGINNING AT A POINT BEING SOUTH 00°09’13” EAST 609.37 FEET AND NORTH 89°50’47” WEST 242.99 FEET FROM THE NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°50'47" EAST 334.24 FEET; THENCE SOUTH 03°41'11" WEST 75.97 FEET; THENCE SOUTH 89°50'47" WEST 313.92 FEET; THENCE NORTH 11°31'14" WEST 77.32 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

DEVELOPMENT STANDARDS

Number of Units

1. The maximum number of dwellings units shall be 21.

Unit Sizes

2. The minimum square footage of finished, above-ground, habitable floor space for homes shall be at least 1,650 square feet for single story ramblers and 2,400 square feet for two story dwellings.
3. All homes shall include a basement unless soil conditions preclude basements as determined by a soils report.
4. A two-car garage shall be required for all new homes. The minimum interior dimensions of a garage shall be 20 feet by 20 feet.

Architecture

5. The roof of each home shall have a minimum pitch of 6:12.
6. Brick or stone shall be used on at least 20% of the exterior of all homes. The remainder of the exterior shall be fiber cement siding.
7. There shall be at least a one-foot setback difference between twin home units within the same building.
8. At least one alternative front rendering or elevation to the rendering in Exhibit C shall be developed and built for at least 6 of the proposed units. The alternative front elevation(s) or rendering(s) shall be reviewed and approved by the Planning Commission before a building permit is issued.
9. All homes shall be constructed substantially like the renderings in Exhibit C or the alternative front elevation(s) or rendering(s) approved by the Planning Commission as describe in item 8 above.
10. All homes shall be ENERGY STAR certified.

Home Interiors

11. All homes shall include the following interior finishes/features:
    a. Energy Star stainless steel appliances (refrigerator, range, range hood, dishwasher, and microwave)
    b. Range hood vented to the outside
    c. Granite, quartz or equivalent hard surface kitchen countertops
    d. Full height Travertine tile backsplash in kitchen
    e. Undermount kitchen sink
    f. ¾ horsepower garbage disposal with on/off air switch
    g. Walk-in kitchen pantry on at least two plans

h. Vaulted ceilings
i. Cabinets with full extension soft-close drawers
j. Air-sealed recessed can lighting in ceilings
k. Elongated toilets with soft close toilet seats
l. Solid core painted interior doors
m. Bullnose (rounded) drywall corners
n. Walk-in closets in master bedroom
o. 5″ baseboards on floors and 3″ door casing trim
p. Engineered hardwood floors (or similar) in main level common areas
q. Oil-rubbed bronze, brushed nickel or chrome faucets
r. Mud-set shower pan with built-in bench seat and porcelain tile with accent band in master shower
s. Separate wall, trim, and ceiling colors with two additional wall colors
t. Painted wood window sills with rounded bullnose edge on three sides

Project Amenities/Features

12. The right-of-way width for the extension of Kiowa Way shall be 54’ to accommodate parkstrip and sidewalk on both sides of the street.
13. Perimeter fencing along the west, south, and east sides shall be 6’ tall vinyl or composite. The perimeter fence along the north side shall be 6’ tall, pre-cast concrete in the same color and pattern used by the City along 4100 South.
14. An entry feature shall be included along 3500 South. The details of the entry feature shall be determined during the subdivision review process.
15. A 5’ wide area of landscaping shall be included between the sidewalk and precast concrete wall along 3500 South.
16. 17.5’ of property shall be dedicated along the entire frontage of 3500 South to accommodate future road widening.
17. Project amenities shall include a pavilion placed in the common area, a playground, and a walkway around the perimeter of the property.

EXHIBIT C

TYPICAL HOME EXTERIOR



THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, APRIL 12, 2022, AT 6:35 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 LANG. THE MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1 *(electronically)*
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large

STAFF PRESENT ELECTRONICALLY:

Wayne Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/ General Counsel
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief *(electronically)*
John Evans, Fire Chief
Jim Welch, Finance Director *(electronically)*
Steve Pastorik, CED Director
Layne Morris, CPD Director *(electronically)*
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
John Flores, HR Director *(electronically)*
Sam Johnson, Strategic Communications Director

OPENING CEREMONY- COUNCILMEMBER DON CHRISTENSEN

Councilmember Don Christensen provided a history of events that occurred on this day. He asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 5, 2022

The Council considered the Minutes of the Regular Meeting held April 5, 2022. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held April 5, 2022. Councilmember Harmon seconded the motion.

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

COMMENT PERIOD

A. **PUBLIC COMMENTS**

Jim Vesock stated that the County Council were talking about water usage and won't turn on sprinklers until at least May 15. He encouraged West Valley City to do the same. Mr. Vesock stated that he has attended several grand openings in the past few months and always hears how great West Valley City staff is to work with. He indicated that he heard from a resident that a Code Enforcement Employee treated them as person which was great to hear.

Mike Markham stated that he feels teachers should dress more professional instead of dressing like students. He indicated that Wayne took him to the Public Works shops and showed him the trailers being purchased for My Hometown. He expressed appreciation to Wayne and noted that he hopes My Hometown will make good use of them.

B. **CITY MANAGER COMMENTS**

Wayne Pyle, City Manager, had no comments.

C. **CITY COUNCIL COMMENTS**

Scott Harmon stated that he had a neighbor who almost got hit on a crosswalk at 4100 South and Accord Way. He noted that this is not an isolated incident and requested that the Police Department look into a resolution.

PUBLIC HEARINGS

A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-2-2022, FILED BY CHRISTPHER CLIFFORD, REQUESTING A GENERAL PLAN CHANGE FROM MIXED USE AND LARGE LOT RESIDENTIAL (2 TO 3 UNITS/ACRE) TO SMALL LOT RESIDENTIAL (4 TO 7 UNITS/ACRE) AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RS (RESIDENTIAL SUSTAINABILITY)**

Wayne Pyle informed a public hearing had been advertised for the Regular Council Meeting scheduled April 12, 2022, in order for the City Council to hear and

consider public comments regarding application GPZ-2-2022, Filed by Christopher Clifford, Requesting a General Plan Change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 units/acre) and a Zone Change from A (Agriculture, Minimum Lot Size 1/2 Acre) to RS (Residential Sustainability)

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

> The applicant is proposing to demolish the existing home and develop a 36-unit planned unit development (PUD) of single unit dwellings. The original proposal included 38 units; however, the applicant chose to remove 2 units. The proposed density is 6.1 units/acre. For reference, 6.5 units/acre is the maximum density allowed for a planned unit development in the RS zone. The RS zone allows for smaller lots in exchange for a development agreement commitment to build homes with high energy efficiency and low water use. The applicant's proposed development agreement incorporates all of the RS zone standards along with additional commitments.

Mayor Lang opened the Public Hearing.

Mike Edmonds stated that he is concerned about Kiowa Way being extended to 3500 South. He indicated that the road wasn't built to handle that type of traffic and would have a negative impact to the residents living in the area. Mr. Edmonds noted that the neighbors all like the idea of the subdivision and the proposed homes being built but are concerned about the connection into Kiowa Way.

Sheila Nichols agreed with Mr. Edmonds. She stated that she is concerned about increased traffic. Ms. Nichols stated that the residents in the area want the homes to be built and will welcome new homeowners into the community but don't want the extension of Kiowa Way.

Dale Inkly stated that he would like some clarification on the process. He indicated that the Planning Commission recommended that Kiowa Way not be extended and would like to know why the option of extending the street is back on the table.

Chris Clifford, the applicant, stated that the updated concept plan submitted to the City Council was at the request of the City Council. He indicated that the intent of this application is for a General Plan and Zone Change. He noted that this is an infill project and the homes constructed will be of a higher quality and will bring value to the entire neighborhood. Mr. Clifford noted that this property is irregularly shaped and requested flexibility on the design. He added that there was discussion of metering and HOA obligations and noted that all metering would be to the public

road. Mr. Clifford stated that the street surfacing would be the only HOA obligation aside from landscaping.

Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 22-13, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE AND LARGE LOT RESIDENTIAL (2-3 UNITS/ACRE) TO SMALL LOT RESIDENTIAL (4 TO 7 UNITS/ACRE) FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH

The City Council previously held a public hearing regarding proposed Ordinance 22-13 that would amend the General Plan to show a change of land use from Mixed Use and Large Lot Residential (2-3 units/acre) to Small Lot Residential (4 to 7 units/acre) for Property Located at 5143 West 3500 South.

Mayor Lang noted that Council requested the change to extending Kiowa Way. She indicated that a majority of the Council have concerns about private streets due to the lack of inspections, burden on homeowners, and Fire Department access. Mayor Lang indicated that the homes and their sustainability standards are phenomenal but she is concerned about the private streets.

Councilmember Harmon agreed with Mayor Lang and added that the street connection would also help with snow removal, street sweeping, and garbage collection. Councilmember Harmon noted that he believes this property would be better suited for the RE zone unless a really special proposal came forward for something else and he doesn't believe this is special enough.

Councilmember Huynh stated that he is concerned about the layout and the private streets.

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

Councilmember Huynh moved to deny Ordinance 22-13.

Councilmember Harmon seconded the motion.

Councilmember Fitisemanu asked what the difference of the street width from Kiowa Way to the new development would be. Steve replied both would be 26 feet.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous. Denied.

ACTION: ORDINANCE NO. 22-14, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH ON 5.9 ACRES FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RS (RESIDENTIAL SUSTAINABILITY)

The City Council previously held a public hearing regarding proposed Ordinance 22-14 that would amend the Zoning Map to show a change of Zone for property located at 5143 West 3500 South on 5.9 Acres from A (Agriculture, Minimum Lot Size 1/2 Acre) to RS (Residential Sustainability).

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

Councilmember Christensen moved to deny Ordinance 22-14.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous. Denied.

ACTION: RESOLUTION NO. 22-62, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MATRIX CAPITAL ADVISORS, LC FOR APPROXIMATELY 5.9 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5143 WEST 3500 SOUTH

Wayne Pyle, City Manager, discussed proposed Resolution 22-62 that would authorize the City to Enter into a Development Agreement with Matrix Capital Advisors, LC for Approximately 5.9 Acres of Property Located at Approximately 5143 West 3500 South.

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

> Chris Clifford with Matrix Capital Advisors, LC has submitted a General Plan/zone change application (GPZ-2-2022) on 5.9 acres to change the zoning from A (Agriculture, minimum lot size ½ acre) to RS (Residential Sustainability) and to change the General Plan from Mixed Use and Large Lot Residential (2 to 3 units per acre) to Small Lot Residential (4 to 7 units per acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.
>
> Below is a summary of the standards in the development agreement:
>
> - The number of homes is capped at 36.
> - The minimum square footage of finished, above-ground, habitable floor space for homes is at least 1,560 square feet for single story ramblers and 2,400 square feet for two story dwellings.
> - The RS zone standards for energy and water efficiency are included.
> - A list of interior features for homes is included.
> - A list of amenities is included.
> -

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

Councilmember Harmon moved to deny Resolution 22-62.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes

Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous. Denied.

B. **ACCEPT PUBLIC COMMENT REGARDING APPLICATION ZT-2-2022, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO ADD ARTIFICIAL TURF STANDARDS AND AMEND SEVERAL LANDSCAPING STANDARDS**

Wayne Pyle, City Manager, informed a public hearing had been advertised for the Regular Council Meeting scheduled April 12, 2022, in order for the City Council to hear and consider public comments regarding Application ZT-2-2022, filed by West Valley City, Requesting a Zone Text Change to Add Artificial Turf Standards and Amend Several Landscaping Standards

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

> West Valley City has aggressively pursued water conservation solutions in a strategic way since 2014. By implementing water conservation efforts by ordinance and practice the City has accomplished a great deal of savings and conservation. As we continue to see drought conditions the City Council desires to set forth publicly its ongoing commitment and to recognize its water partners in this effort. The City's water partners have also requested this restatement of conservation efforts.

Mayor Lang opened the Public Hearing.

Mike Markham asked if the ordinance would clarify the size of rocks or gravel. Steve Pastorik, CED, stated that there are no changes to that section of the code proposed in this ordinance. He added that there is currently no standard for gravel size.

Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 22-15, ENACT SECTION 7-2-127 AND AMEND SECTIONS 7-6-203, 7-6-303, 7-10-103, 7-11-205, AND 7-16-103 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS CONCERNING ARTIFICIAL LANDSCAPING

The City Council previously held a public hearing regarding proposed Ordinance 22-15 that would enact Section 7-2-127 and Amend Sections 7-6-203, 7-6-303, 7-10-103, 7-11-205, and 7-16-103 of the West Valley City Municipal Code to Amend Certain Requirements Concerning Artificial Landscaping.

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

Councilmember Fitisemanu asked if the City would be liable for the extra heat that comes from artificial grass. Wayne replied no.

Councilmember Christensen moved to approve Ordinance 22-15.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-63: AFFIRM WEST VALLEY CITY'S WATER CONSERVATION HISTORICAL SUCCESS, CURRENT PLAN, AND FUTURE EFFORT

Wayne Pyle, City Manager, discussed proposed Resolution 22-63 that would affirm West Valley City's Water Conservation Historical Success, Current Plan, and Future Effort.

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

While the City currently allows artificial turf as non-living landscaping, there are no standards for the quality, installation, or maintenance of artificial turf. Given the ongoing drought, staff anticipates more interest in this form of landscaping. In summary, the proposed artificial turf standards address the appropriate locations for, appearance, color, minimum height, minimum weight, warranty, installation, borders, and maintenance of artificial turf.

In addition to setting minimum standards for artificial turf, the proposed ordinance would allow artificial turf to count as live plant material for up to half of the required live plant material in all zones. The proposed ordinance would also allow artificial turf as an alternative to lawn along major arterial streets. This

revision would address concerns the City has heard from several parties about requiring lawn.

The changes proposed in Section 7-11-205 would amend how the amount of required live plant material is calculated for the front yards of single unit dwellings. Currently, the amount of required live plant material is 50% of the net landscaped area where the net landscaped area is the area of the front yard less the driveway. Since the size of driveways can vary from lot to lot, the amount of required live plant material changes from lot to lot. To simplify the calculation and standardize the requirement for all lots, the proposed live plant material percentage is 30%. This percentage was derived by removing the maximum allowable hard surfacing (40%) and then dividing the remaining area by two.

Lastly, the proposed change would update the required irrigation controller for commercial and multi-family residential developments to a Watersense labeled smart irrigation controller that automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. This is the type of irrigation controller recommended by the Jordan Valley Water Conservancy District.

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

Councilmember Fitisemanu moved to approve Resolution 22-63.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-64: AWARD A CONTRACT TO PAULSEN CONSTRUCTION FOR THE CONSTRUCTION OF THE JUSTICE COURTS FACILITY CONSTRUCTION PROJECT

Wayne Pyle, City Manager, discussed proposed Resolution 22-64 that would award a Contract to Paulsen Construction for the Construction of the Justice Courts Facility Construction Project.

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

> The West Valley City Justice Courts, City Prosecuting Offices, and Victims Services are housed in the old Public Safety Facility. This facility does not have the technology, construction value, or necessary components to operate safely and to offer full productivity. This facility has become unsafe, antiquated, and is no longer a viable location to house these City Functions. The cost of renovating the existing public safety facility is also not a viable solution. The old Public Safety Facility is scheduled to be demolished to make space for a new commercial construction in the City Center.
>
> The City has purchased the State Juvenile Facility attached to the south side of City Hall to house the Justice Courts and Prosecuting offices. The renovation of this facility will provide the adequate space for these functions and provide the latest technological standards. This facility will be a secure and safe environment for employees and members of the public. With this purchase and renovation, City Hall and the Justice Courts will provide a single building access for citizens.
>
> We have partnered with Paulsen Construction in the past as they have built our Fire Stations a few years ago with favorable outcome. Paulsen Construction will provide the renovation and reconstruction of this space with the utmost professionalism and up to date standards of construction and components that will make this facility a viable operation for a long time.

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

Councilmember Whetstone moved to approve Resolution 22-64.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes

Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-65: AWARD A CONTRACT TO STRATTEN AND BRATT FOR THE CONSTRUCTION OF THE ROCKY RIDGE PARK PROJECT

Wayne Pyle, City Manager, discussed proposed Resolution 22-65 that would award a Contract to Stratten and Bratt for the Construction of the Rocky Ridge Park Project.

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

Rocky Ridge Park is located at 5250 S. Summer Ridge Dr. It is 1.44 acres of land that is currently a vacant lot. This project will construct a complete park, including: playground, pavilion, picnic tables, benches, walking path, exercise equipment, trees, shrubs, drinking fountain, and an open grass area. Through online surveys and public meetings, residents of the area have been involved in the project from the naming of the park to desired features.

Bids for construction were solicited and five bidders responded:

Van Con Inc –	$967,376.00
MC Green and Sons Inc -	$1,303,636.00
Wasatch West -	$1,048,162.00
Stratten and Bratt -	$947,544.35

Stratten and Bratt was selected as the lowest responsible bidder. Construction will begin before mid April.

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

Councilmember Harmon moved to approve Resolution 22-65.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent

Mayor Lang	Yes

Unanimous.

RESOLUTION 22-66: AWARD A CONTRACT TO ACME CONSTRUCTION FOR THE CONSTRUCTION OF THE 2022 PEDESTRIAN RAMP PROJECT

Wayne Pyle, City Manager, discussed proposed Resolution 22-66 that would award a Contract to Acme Construction for the Construction of the 2022 Pedestrian Ramp Project.

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

> Bids for the project were opened on March 22, 2022, a total of two (2) bids were received. The lowest responsible bidder was Acme Construction in the amount of $274,250.00. This project will construct new pedestrian access ramps at various locations throughout the city. Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

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

Councilmember Whetstone noted that costs for everything are going up. He questioned what would happen if the cost for work exceeds what is approved. Wayne replied that the approval includes extra funding for minor issues that may arise but noted that any major change or increase in cost would need to return to the Council.

Councilmember Whetstone moved to approve Resolution 22-66.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-67: AUTHORIZE THE EXECUTION OF A RELOCATION

REIMBURSEMENT AGREEMENT WITH ZAYO GROUP, LLC
Wayne Pyle, City Manager, discussed proposed Resolution 22-67 that would authorize the Execution of a Relocation Reimbursement Agreement with Zayo Group, LLC

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

> The city has asked Zayo to bury their overhead facilities on 4700 South between 4800 West and 5600 West. Zayo has agreed to perform all necessary work to bury their overhead lines in advance of the upcoming 4700 South Reconstruction project. The burial of overhead utilities prior to the roadway reconstruction project is critical to the schedule of that project.
>
> Zayo will schedule the relocation work upon execution of this agreement. The total cost for work to be done by Zayo is $184,000 which will be paid from transportation bond funds.

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

Councilmember Harmon moved to approve Resolution 22-67.

Councilmember Whetstone seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Absent
Mayor Lang	Yes

Unanimous.

MOTION FOR CLOSED SESSION
Councilmember Fitisemanu moved to adjourn and reconvene in a Closed Session for discussion of pending litigation. Councilmember Christensen seconded the motion.

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, APRIL 12, 2022 WAS ADJOURNED AT 7:25 P.M. BY MAYOR LANG.

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, April 12, 2022.

_____
Nichole Camac, CMC
City Recorder

THE WEST VALLEY CITY COUNCIL RECONVENED IN CLOSED SESSION ON TUESDAY, APRIL 12, AT 6:27 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager
Eric Bunderson, City Attorney

The City Council met in Closed Session and discussed pending litigation.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE CLOSED SESSION OF APRIL 12, 2022 WAS ADJOURNED AT 7:40 P.M. BY MAYOR LANG.

_____
Nichole Camac – City Recorder

GPZ-7-2023 MINUTES
AUGUST 9, 2023 PLANNING COMMISSION PUBLIC HEARING

GPZ-7-2023
Chris Clifford
5143 W 3500 S
General Plan change from Mixed Use and Large Lot Residential to Small Lot Residential and a zone change from A to RM
4.34 acres

Chris Clifford has submitted a General Plan/zone change application for three parcels totaling 4.34 acres located at 5143 W 3500 S. The property is currently zoned A (Agriculture, minimum lot size ½ acre) with a General Plan designation of Mixed Use for approximately the north 230' and Large Lot Residential (2 to 3 units/acre) for the rest of the property. At this location, the Mixed Use designation includes Office and High Density Residential (12 to 20 units/acre). The proposed zone is RM (Multiple Unit Dwelling Residential) and the proposed General Plan designation is Small Lot Residential (4 to 7 units/acre).

Surrounding zones include A to the south, west, and a portion of the east and R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet) to the north and the remaining east portion. Surrounding land uses include single family homes to the north, south, and east and single family homes and a six-plex to the west. The north parcel includes a home that, according to the Salt Lake County Assessor, was built in 1900. The two parcels to the south are vacant.

At the time this report was prepared, staff had received one email from an adjoining neighbor who is opposed to this application. The email is included with this report.

Development Proposal

As shown in the attached concept plan and rendering, the applicant is proposing to demolish the existing home and develop a 21-unit planned unit development (PUD) of twin homes and one single unit dwelling. The proposed density is 4.8 units/acre. The streets would be public and utilize the 44' right-of-way allowed in Section 7-13-705 for planned unit developments (PUDs) with attached units.

The Fire and Public Works Departments will require a cul-de-sac at the south end of the property. In addition, the City's ordinance requires 4.75 parking spaces for single unit dwellings and twin homes dwellings. The applicant is aware of both of these requirements.

Previous Application

Last year, Mr. Clifford submitted a General Plan/zone change application on the same three parcels along with an additional parcel to the south. The General Plan request was the same (Small Lot Residential); however, the zoning requested was RS (Residential Sustainability). A table comparing this previous proposal with the current proposal is below.

	Previous Application	Current Application
Requested Zone	RS	RM
Project Area	5.87 acres	4.34 acres
# of Parcels	4	3
# of Units	36	21
Density	6.1 units/acre	4.8 units/acre
Street Type	Private	Public
Proposed Unit Type	Single Unit Detached	Twin Home
Proposed Unit Sizes	1,560 sq. ft. for ramblers 2,400 sq. ft. for two-story	1,650 sq. ft. for ramblers 2,400 sq. ft. for two-story

The Planning Commission recommended approval of the previous application on 2/9/2022; however, the City Council denied the application on 4/12/2022. One of the objections to the application was the use of private streets. A copy of the City Council meeting minutes from 4/12/2022 is included with this report. The City Council later prohibited the use of private streets by passing Ordinance 22-29 on 7/27/2022.

In reviewing this application, staff suggests that there are two primary questions to answer:

1. Is this the right location for a twin home development?

2. Does the quality of the project further City goals?

These two questions are explored below.

Question 1: Is this the right location for a twin home development?

RM Zone Conditions
According to the City's zoning ordinance, zone changes to the RM zone can only be considered by the City if the following four conditions are met:

1. For properties without existing Structures which are proposed to be developed, the property must be a minimum of one acre and the Density must not exceed 12 units per acre. For properties with existing Structures proposed to be redeveloped, the property must be a minimum of 20,000 square feet and the Density must not exceed 20 units per acre. For properties that are west of Redwood Road and within one-half mile of the West Valley Central light rail station, the Decker Lake light rail station or the Redwood Junction light rail station, the Density may exceed 20 units per acre;

2. The property shall meet any one of the following four requirements: (i) have access and Frontage on a Street with a planned Right-of-way width of at least 80 feet (for properties under two acres) or 100 feet (for properties two acres or larger) as indicated on the Major Street Plan; (ii) be adjacent to existing multifamily residential development on two sides; or (iii) be located west of Redwood Road and within one-half mile of the West Valley Central light rail station, the Decker Lake light rail station, or the Redwood Junction light rail station; or (iv) if the property is vacant, was vacant as of January 19, 2021, will be an exempt housing development under 24 CFR 100.304 or successor regulation with a

density no greater than seven units per acre, and have access and Frontage on a Street with a planned Right-of-way width of at least 80 feet;

3. A Development Agreement must be proposed with the zone change application that addresses Dwelling Unit sizes, exterior materials, architecture, Landscaping, and project Amenities; and

4. A traffic impact study prepared by a registered traffic engineer is required for projects with 100 or more Dwelling Units.

On the first and second conditions, the property has access and frontage onto 3500 South, which has a planned right-of-way width of 115'. On the third condition, the applicant's development agreement standards are addressed later in this report. The fourth condition does not apply because the project is under 100 units.

Current General Plan Designation and Neighboring Zoning

In the General Plan, the north 1.5 acres of the subject property includes the option of High Density Residential, which has a density range of 12 to 20 units/acre. The remaining 2.8 acres of the subject property is designated as Large Lot Residential, which has a density range of 2 to 3 units/acre. The table below summarizes the number of units anticipated in the General Plan at the low and high ends of the density ranges for the subject property.

General Plan Designation and Density Range	Number of Acres	Number of Units at Low End of the Density Range	Number of Units at High End of the Density Range
High Density Residential (12 to 20 units/acre)	1.5	18	30
Large Lot Residential (2 to 3 units/acre)	2.8	5.6	8.4
Totals	4.3	23.6	38.4

In summary, for a project to comply with the existing General Plan designation, the number of units would range from 24 to 38. At 21 units, the proposed project falls below this range with the density spread out over the entire site instead of being mostly concentrated along 3500 South as the existing General Plan recommends.

As pointed out earlier, zoning in the surrounding neighborhoods is R-1-8. Typical density within the R-1-8 zone is around 4.2 units/acre. The proposed density of the project of 4.8 units/acre is closer to the typical density within the R-1-7 zone.

Question 2: Does the quality of the project further City goals?

As mentioned earlier, the proposed density of this project is somewhat higher than the density in the surrounding neighborhoods. For PUDs, the City's ordinance allows for a density increase; however, any increase in density must be compensated by increased amenities and improved

design which are proportional to the density increase. The sections that follow address dwelling unit size, exterior building features, and amenities.

Dwelling Unit Sizes
The City's ordinance sets the minimum size for single unit dwellings, twin homes, and two unit dwellings at 1,000 square feet. This ordinance amount is limited by State law unless a development agreement requires a larger amount. The applicant is proposing a 1,650 square foot minimum area for rambler units and a 2,400 square foot minimum for two-story unit. All units would include basements. For comparison, the City's ordinance sets the minimum size for a three-bedroom townhome at 1,400 square feet.

Exterior Building Features
The applicant is proposing the following exterior building design features:

- primarily fiber cement siding exteriors with 10 to 20% of the exteriors as brick or stone,
- a minimum roof pitch of 6:12, and
- variations in designs and setbacks.

Amenities
The applicant is proposing the following project amenities:

- a pavilion placed in the common area,
- a playground, and
- a walkway around the perimeter of the property.

Staff Suggestions

In addition to the standards proposed by the applicant, staff recommends these additional standards along with a revision to the applicant's standards.

- Number of units: The number of units shall be no more than 21.
- Fencing: Perimeter fencing along the west, south, and east sides shall be 6' tall vinyl. The perimeter fence along the north side shall be 6' tall, pre-cast concrete in the same color and pattern used by the City along 4100 South. An entry feature shall also be included along 3500 South. A 5' wide area of landscaping shall be included between the sidewalk and precast concrete wall along 3500 South.
- Architecture: At least one alternative front elevation shall be developed and built for at least 6 of the proposed units. The alternative front elevation shall be reviewed and approved by the Planning Commission during the subdivision plat review. Brick or stone shall be used on at least 20% of the exterior of all homes. There shall be at least a one-foot setback difference between twin home units within the same building.
- Right-of-way dedication: 17.5' shall be dedicated along the entire frontage of 3500 South.
- The right-of-way width for the extension of Kiowa Way shall be 54' to accommodate parkstrip and sidewalk on both sides of the street.

Staff Alternatives:

1. Approval. This application should be approved subject to a development agreement that includes the standards proposed by the applicant along with the additions and revision recommended by staff in this report.

2. Continuance.

3. Denial. Given the Large Lot Residential designation in the General Plan, the RE zone is more appropriate for most of the property at this location.

Discussion: Steve Pastorik presented the application.

Chair Woodruff pointed out that there is not enough room for future residents to park in front of their homes. Steve said that there would be enough room. He explained that the ordinance states that a development like the one proposed needs at least an eighteen-foot setback. He believes the applicant is proposing twenty feet.

Chris Clifford, the applicant, said that his first proposal was denied by City Council primarily because of the proposed private streets. He explained that with this proposal, there would be public streets. Mr. Clifford noted they are requesting to change the zone to RM because that zone gives them the flexibility to attain the goal of this project. He stated that they did not want a high-density development; the original proposal was for single-family homes. Mr. Clifford noted that single-family homes would not work, so they used the same product and abutted them, making twin homes. He explained that this multigenerational development, with a strong HOA, would create a tight-knit community.

Chair Woodruff asked Mr. Clifford if this would be the right location for a twin home development? Mr. Clifford stated that the size and configuration of the development is what makes it fit in this location. He said that these buildings are single-family plans that we turned into twin homes. Mr. Clifford mentioned that it might be possible to split a couple of twin homes and incorporate a couple single-family homes.

Chair Woodruff asked if the quality of the project meets the City's goals. Mr. Clifford explained that as stated in the development agreement these buildings would have more amenities than required and high quality structures. He said this project would help increase property values.

Commissioner Winters stated that he feels this is a good location for the development and he likes that it is smaller and low-density.

Motion: Commissioner Winters motioned to approve GPZ-7-2023. This application should be approved subject to a development agreement that

includes the standards proposed by the applicant along with the additions and revision recommended by staff in this report.

Commissioner Porter seconded the motion.

Roll Call Vote:	Commissioner Porter	Yes
	Chair Woodruff	Yes
	Commissioner Winters	Yes
	Chair McEwen	No

Motion does not carry.

Discussion: Commissioner McEwen feels there are better locations for the project than this one. He pointed out that most townhome developments become eye sores over time, and the buildings are much larger than the adjacent single-family homes.

Commissioner Winters mentioned that he felt better about this proposal when he found out twin homes are sold as separate units to individual owners instead of rented out like a duplex.

Chris Clifford stated that the intent of this development is to have a fully invested community. He noted that there would be strict rules if one were to rent one of these units. Mr. Clifford explained that no long-term or overnight rentals would be permitted, and not all units could be rented.

Commissioner Winters noted that a strong HOA would help maintain the property well.

Steve Pastorik suggested that the Commission continue this application where only four Commissioners are present.

Second Motion: Commissioner Porter motioned to continue GPZ-7-2023 to the August 23rd public hearing.

Commissioner Winters seconded the motion.

Roll Call Vote:	Commissioner Porter	Yes
	Chair Woodruff	Yes
	Commissioner Winters	Yes
	Chair McEwen	Yes

Unanimously – GPZ-7-2023 – Continued

GPZ-7-2023 MINUTES
AUGUST 23, 2023 PLANNING COMMISSION PUBLIC HEARING

GPZ-7-2023
Chris Clifford
5143 W 3500 S
General Plan change from Mixed Use and Large Lot Residential to Small Lot Residential and a zone change from A to RM
4.34 acres

This application was continued by the Planning Commission during the public meeting on August 9, 2023.

Chris Clifford has submitted a General Plan/zone change application for three parcels totaling 4.34 acres located at 5143 W 3500 S. The property is currently zoned A (Agriculture, minimum lot size ½ acre) with a General Plan designation of Mixed Use for approximately the north 230' and Large Lot Residential (2 to 3 units/acre) for the rest of the property. At this location, the Mixed Use designation includes Office and High Density Residential (12 to 20 units/acre). The proposed zone is RM (Multiple Unit Dwelling Residential) and the proposed General Plan designation is Small Lot Residential (4 to 7 units/acre).

Surrounding zones include A to the south, west, and a portion of the east and R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet) to the north and the remaining east portion. Surrounding land uses include single family homes to the north, south, and east and single family homes and a six-plex to the west. The north parcel includes a home that, according to the Salt Lake County Assessor, was built in 1900. The two parcels to the south are vacant.

At the time this report was prepared, staff had received one email from an adjoining neighbor who is opposed to this application. The email is included with this report.

Development Proposal

As shown in the attached concept plan and rendering, the applicant is proposing to demolish the existing home and develop a 21-unit planned unit development (PUD) of twin homes and one single unit dwelling. The proposed density is 4.8 units/acre. The streets would be public and utilize the 44' right-of-way allowed in Section 7-13-705 for planned unit developments (PUDs) with attached units.

The Fire and Public Works Departments will require a cul-de-sac at the south end of the property. In addition, the City's ordinance requires 4.75 parking spaces for single unit dwellings and twin homes dwellings. The applicant is aware of both of these requirements.

Previous Application

Last year, Mr. Clifford submitted a General Plan/zone change application on the same three parcels along with an additional parcel to the south. The General Plan request was the same (Small Lot Residential); however, the zoning requested was RS (Residential Sustainability). A table comparing this previous proposal with the current proposal is below.

	Previous Application	Current Application
Requested Zone	RS	RM
Project Area	5.87 acres	4.34 acres
# of Parcels	4	3
# of Units	36	21
Density	6.1 units/acre	4.8 units/acre
Street Type	Private	Public
Proposed Unit Type	Single Unit Detached	Twin Home
Proposed Unit Sizes	1,560 sq. ft. for ramblers 2,400 sq. ft. for two-story	1,650 sq. ft. for ramblers 2,400 sq. ft. for two-story

The Planning Commission recommended approval of the previous application on 2/9/2022; however, the City Council denied the application on 4/12/2022. One of the objections to the application was the use of private streets. A copy of the City Council meeting minutes from 4/12/2022 is included with this report. The City Council later prohibited the use of private streets by passing Ordinance 22-29 on 7/27/2022.

In reviewing this application, staff suggests that there are two primary questions to answer:

1. Is this the right location for a twin home development?

2. Does the quality of the project further City goals?

These two questions are explored below.

Question 1: Is this the right location for a twin home development?

RM Zone Conditions

According to the City's zoning ordinance, zone changes to the RM zone can only be considered by the City if the following four conditions are met:

1. For properties without existing Structures which are proposed to be developed, the property must be a minimum of one acre and the Density must not exceed 12 units per acre. For properties with existing Structures proposed to be redeveloped, the property must be a minimum of 20,000 square feet and the Density must not exceed 20 units per acre. For properties that are west of Redwood Road and within one-half mile of the West Valley Central light rail station, the Decker Lake light rail station or the Redwood Junction light rail station, the Density may exceed 20 units per acre;

2. The property shall meet any one of the following four requirements: (i) have access and Frontage on a Street with a planned Right-of-way width of at least 80 feet (for properties under two acres) or 100 feet (for properties two acres or larger) as indicated on the Major Street Plan; (ii) be adjacent to existing multifamily residential development on two sides;

or (iii) be located west of Redwood Road and within one-half mile of the West Valley Central light rail station, the Decker Lake light rail station, or the Redwood Junction light rail station; or (iv) if the property is vacant, was vacant as of January 19, 2021, will be an exempt housing development under 24 CFR 100.304 or successor regulation with a density no greater than seven units per acre, and have access and Frontage on a Street with a planned Right-of-way width of at least 80 feet;

3. A Development Agreement must be proposed with the zone change application that addresses Dwelling Unit sizes, exterior materials, architecture, Landscaping, and project Amenities; and

4. A traffic impact study prepared by a registered traffic engineer is required for projects with 100 or more Dwelling Units.

On the first and second conditions, the property has access and frontage onto 3500 South, which has a planned right-of-way width of 115'. On the third condition, the applicant's development agreement standards are addressed later in this report. The fourth condition does not apply because the project is under 100 units.

Current General Plan Designation and Neighboring Zoning

In the General Plan, the north 1.5 acres of the subject property includes the option of High Density Residential, which has a density range of 12 to 20 units/acre. The remaining 2.8 acres of the subject property is designated as Large Lot Residential, which has a density range of 2 to 3 units/acre. The table below summarizes the number of units anticipated in the General Plan at the low and high ends of the density ranges for the subject property.

General Plan Designation and Density Range	Number of Acres	Number of Units at Low End of the Density Range	Number of Units at High End of the Density Range
High Density Residential (12 to 20 units/acre)	1.5	18	30
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Totals	4.3	23.6	38.4

In summary, for a project to comply with the existing General Plan designation, the number of units would range from 24 to 38. At 21 units, the proposed project falls below this range with the density spread out over the entire site instead of being mostly concentrated along 3500 South as the existing General Plan recommends.

As pointed out earlier, zoning in the surrounding neighborhoods is R-1-8. Typical density within the R-1-8 zone is around 4.2 units/acre. The proposed density of the project of 4.8 units/acre is closer to the typical density within the R-1-7 zone.

Question 2: Does the quality of the project further City goals?

As mentioned earlier, the proposed density of this project is somewhat higher than the density in the surrounding neighborhoods. For PUDs, the City's ordinance allows for a density increase; however, any increase in density must be compensated by increased amenities and improved design which are proportional to the density increase. The sections that follow address dwelling unit size, exterior building features, and amenities.

Dwelling Unit Sizes

The City's ordinance sets the minimum size for single unit dwellings, twin homes, and two unit dwellings at 1,000 square feet. This ordinance amount is limited by State law unless a development agreement requires a larger amount. The applicant is proposing a 1,650 square foot minimum area for rambler units and a 2,400 square foot minimum for two-story unit. All units would include basements. For comparison, the City's ordinance sets the minimum size for a three-bedroom townhome at 1,400 square feet.

Exterior Building Features

The applicant is proposing the following exterior building design features:

- primarily fiber cement siding exteriors with 10 to 20% of the exteriors as brick or stone,
- a minimum roof pitch of 6:12, and
- variations in designs and setbacks.

Amenities

The applicant is proposing the following project amenities:

- a pavilion placed in the common area,
- a playground, and
- a walkway around the perimeter of the property.

Staff Suggestions

In addition to the standards proposed by the applicant, staff recommends these additional standards along with a revision to the applicant's standards.

- Number of units: The number of units shall be no more than 21.
- Fencing: Perimeter fencing along the west, south, and east sides shall be 6' tall vinyl. The perimeter fence along the north side shall be 6' tall, pre-cast concrete in the same color and pattern used by the City along 4100 South. An entry feature shall also be included along 3500 South. A 5' wide area of landscaping shall be included between the sidewalk and precast concrete wall along 3500 South.
- Architecture: At least one alternative front elevation shall be developed and built for at least 6 of the proposed units. The alternative front elevation shall be reviewed and approved by the Planning Commission during the subdivision plat review. Brick or stone shall be used on at least 20% of the exterior of all homes. There shall be at least a one-foot setback difference between twin home units within the same building.
- Right-of-way dedication: 17.5' shall be dedicated along the entire frontage of 3500 South.

- The right-of-way width for the extension of Kiowa Way shall be 54’ to accommodate parkstrip and sidewalk on both sides of the street.

Staff Alternatives:

1. Approval. This application should be approved subject to a development agreement that includes the standards proposed by the applicant along with the additions and revision recommended by staff in this report.

2. Continuance.

3. Denial. Given the Large Lot Residential designation in the General Plan, the RE zone is more appropriate for most of the property at this location.

Discussion: Steve Pastorik explained that this application was continued from the last public hearing, and he will review it for the Commission today.

The applicant, Chris Clifford, said that they requested the RM zone because it is the only zone permitting a planned unit development that would work on the subject property. He pointed out that the RM zone would allow him to request a density of 20 units/acre, but he opted to ask for five units/acre, which is a better fit for the neighborhood. Mr. Clifford noted that they have other twin home developments in Utah, which have been successful. He stated they want to develop a high-quality product to target an upscale buyer type. These are people who have money and like to spend money. Mr. Clifford explained that the proposed homes would be owner-occupied and invested in the community.

Commissioner Winters asked Steve to remind him of the required square footage for a single-family home. Steve stated that for a rambler-style home, it was 2,000 square feet; however, with the change in the legislature, it is 1,000 square feet. Commissioner Winters asked if the 2,000 square feet included basements. Steve said that it is above grade.

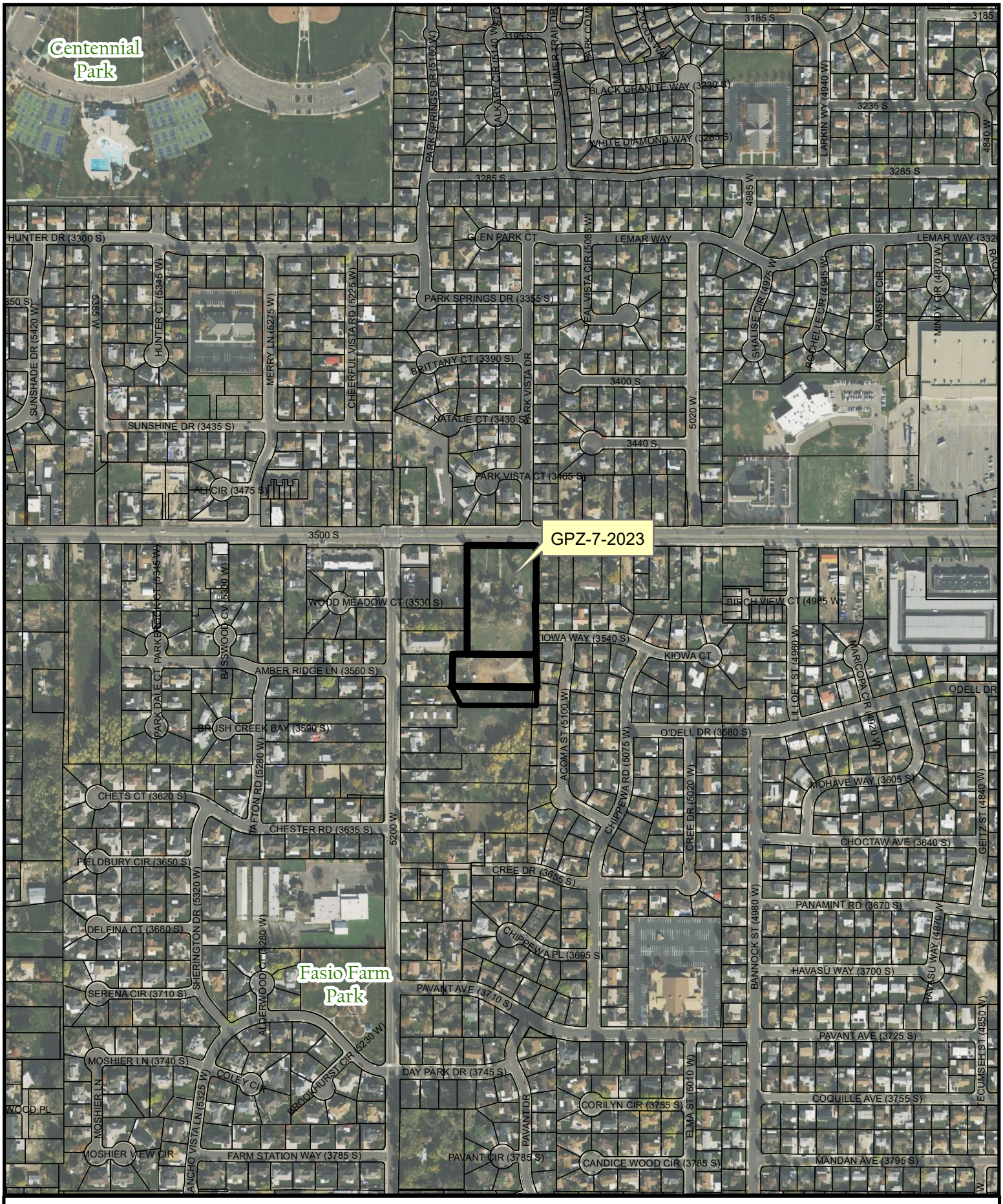
Commissioner Winters said he has thought about this proposal a lot and has no issues with this project; it looks nice. He stated that he is okay with the units being a bit smaller and that it is a twin home development, not single-family.

Motion: Commissioner Winters motioned to approve GPZ-7-2023. This application should be approved subject to a development agreement that includes the standards proposed by the applicant along with the additions and revision recommended by staff in this report.

Commissioner Porter seconded the motion.

Roll Call Vote:	Commissioner Porter	Yes
	Commissioner Winters	Yes
	Commissioner Lovato	Yes
	Chair Fuller	Yes
	Commissioner Wood	Yes
	Commissioner Woodruff	Yes
	Commissioner McEwen	No

Majority – GPZ-7-2023 – Approved



GPZ-7-2023
Christopher Clifford
5143 West 3500 South

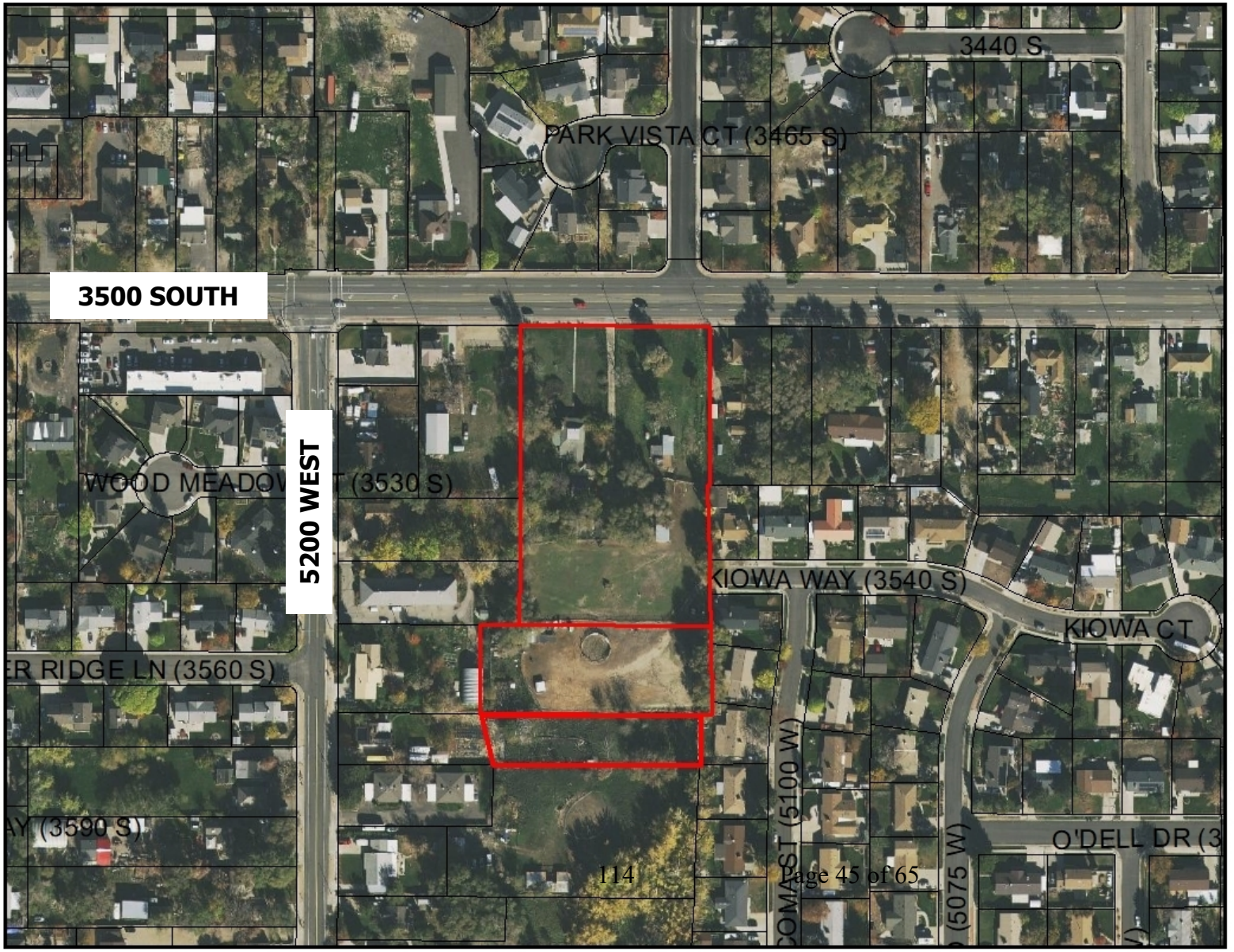
GPZ-7-2023

Petition by CHRISTOPHER CLIFFORD requesting a General Plan change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 units/acre) and a zone change from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential). The property is located at 5143 West 3500 South on 4.34 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov) (Continued from the August 9th public hearing)



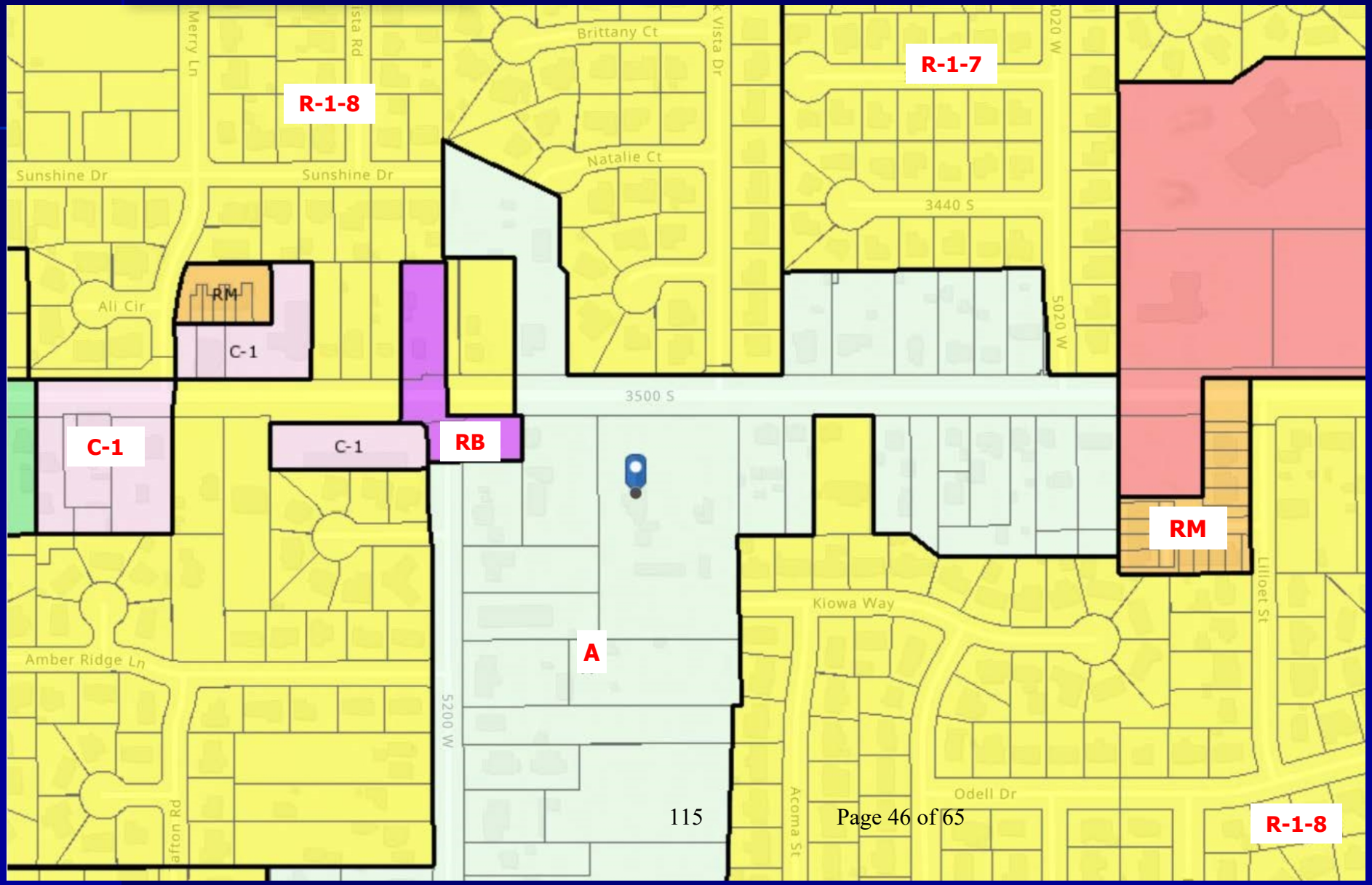
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GPZ-7-2023

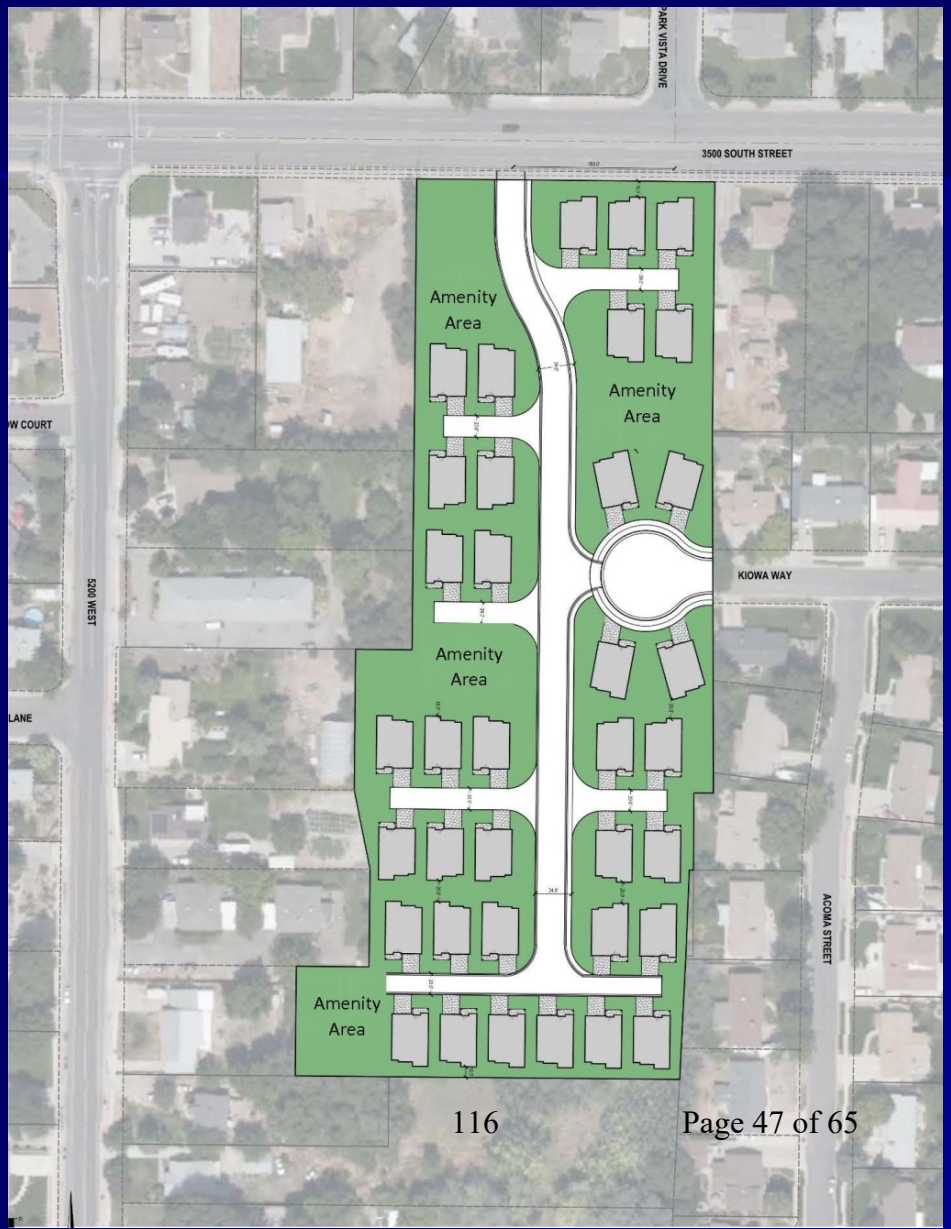
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GPZ-7-2023

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(Continued from the August 9th public hearing)

2022 PROPOSAL



GPZ-7-2023

Petition by CHRISTOPHER CLIFFORD requesting a General Plan change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 units/acre) and a zone change from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential). The property is located at 5143 West 3500 South on 4.34 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov) (Continued from the August 9th public hearing)

2022 PROPOSAL

TWO STORY EXTERIOR





GPZ-7-2023

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2022 PROPOSAL

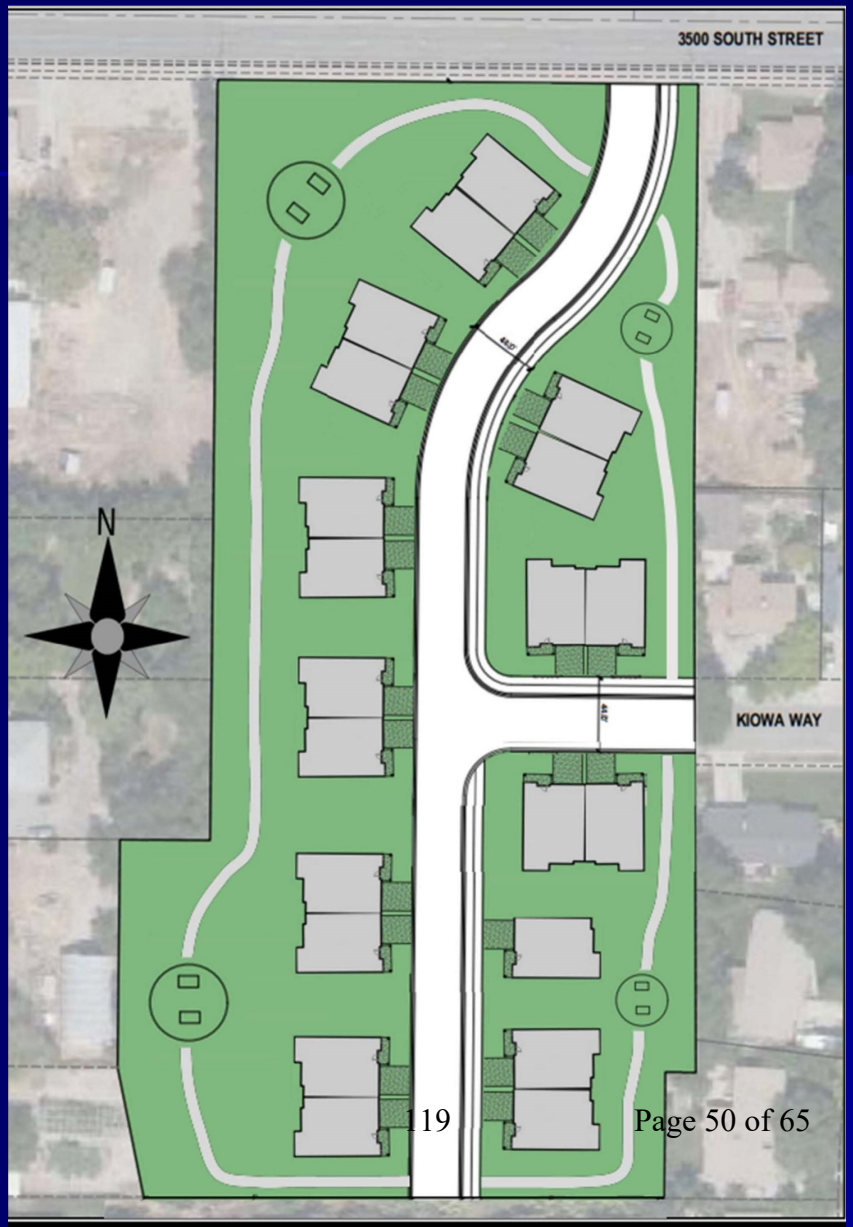
SINGLE STORY RAMBLER





GPZ-7-2023

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GPZ-7-2023

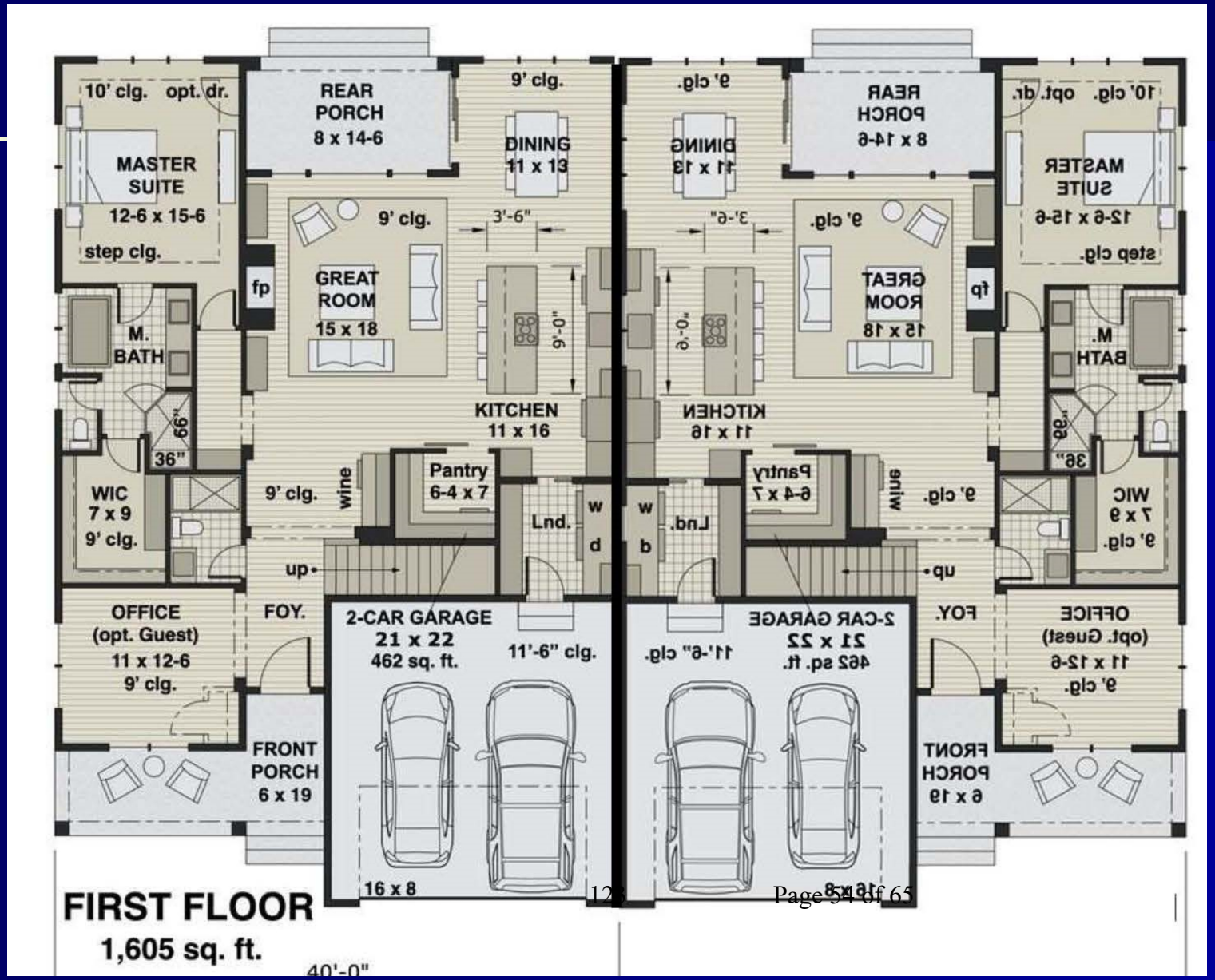
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TYPICAL HOME EXTERIOR



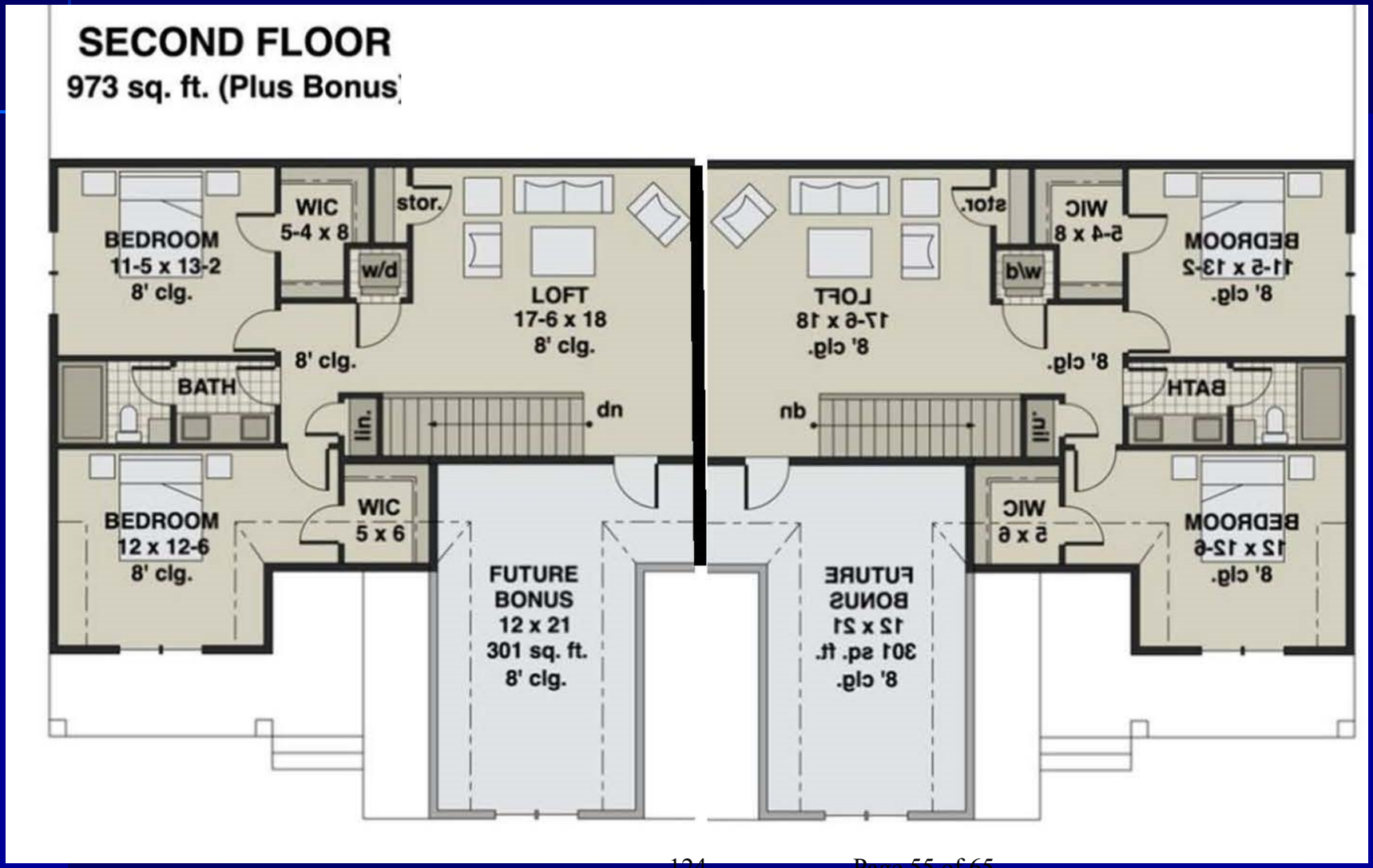
GPZ-7-2023

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	Previous Application	Current Application
Requested Zone	RS	RM
Project Area	5.87 acres	4.34 acres
# of Parcels	4	3
# of Units	36	21
Density	6.1 units/acre	4.8 units/acre
Street Type	Private	Public
Proposed Unit Type	Single Unit Detached	Twin Home
Proposed Unit Size	1,560 SF for ramblers 2,400 SF for two-story	1,650 SF for ramblers 2,400 SF for two-story

GPZ-7-2023

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(Continued from the August 9th public hearing)



+Item #:	1
Fiscal Impact:	$1,985,481
Funding Source:	Bank Lease Agreement/Cash Payment
Account #:	
Budget Opening Required:	Yes

ISSUE:

Authorization of replacement apparatus purchase for Tower 74.

SYNOPSIS:

This resolution authorizes the purchase of one (1) 100-foot tower ladder to replace the current Pierce 2015 tower ladder. The current tower will be placed into a reserve status or surplused and sold.
This one (1) replacement tower ladder is the only type of unit we have in the city. This unit responds to all structure fires and with current and future structures in our city is key to our abilities in fighting fires. We have had tower ladders in our city for approximately twenty years. By going with the Pierce brand and familiarity with operations the training will be very minimal for our staff. The time frame for delivery is approximately 33to 34 months, which with this extended time is important for the ordering of the unit.
In talking with the manufacture, the new emission standards for engines will be changing and ordering now we can save money as well as not extending delivery to 48 months.
We have used the Houston- Galveston Area Council (HGAC) bid process for the purchase of this unit.

BACKGROUND:

The current unit is a 2015 with 80,415 miles and estimated to have about 11,000 miles per year on the unit. By the time we receive the new unit we estimate the mileage to be 114,000, and eleven years old. The tower ladder is a versatile piece of equipment which allows for not only firefighting but rescue operation during incidents. This unit has also allowed us to maintain our current ISO rating for insurance purposes.
Our current tower is also attached to our technical rescue team and carries various extrication and rescue equipment, which is the only unit we have which has this capability in our city.

RECOMMENDATION:
Approve the purchase of one (1) replacement tower ladder apparatus for the Fire Department.

SUBMITTED BY:

John Evans, West Valley City Fire Department- Fire Chief

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PURCHASE OF A FIRE ENGINE AND RELATED EQUIPMENT FOR USE BY THE FIRE DEPARTMENT.

WHEREAS, West Valley City wishes to purchase a 100 foot Pierce tower ladder and related equipment (collectively, the "Equipment") for use by the Fire Department; and

WHEREAS, West Valley City and the Houston-Galveston Area Council are part of an Interlocal Cooperative Purchasing agreement; and

WHEREAS, the Houston-Galveston Area Council has obtained competitive pricing as an intergovernmental purchasing cooperative for the Equipment; and

WHEREAS, the price awarded by the Houston-Galveston Area Council is within price parameters and meets the City's needs; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to purchase said Equipment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the City is hereby authorized to purchase said Equipment through Public Procurement Authority for an amount not to exceed $1,985,481.00 and that the Mayor and City Manager are hereby authorized to execute, for and on behalf of the City, any documents necessary to complete said purchases.

PASSED, APPROVED, and **MADE EFFECTIVE** this _____ day of_____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Siddons Martin Emergency Group, LLC
7285 S. 700 West
Midvale, UT 84047
Business Number 221B

September 5, 2023

John Evens, Fire Chief
WEST VALLEY CITY FIRE DEPARTMENT
3600 CONSTITUTION BLVD
WEST VALLEY CITY, UT 84119

Proposal For: 2023, West Valley, Tandem Axle Tower

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to WEST VALLEY CITY FIRE DEPARTMENT. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB WEST VALLEY CITY FIRE DEPARTMENT and training on operation and use of the apparatus.

Description	Amount
Qty. 1 - 1005 - Pierce-Custom Velocity Aerial, Platform 100', PUC (Unit Price - $1,933,461.00)	
Delivery within 33-34 months of order date	
QUOTE # - SMEG-0006294-0	
Vehicle Price	$1,933,461.00
Extraction Equipment $50,000.00	
1005 - UNIT TOTAL	**$1,983,461.00**
SUB TOTAL	$1,983,461.00
HGAC FS12-19 (FIRE)	$2,000.00
TOTAL	**$1,985,461.00**

Price guaranteed until October 31st or until all PACCAR 2024 EPA standards engines are gone.

Additional: 'NOTE: Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible. **Persistent Inflationary Environment Notification: If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] (the "PPI") has increased at a compounded annual growth rate greater than 5.0% from the date of acceptance of this proposal letter (the "Order Month") and 14 months prior to the anticipated Ready for Pickup Date (the "Evaluation Month"), then the proposal price may be increased by an amount equal to any increase exceeding 5.0% for the time period between the Order Month and the Evaluation Month. Siddons Martin and Pierce will provide documentation of such increase and the updated price for the customer's approval before proceeding with completion of the order along with an option to cancel the order.**

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

(A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
(B) 20% of the Purchase Price after completion of the approval drawings;
(C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Utah. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely, Joshua Evertsen

Joshua Evertsen

I, _____, the authorized representative of WEST VALLEY CITY FIRE DEPARTMENT, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

_____
Signature & Date

Item:
Fiscal Impact: $88,500.00
Funding Source: General Fund
Account #: 10-4510-40310

Budget Opening Required:

ISSUE:
A resolution authorizing Keddington & Christensen, Certified Public Accountants, LLC to perform financial audit services for West Valley City for fiscal year ended June 30, 2023.

SYNOPSIS:
West Valley City is legally required to engage the services of an independent audit firm to audit its operations. Keddington & Christensen auditors have demonstrated experience and proficiency in municipal audits and knowledge of City operations. This audit will be conducted in accordance with auditing standards generally accepted in the United States of America: the standards for financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States. Total for audit services of West Valley City is $88,500.00.

BACKGROUND:
Keddington & Christensen, Certified Public Accountants, LLC. has provided audit services for the City in the past and has the technical expertise to evaluate and review all aspects of the City's complex operations.

RECOMMENDATION:
Approval of this engagement agreement.

SUBMITTED BY:
James D. Welch, Director of Finance

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL BY KEDDINGTON & CHRISTENSEN, CERTFIED PUBLIC ACCOUNTANTS, LLC TO PROVIDE AUDITING SERVICES TO WEST VALLEY CITY FOR THE FISCAL YEAR ENDING JUNE 30, 2023.

WHEREAS, West Valley City (herein "the City") has the need for independent auditing of the City's financial statements; and

WHEREAS, the City wishes to retain Keddington & Christensen, Certified Public Accountants, LLC (herein "the Auditor") for this purpose and has determined that the Auditor has the knowledge, expertise, and desire to provide said professional accounting services to the City; and

WHEREAS, an engagement letter has been prepared for execution by and between the City and the Auditor, a copy of which is attached hereto, that sets forth the rights, duties and obligations of each of the parties with respect thereto; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to accept the Auditor's proposal for professional accounting services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the proposal of Keddington & Christensen, Certified Public Accountants, LLC, is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute any necessary documents to finalize the acceptance of said proposal for and on behalf of West Valley City, subject to approval of the final form of said documents by the City Manager and the City Attorney's Office.

PASSED, APPROVED, and **MADE EFFECTIVE** this _____ day of _____ _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

CERTIFIED PUBLIC ACCOUNTANTS
Gary K. Keddington, CPA
Marcus K. Arbuckle, CPA
Steven M. Rowley, CPA

May 17, 2023

West Valley City
3600 Constitution Blvd.
West Valley City, Utah 84119-3720

We are pleased to confirm our understanding of the services we are to provide for West Valley City (the City) for the fiscal year ended June 30, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements of the City as of and for the year ended June 30, 2023. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Information about Infrastructure Assets Reported Using the Modified Approach
3. Schedule of the Proportionate Share of the Net Pension Liability – Utah Retirement Systems
4. Schedule of Contributions – Utah Retirement Systems
5. Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual – Major Governmental Fund
6. Notes to Required Supplementary Information

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements.

1. Schedule of expenditures of federal awards.
2. Combining Balance Sheet – Nonmajor Governmental Funds
3. Combining Statement of Revenues, Expenditures, and Changes in Fund Balance – Nonmajor Governmental Funds
4. Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual – Nonmajor Governmental Funds
5. Combining Statement of Net Position – Nonmajor Enterprise Funds
6. Combining Statement of Revenues, Expenses, and Changes in Fund Net Position – Nonmajor Enterprise Funds
7. Combining Statement of Cash Flows – Nonmajor Enterprise Funds

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

1. Transmittal letter
2. Statistical information

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have previously identified the following significant risks of material misstatement as part of our audit planning and believe are still relevant:

- Improper revenue recognition (assumed always) – this is the risk that revenue may not be recognized in accordance with GAAP.
- Management override of controls (assumed always) – this is the risk that management may override internal controls through pressure on subordinates or other methods.

As of the date of this letter, we have not completed our planning of the City's audit, therefore we will communicate any modifications to the significant risks of material misstatement identified above or if new significant risks of material misstatement are identified during our planning.

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate

procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the City's compliance with

requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Our audit will also include procedures that are required by the *State Compliance Audit Guide* concerning compliance with State fiscal laws identified by the State Auditor. We use the audit programs of the *State Compliance Audit Guide* to perform our audit procedures. We will issue the necessary reports as required by the *State Compliance Audit Guide* on the City's internal controls over compliance and will issue an opinion on the City's compliance with the state compliance requirements tested.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; , ii and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also

responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings, if any, should be available for our review on August 1, 2023.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial

statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.mm

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of KCHM, LLC dba K&C, Certified Public Accountants (K&C) and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to certain governmental agencies or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of K&C personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by an oversight agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Steven Rowley is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately June 1, 2023 with planning and mid-year audit procedures.

Our fee for these services will be $88,500. The above fee is based on anticipated cooperation from the City's personnel and the assumption that unexpected circumstances will not be encountered during the audit and the City's records will be ready to be audited on or around August 1st, 2023. The above fee is also based on the current finance director, chief accountant, and other key accounting personnel being available to assist in the audit process. If the finance director, chief accountant, and/or other key accounting personnel are not available to assist with the audit process, and we anticipate that this circumstance will result in significant additional time, we will stop our audit procedures and will discuss it with the City and arrive at a new fee estimate before we incur the additional costs. Additional services for which we may be asked to perform will be billed at our standard rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

If during the course of our engagement we encounter circumstances which we believe may create a conflict of interest or conflict with the ethical standards of our profession, we will inform the City of our concerns. If these concerns cannot be adequately addressed to our satisfaction, or we are compelled to do so by the professional standards of our profession, we may withdraw from the engagement with a written notice. Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

As members of the AICPA and as required by the *Governmental Auditing Standards*, K&C affirms that we are in compliance with the external quality control Peer Review requirements as required by the related professional standards, rules and policies. Our most recent peer review report can be found on our website www.kccpaoffice.com.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to management and the City Council of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that

the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. The State Compliance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the *State Compliance Audit Guide*. Those three reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to West Valley City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,

K&C, CPAs

K&C, Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of West Valley City.

Management signature: _____

Title: _____

Date: _____

Governance signature: _____

Title: _____

Date: _____

Approved as to form 9/20/2023
Brandon Hill

Item #:	
Fiscal Impact:	None
Funding Source:	NA
Account #:	NA
Budget Opening Required:	No

ISSUE:

Authorization and execution of a Real Estate Purchase Contract and acceptance of a Warranty Deed and a Temporary Construction Easement.

SYNOPSIS:

APX Holdings, LLC has signed a Real Estate Purchase Contract along with a Warranty Deed and a Temporary Construction Easement for property located at 3338 W. Parkway Boulevard (15-20-478-034).

BACKGROUND:

The APX Holdings, LLC parcel located at 3338 W. Parkway Boulevard is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. In accordance with an existing Delay Agreement for Completion of improvements, APX Holdings, LLC has agreed to accept no compensation for the Warranty Deed and Temporary Construction Easement.

RECOMMENDATION:

Accept Warranty Deed and Temporary Construction Easement and authorize the mayor to execute the Real Estate Purchase Contract. Authorize City Recorder to record Warranty Deed and Temporary Construction Easement for and in behalf of West Valley City.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM APX HOLDINGS, LLC FOR PROPERTY LOCATED AT 3338 WEST PARKWAY BOULEVARD.

WHEREAS, APX Holdings, LLC (herein "Owner") has entered into a Right of Way Purchase Agreement for property located at 3338 West Parkway Boulevard that is affected by the Cross Towne Trail Project (herein "Project"); and

WHEREAS, Owner has also signed a Warranty Deed and a Temporary Construction Easement (the "Documents"), as required for the Project; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to enter into the Right of Way Purchase Agreement with Owner, and to accept the Documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

1. That the above-referenced document entitled "Right of Way Purchase Agreement" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Documents for and on behalf of West Valley City.

PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Limited Liability Company)

Salt Lake County	Tax ID No.	15-20-478-034
	PIN No.	17869
	Project No.	F-2162(2)1
	Parcel No.	2162:116:C

APX Holdings, LLC, a Utah Limited Liability Company, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of an entire tract of property situate in the SE1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, which point is 492.63 feet S.89°54'42"W. along the section line and 310.86 feet N.00°00'08"E. from the Southeast Corner of said Section 20, said point is also 41.74 feet perpendicularly distant northerly from the control line of said project opposite approximate engineer station 45+21.00; and running thence N.33°23'46"E. 11.73 feet to a point 51.50 feet perpendicularly distant northerly from said control line opposite engineer station 45+27.50; thence N.89°44'20"E. 5.45 feet along a line parallel with said control line to said existing northerly right of way line at a point opposite engineer station 45+32.95 and a point in a 25.20-foot radius non-tangent curve to the right (Note: Radius bears N.57°19'44"W.); thence southwesterly 15.69 feet along said existing northerly right of way line and the arc of said curve, through a central angle of 35°39'49" (Note: Chord to said curve bears S.50°30'11"W. for a distance of 15.43 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 39 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:116:C

STATE OF Utah)
) ss.
)
COUNTY OF Salt lake)

APX Holdings, LLC
Limited Liability Company

Signature

C. Executive Manager
Print Name and Title

On this 15 day of August, in the year 2023, before me personally appeared Christian Eversull, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that ~~he~~/she is the Manager of APX Holdings, LLC, a Utah Limited Liability Company and that said document was signed by ~~him~~/her on behalf of said APX Holdings, LLC by Authority of its Operating Agreement.

Tammy Evans
Notary Public

TAMMY EVANS
Notary Public
State of Utah
My Commission Expires 4/10/2024
COMMISSION NO. 711474

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Limited Liability Company)

Salt Lake County

Tax ID No.	15-20-478-034
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:116:E

APX Holdings, LLC, a Utah Limited Liability Company, Grantor(s), hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, in the SE1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, which point is 492.63 feet S.89°54'42"W. along the section line and 310.86 feet N.00°00'08"E. from the Southeast Corner of said Section 20; and running thence along said existing northerly right of way line the following five (5) calls: (1) westerly 9.51 feet along the arc of a 25.20-foot radius non-tangent curve to the right, through a central angle of 21°37'16" (Note: Radius bears N.21°39'54"W., Chord to said curve bears S.79°10'24"W. for a distance of 9.45 feet); thence (2) S.89°44'20"W. 44.80 feet to the beginning of a 640.00-foot radius curve to the left; thence (3) westerly 313.57 feet along the arc of said curve, through a central angle of 28°04'21" (Note: Chord to said curve bears S.75°42'10"W. for a distance of 310.45 feet); thence (4) S.61°39'59"W. 251.62 feet to the beginning of a 560.00-foot radius curve to the right; thence (5) southwesterly 68.01 feet along the arc of said curve, through a central angle of 06°57'32" (Note: Chord to said curve bears S.65°08'45"W. for a distance of 67.97 feet) to the westerly boundary line of said entire tract; thence N.00°05'25"W. 12.36 feet along said westerly boundary line to the beginning of a 548.50-foot

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:116:E

radius non-tangent curve to the left (Note: Radius bears N.21°50'37"W.); thence northeasterly 30.76 feet along the arc of said curve, through a central angle of 03°12'48" (Note: Chord to said curve bears N.66°32'59"E. for a distance of 30.76 feet); thence S.25°03'25"E. 1.50 feet to the beginning of a 550.00-foot radius non-tangent curve to the left (Note: Radius bears N.25°03'25"W.); thence northeasterly 31.45 feet along the arc of said curve, through a central angle of 03°16'36" (Note: Chord to said curve bears N.63°18'17"E. for a distance of 31.45 feet); thence N.61°39'59"E. 251.62 feet to the beginning of a 650.00-foot radius curve to the right; thence easterly 318.47 feet along the arc of said curve, through a central angle of 28°04'21" (Note: Chord to said curve bears N.75°42'10"E. for a distance of 315.30 feet); thence N.89°44'20"E. 54.09 feet; thence N.76°44'39"E. 6.67 feet; thence S.33°23'46"W. 11.73 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 6,938 square feet in area or 0.159 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

STATE OF Utah)
) ss.
COUNTY OF Salt lake)

APX Holdings, LLC
Limited Liability Company

Signature

C. Evans
Print Name and Title

On this 15 day of August, in the year 2023 before me personally appeared Christian Eversull, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the Manager of APX Holdings, LLC, a Utah Limited Liability Company and that said document was signed by him/her on behalf of said APX Holdings, LLC by Authority of its operating agreement.

Tammy Evans
Notary Public

TAMMY EVANS
Notary Public
State of Utah
My Commission Expires 4/10/2024
COMMISSION NO. 711474

Prepared by: (TJB) Meridian Engineering, Inc. 01P - 4/19/2023 LIMITED LIABILITY RW-09LL (11-01-03)

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 116:C, 116:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-20-478-034
Property Address: 3338 West Parkway Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 3338 West Parkway Blvd, West Valley City, UT, 84119
Primary Phone: 801-755-3185 Owner's Home Phone: Owner's Work Phone: (801)755-3185
Owner / Grantor (s): APX Holdings, LLC, a Utah Limited Liability Company

IN CONSIDERATION of the mutual promises herein and subject to approval of the Local Government Authority, APX Holdings, LLC, a Utah Limited Liability Company ("Owner") agrees to sell to West Valley City ("The City") the Subject Property described below for Transportation Purposes,[1] and the City and Owner agree as follows:

1. SUBJECT PROPERTY. The Subject Property referred to in this Contract is identified as parcel numbers 116:C, 116:E, more particularly described in Exhibit A, which is attached hereto and incorporated herein.

2. PURCHASE PRICE. The City shall pay and Owner accepts $0 for the Subject Property including all improvements thereon and damages, if any, to remaining property. The foregoing amount includes compensation for the following cost to cure items, which are the responsibility of Owner to cure (if applicable): landscape restoration and pressurized irrigation restoration.

3. SETTLEMENT AND CLOSING.

3.1 Settlement. "Settlement" shall mean that Owner and the City have signed and delivered to each other or to the escrow/closing office all documents required by this Contract or by the escrow/closing office, and that all monies required to be paid by Owner or the City under this Contract have been delivered to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office.

3.2 Closing. "Closing" shall mean that: (a) Settlement has been completed; (b) the amounts owing to Owner for the sale of the Subject Property have been paid to Owner, and (c) the applicable closing documents have been recorded in the office of the county recorder ("Recording"). Settlement and Closing shall be completed at the earliest time convenient to the parties and the closing office.

3.3 Possession. Upon signing of this Contract by Owner and the Local Government Authority, Owner grants the City, its employees and contractors, including utility service providers and their contractors, the right to immediately occupy the Subject Property and do reasonable construction work, relocation of utilities or other work as required in furtherance of the above referenced project.

4. PRORATIONS / ASSESSMENTS / OTHER PAYMENT OBLIGATIONS.

4.1 Prorations. All prorations, including but not limited to, homeowner's association dues, property taxes for the current year and rents shall be made as of the time of Settlement.1. "Transportation Purposes" is defined as all current or future transportation uses authorized by law, including, without limitation, the widening, expansion, and/or construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio-fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, statutory relocations caused by the project, and other related transportation uses.

Grantor's Initials

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 116:C, 116:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-20-478-034
Property Address: 3338 West Parkway Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 3338 West Parkway Blvd,West Valley City,UT,84119
Primary Phone: 801-755-3185 Owner's Home Phone: Owner's Work Phone: (801)755-3185
Owner / Grantor (s): APX Holdings, LLC, a Utah Limited Liability Company

4.2 Fees/Costs.

(a) Escrow Fees. The City agrees to pay the fees charged by the escrow/closing office for its services in the settlement/closing process.

(b) Title Insurance. If the City elects to purchase title insurance, it will pay the cost thereof.

5. TITLE TO PROPERTY. Owner represents and warrants that Owner has fee title to the Subject Property. Owner shall indemnify and hold the City harmless from all claims, demands and actions from lien holders, lessees or third parties claiming an interest in the Subject Property or the amount paid hereunder. Owner will convey marketable title to the Subject Property to the Grantee shown on Exhibit A at Closing by deed(s) in the form shown on Exhibit A, except for easements which Owner will convey in the form also shown on Exhibit A. The provisions of this Section 5 shall survive Closing.

6. OWNER DISCLOSURES CONCERNING ENVIRONMENTAL HAZARDS. Owner represents and warrants that at the time of closing there are no claims and/or conditions known to Owner relating to environmental hazards, contamination or related problems affecting the Subject Property. The provisions of this Section 6 shall survive Closing.

7. CONDITION OF SUBJECT PROPERTY AND CHANGES DURING TRANSACTION. Owner agrees to deliver the Subject Property to the City in substantially the same general condition as it was on the date that Owner signed this Contract.

8. AUTHORITY OF SIGNER(S). If Owner is a corporation, partnership, trust, estate, limited liability company or other entity, the person signing this Contract on its behalf warrants his or her authority to do so and to bind the Owner.

9. COMPLETE CONTRACT. This Contract, together with any attached addendum and exhibits, (collectively referred to as the "Contract"), constitutes the entire contract between the parties and supersedes and replaces any and all prior negotiations, representations, warranties, understandings or contracts between the parties whether verbal or otherwise. The Contract cannot be changed except by written agreement of the parties.

10. ELECTRONIC TRANSMISSION AND COUNTERPARTS. This Contract may be executed in counterparts. Signatures on any of the documents, whether executed physically or by use of electronic signatures, shall be deemed original signatures and shall have the same legal effect as original signatures.

LE 8/13/23

11. ADDITIONAL TERMS (IF APPLICABLE):

As per Delay Agreement for completion of Improvement recorded September 13, 1996 as Entry # 6454322 BK 7488 Pg. 0672 and hereto attached, the owner excepts no compensation for the fee area and TCE needed to construct said improvements. Such Delay Agreement shall be considered fulfilled upon execution of this Contract and any obligations of Owner or its affiliate under such Delay Agreement shall cease.

OC

Owner will be notified at least 30 days prior to construction taking place. The project will coordinate with owner regarding any interruptions (utilities, driveway access, parking, etc) and will schedule interruptions to occur outside operating hours of Subject Property occupants when feasible. The project will minimize the limits of disturbance to irrigation and landscaping to the extent feasible. Driveway access will be impacted during actual construction of driveways; only one driveway will be closed at a time, for a maximum of 10 days (per driveway).**Grantor's Initials**

Grantors Initials

West Valley City
REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 116:C, 116:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-20-478-034
Property Address: 3338 West Parkway Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 3338 West Parkway Blvd,West Valley City,UT,84119
Primary Phone: 801-755-3185 Owner's Home Phone: Owner's Work Phone: (801)755-3185
Owner / Grantor (s): APX Holdings, LLC, a Utah Limited Liability Company

SIGNATURE PAGE TO
WEST VALLEY CITY
REAL ESTATE PURCHASE CONTRACT

CONSULTANT DISCLOSURE. Owner acknowledges that Tammy Evans (Consultant), through Keller Williams Realty, is a consultant for the Acquiring Agency, and will receive compensation from the Acquiring Agency for providing Right of Way Acquisition services.

Authorized Signature(s):

_____ 8/15/23

100% Print Name: C. EVERSULL APX Holdings, LLC Date

WEST VALLEY CITY

_____ _____

Karen Lang, Mayor Date
West Valley City

Grantors Initials

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 116:C, 116:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-20-478-034
Property Address: 3338 West Parkway Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 3338 West Parkway Blvd,West Valley City,UT,84119
Primary Phone: 801-755-3185 Owner's Home Phone: Owner's Work Phone: (801)755-3185
Owner / Grantor (s): APX Holdings, LLC, a Utah Limited Liability Company

Exhibit A
(Attach conveyance documents)

Grantors Initials

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Limited Liability Company)

Salt Lake County	Tax ID No.	15-20-478-034
	PIN No.	17869
	Project No.	F-2162(2)1
	Parcel No.	2162:116:C

APX Holdings, LLC, a Utah Limited Liability Company, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of an entire tract of property situate in the SE1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, which point is 492.63 feet S.89°54'42"W. along the section line and 310.86 feet N.00°00'08"E. from the Southeast Corner of said Section 20, said point is also 41.74 feet perpendicularly distant northerly from the control line of said project opposite approximate engineer station 45+21.00; and running thence N.33°23'46"E. 11.73 feet to a point 51.50 feet perpendicularly distant northerly from said control line opposite engineer station 45+27.50; thence N.89°44'20"E. 5.45 feet along a line parallel with said control line to said existing northerly right of way line at a point opposite engineer station 45+32.95 and a point in a 25.20-foot radius non-tangent curve to the right (Note: Radius bears N.57°19'44"W.); thence southwesterly 15.69 feet along said existing northerly right of way line and the arc of said curve, through a central angle of 35°39'49" (Note: Chord to said curve bears S.50°30'11"W. for a distance of 15.43 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 39 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:116:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

APX Holdings, LLC
Limited Liability Company

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of APX Holdings, LLC, a Utah Limited Liability Company and that said document was signed by him/her on behalf of said APX Holdings, LLC by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Limited Liability Company)

Salt Lake County

Tax ID No.	15-20-478-034
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:116:E

APX Holdings, LLC, a Utah Limited Liability Company, Grantor(s), hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, in the SE1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, which point is 492.63 feet S.89°54'42"W. along the section line and 310.86 feet N.00°00'08"E. from the Southeast Corner of said Section 20; and running thence along said existing northerly right of way line the following five (5) calls: (1) westerly 9.51 feet along the arc of a 25.20-foot radius non-tangent curve to the right, through a central angle of 21°37'16" (Note: Radius bears N.21°39'54"W., Chord to said curve bears S.79°10'24"W. for a distance of 9.45 feet); thence (2) S.89°44'20"W. 44.80 feet to the beginning of a 640.00-foot radius curve to the left; thence (3) westerly 313.57 feet along the arc of said curve, through a central angle of 28°04'21" (Note: Chord to said curve bears S.75°42'10"W. for a distance of 310.45 feet); thence (4) S.61°39'59"W. 251.62 feet to the beginning of a 560.00-foot radius curve to the right; thence (5) southwesterly 68.01 feet along the arc of said curve, through a central angle of 06°57'32" (Note: Chord to said curve bears S.65°08'45"W. for a distance of 67.97 feet) to the westerly boundary line of said entire tract; thence N.00°05'25"W. 12.36 feet along said westerly boundary line to the beginning of a 548.50-foot

Continued on Page 2

radius non-tangent curve to the left (Note: Radius bears N.21°50'37"W.); thence northeasterly 30.76 feet along the arc of said curve, through a central angle of 03°12'48" (Note: Chord to said curve bears N.66°32'59"E. for a distance of 30.76 feet); thence S.25°03'25"E. 1.50 feet to the beginning of a 550.00-foot radius non-tangent curve to the left (Note: Radius bears N.25°03'25"W.); thence northeasterly 31.45 feet along the arc of said curve, through a central angle of 03°16'36" (Note: Chord to said curve bears N.63°18'17"E. for a distance of 31.45 feet); thence N.61°39'59"E. 251.62 feet to the beginning of a 650.00-foot radius curve to the right; thence easterly 318.47 feet along the arc of said curve, through a central angle of 28°04'21" (Note: Chord to said curve bears N.75°42'10"E. for a distance of 315.30 feet); thence N.89°44'20"E. 54.09 feet; thence N.76°44'39"E. 6.67 feet; thence S.33°23'46"W. 11.73 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 6,938 square feet in area or 0.159 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

STATE OF _____)
) ss.
)
COUNTY OF _____)

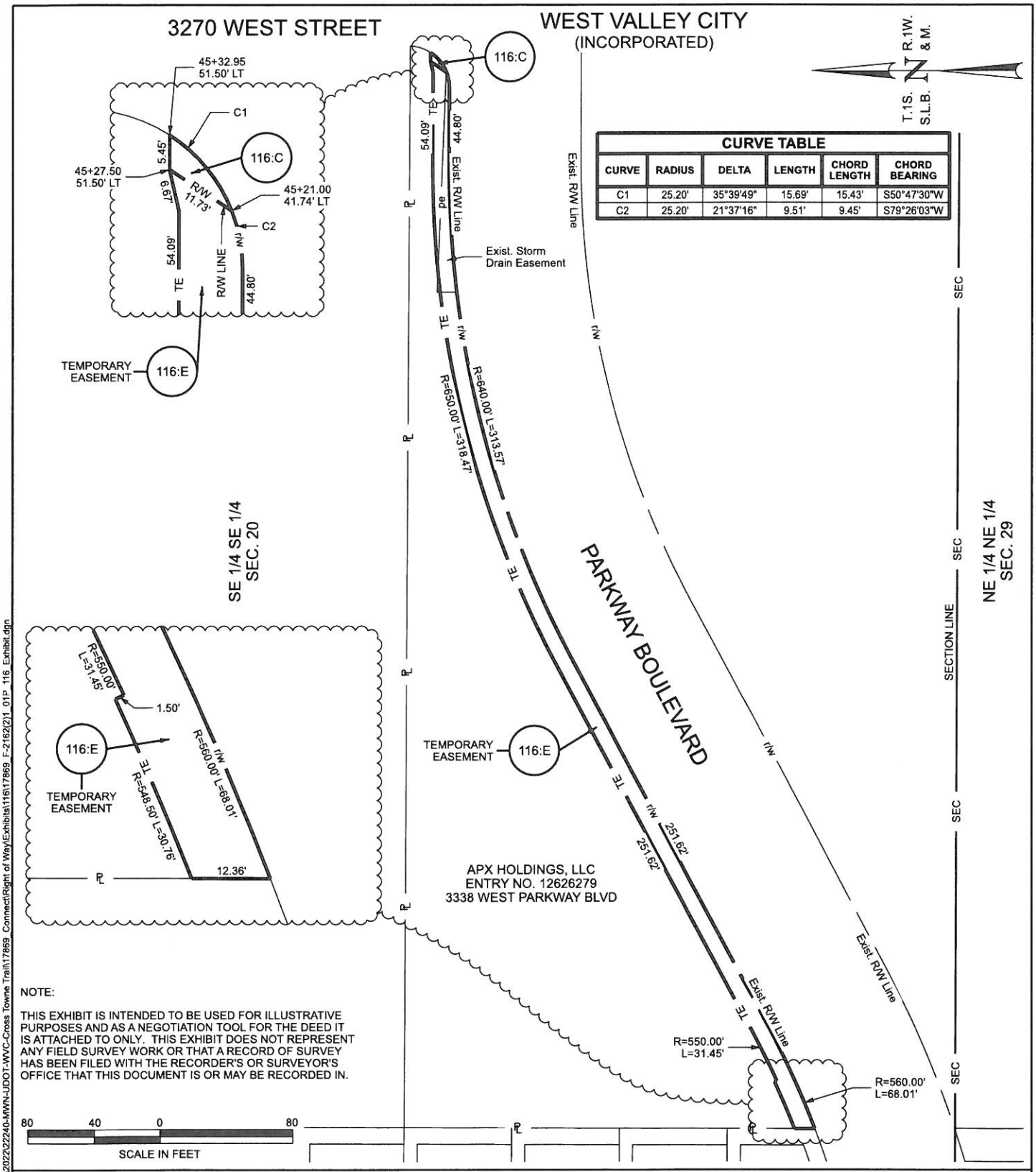
APX Holdings, LLC
Limited Liability Company

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of APX Holdings, LLC, a Utah Limited Liability Company and that said document was signed by him/her on behalf of said APX Holdings, LLC by Authority of its _____.

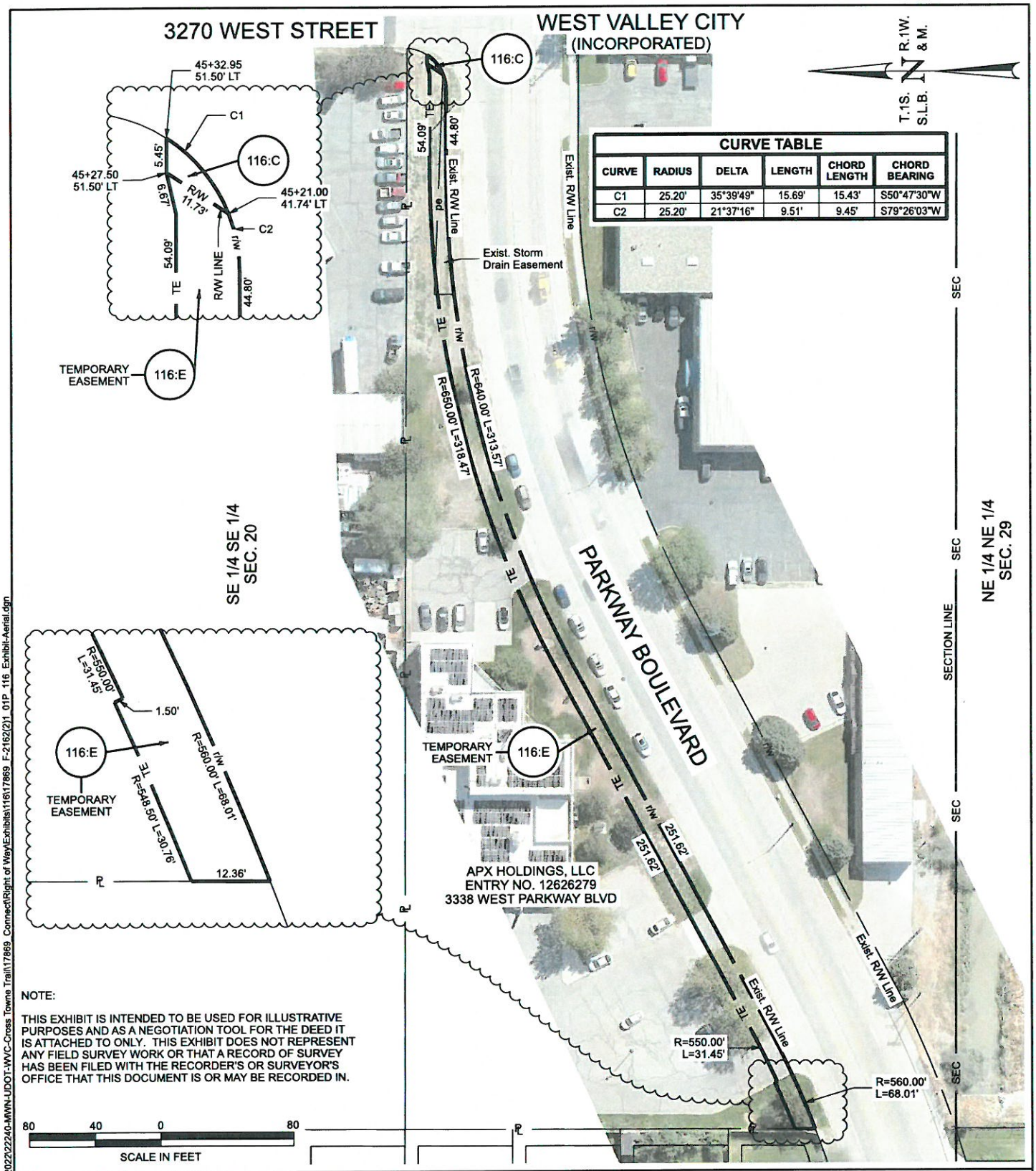
_____
Notary Public



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
116:C	APX HOLDINGS, LLC	0.001	39	NONE	1.539	1.538	NONE
116:E	APX HOLDINGS, LLC	0.159	6,938			TEMPORARY	

SHEET NO. 116-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	APX HOLDINGS, LLC
PROJECT	CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HWY	PROPERTY ADRESS:	3338 WEST PARKWAY BLVD
PROJECT NUMBER	F-2162(2)1 PIN 17869	UTAH DEPARTMENT OF TRANSPORTATION MERIDIAN ENGINEERING, INC.	

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_ConnectRight of Way\Exhibits\116\17869_F-2162(2)1_01P_116_Exhibit.dgn
21-APR-2023



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
116:C	APX HOLDINGS, LLC	0.001	39	NONE	1.539	1.538	NONE
116:E	APX HOLDINGS, LLC	0.159	6,938			TEMPORARY	

SHEET NO. 116-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	APX HOLDINGS, LLC
PROJECT	CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HWY	PROPERTY ADRESS:	3338 WEST PARKWAY BLVD
PROJECT NUMBER	F-2162(2)1 PIN 17869	UTAH DEPARTMENT OF TRANSPORTATION MERIDIAN ENGINEERING, INC.	

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_ConnectRight of Way\Exhibits\116\17869_F-2162(2)1_01P_116_Exhibit-Aerial.dgn

21-APR-2023

ORIGINAL

DELAY AGREEMENT
FOR COMPLETION OF IMPROVEMENTS

96-294

Ordin #_____

Resol #_96-144

Agmt #_-19 96 7452

Plat _____

6454322

THIS AGREEMENT, (herein "Agreement"), is entered into this 9TH day of MAY, 19 96.

***** PARTIES *****

"APPLICANT": ROBERT G. STACEY AND JOYCE A. STACEY

a(n) INDIVIDUALS (corporation, partnership, individual),

address: 380 WEST LAWNDALE DRIVE

city: SALT LAKE CITY state: Utah zip: 84115

telephone: (801) 484-5925, facsimile: ( ) N/A;

"CITY": West Valley City, a municipal corporation of the State of Utah,

address: 3600 Constitution Boulevard, West Valley City, Utah 84119,

telephone: (801)966-3600, facsimile: (801)966-8455.

***** RECITALS *****

WHEREAS, APPLICANT desires the following permits and/or approvals (check and complete):

_____ a conditional use permit (permit #_____)

_____ subdivision recordation

_____ a building permit (permit #_____)

_____ final electrical inspection

_____ an occupancy permit (permit #_____)

_____ a business license

_X_ OTHER (explain): OFF-SITE IMPROVEMENTS

from CITY for AD WEAR CORPORATE HEADQUARTERS
(description or name of project)

located at 3338 WEST PARKWAY BLVD.; and
(street address of project)

which is (check one and complete -- in either case, the legal description of land contiguous to where the improvements described below are to be installed and/or constructed must be provided):

_X_ more particularly described in Exhibit A attached hereto and incorporated herein by reference;

- or -

_____ more particularly described as follows, to wit:

BK7488PG0672

WHEREAS, the terms of the issuance of said permit(s)/approval require APPLICANT to install and complete the following improvements (check one and complete):

_____ described in Exhibit _____, attached hereto and incorporated herein by this reference;

- or -

__X__ described as follows: 650 LINEAL FEET OF 4' SIDEWALK ; and

WHEREAS, CITY cannot grant said permit(s) and/or approval(s) until APPLICANT agrees to the conditions set forth hereunder regarding completion of the above-described improvements.

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. CITY agrees to permit APPLICANT (check one and complete if required):

   __X__ to defer completion of the improvements until such time as written notice is sent to APPLICANT demanding installation and/or completion of any or of all the improvements; or, to reimburse CITY for CITY's installation and/or completion of the improvements at such time as CITY, through written notice to APPLICANT, demands reimbursement.

   _____ other (explain): _____

2. Unless otherwise expressly agreed in paragraph 1 above, CITY may require any or all of the improvements to be partially or wholly completed, in any order or pursuant to any timetable deemed appropriate by CITY.

3. Installation of the improvements by APPLICANT shall commence within 30 days of the date of the written notice or other time mentioned in paragraph 1 above, and shall be completed within 90 days of the date of the written notice.

4. The cost of the improvements and their installation and completion shall be completely and wholly borne by APPLICANT.

5. APPLICANT shall not be relieved from the obligation to install the improvements until such installation has been performed to the satisfaction of CITY.

6. Notwithstanding the provisions set forth above, if prior to the deferred time period set out in paragraph 1 above APPLICANT applies to CITY for approval to develop the property adjacent to the property described above, CITY may require said deferred improvements to be installed a the same time approval is given to develop the adjacent property.

7. If APPLICANT sells or leases property adjacent tot the property described above and the buyer or lessee applies to CITY for approval to develop the adjacent property, CITY may require the improvements to be installed a the same time approval is given to develop the adjacent property.

8. The parties expressly agree that CITY may at any time, at its option, install and/or complete the improvements. Should CITY exercise its option, APPLICANT shall reimburse to CITY, within 30 days of the date mentioned in paragraph 1 above, all costs resulting from said installation and/or completion.

9. Should APPLICANT fail to install and complete the improvements as required by CITY pursuant to the terms of this Agreement or reimburse CITY as herein agreed, or otherwise fail to perform its obligation pursuant to the terms of this Agreement, APPLICANT recognizes CITY's right to recover the costs necessary to install the improvements or obtain reimbursement therefore through foreclosure proceedings on the property described above.

10. If a special improvement district is proposed, which district would in whole or in part finance the installation of any or of all the improvements required under this Agreement, APPLICANT expressly agrees not to oppose the forming of the special improvement district or the cost thereof. APPLICANT expressly acknowledges that its obligation for completion of or reimbursement for any improvements which are the subject of this Agreement, but are not or will not be installed as part of the special improvement district, shall not be affected by said special improvement district.

11. Any and all of the obligations of APPLICANT as outlined in this Agreement shall run with the land described above and shall constitute an encumbrance thereon. The rights, duties and obligations herein shall inure to the benefit of and be binding upon the heirs, successors-in-interest, assigns, transferees, and any subsequent purchaser of the parties.

5K74880673

12. In the event CITY commences legal action to enforce or interpret any term of this Agreement, CITY shall be entitled to recover from APPLICANT reasonable attorney's fees, court costs, and any other costs in connection with said action.

13. If any provision of this Agreement is declared invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect.

[THIS SPACE INTENTIONALLY LEFT BLANK]

3K7488P0674

WEST VALLEY CITY
SIGNATURE REQUIREMENTS

APPLICANT PLEASE READ CAREFULLY BEFORE SIGNING YOUR AGREEMENT

The following agreements will not be accepted or approved if the signature requirements listed below are not followed.

1. ESCROW FORM BOND AGREEMENTS
2. SURETY FORM BOND AGREEMENTS
3. LETTER OF CREDIT FORM BOND AGREEMENTS
4. CASH FORM BOND AGREEMENTS
5. DELAY AGREEMENTS
6. CONTRACT DOCUMENTS - Including the Agreement, Payment and Performance Bonds

SIGNATURE(S) FROM A CORPORATION

All agreements must be signed by the President of the corporation. If someone other than the President signs the agreement on behalf of the corporation, a "CORPORATE RESOLUTION" must be attached and should verify that the person signing the agreement can bind the corporation. If you are using an Escrow Form Bond Agreement, the "Depository" must also attach a Corporate Resolution if it is not signed by the bank's President.

SIGNATURE(S) FROM A PARTNERSHIP

All agreements must be signed by the General Partner.

SIGNATURE(S) FROM A LIMITED LIABILITY COMPANY

All agreements must be signed by the General Manager. You may be required to attach a copy of your Articles of Organization.

NOTE: THE REQUIREMENTS LISTED ABOVE ARE REQUIRED BY THE WEST VALLEY CITY ATTORNEY'S OFFICE. THERE WILL BE NO EXCEPTIONS. PLEASE CONTACT STEVE DALE AT 963-3334 IF YOU HAVE ANY QUESTIONS.

BK 7488 PG 0675

WHEREUPON, the parties hereto have set their hands the day and year first above written.

"APPLICANT"

By Robert G. Stowe

Title OWNERS
(Signature must be notarized on following page.)

"CITY"

Gerald E. Wright
MAYOR

CITY MANAGER

WEST VALLEY CITY, UTAH CORPORATE SEAL

CITY RECORDER

APPROVED AS TO CONTENT:

By _____
CITY Community Development Department

5-23-96
Date

By _____
CITY Public Works Department

5-22-96
Date

APPROVED AS TO FORM:

By _____
CITY Attorney's Office

5-24-96
Date

REVISED BY KD 02/00

REVISED 02/00

DELAY AGREEMENT

3K7488PG0676

APPLICANT NOTARY

(Complete only if APPLICANT is an individual.)

STATE OF UTAH)
:SS
COUNTY OF Salt Lake)

On this 13 day of May, 1996, personally appeared before me, ROBERT G. STACEY AND JOYCE A. STACEY, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Karen Jensen
NOTARY PUBLIC

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
May 17, 1997
KAREN JENSEN
3455 South State Street
Salt Lake City, Utah 84115

5K7488P0677

EXHIBIT A

Parcel 1

VTDI 15-20-478-022-0000 DIST 24
STACEY, ROBERT G &
JOYCE A; JT

380 W LAWNDALE DR
LOC: 3376 W PARKWAY BLVD
SUB:

PRINT S UPDATE
LEGAL

TOTAL ACRES 0.76
REAL ESTATE
BUILDINGS

TAX CLASS MOTOR VEHIC 0
EDIT 1 FACTOR BYPASS TOTAL VALUE
EDIT 1 BOOK 7194 PAGE 2590 DATE 10/04/95
TYPE UNKN PLAT

COR SEC 20, T 1S, R 1W, SLM; N 89^54'34" E 157.2 FT; SFR SE
FT RADIUS CURVE TO R 68.77 FT; N 0^02'38" W 247.89 FT TO560
BEG. 0.76 AC M OR L. 5938-1525 5763-58, 60 .

Parcel 2

VTDI 15-20-478-023-0000 DIST 24
STACEY, ROBERT G &
JOYCE A; JT

380 W LAWNDALE DR
LOC: 3356 W PARKWAY BLVD
SUB:

PRINT S UPDATE
LEGAL

TOTAL ACRES 0.34
REAL ESTATE
BUILDINGS

TAX CLASS MOTOR VEHIC 0
EDIT 1 FACTOR BYPASS TOTAL VALUE
EDIT 1 BOOK 7194 PAGE 2590 DATE 10/04/95
TYPE UNKN PLAT

BEG S 89^54'34" W 974.135 FT & N 0^02'38" W 332.4 FT FR SE
COR SEC 20, T 1S, R 1W, SLM; N 89^54'34" E 104.8 FT; S 0^
02'38" E 111.94 FT; S 61^39'59" W 118.99 FT; N 0^02'38" W
168.2 FT TO BEG. 0.34 AC M OR L. 5938-1525 5763-58, 62 .

Parcel 3

VTDI 15-20-478-024-0000 DIST 24
STACEY, ROBERT G &
JOYCE A; JT

380 W LAWNDALE DR
LOC: 3310 W PARKWAY BLVD
SUB:

PRINT S UPDATE
LEGAL

TOTAL ACRES 0.38
REAL ESTATE
BUILDINGS

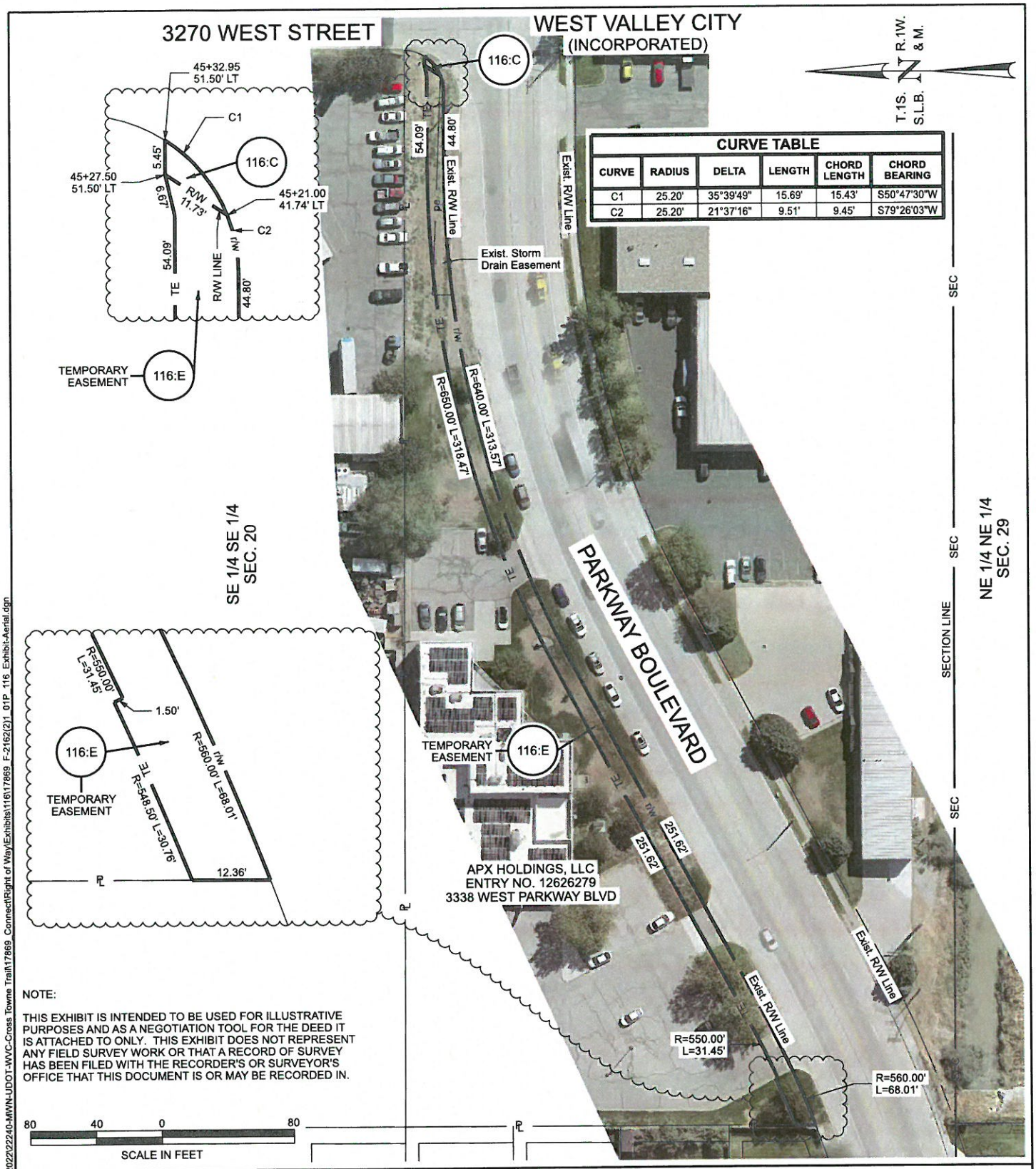
TAX CLASS MOTOR VEHIC 0
EDIT 1 FACTOR BYPASS TOTAL VALUE
EDIT 1 BOOK 7194 PAGE 2590 DATE 10/04/95
TYPE UNKN PLAT

BEG S 89^54'34" W 625.72 FT & N 0^02'38" W 332.45 FT FR SE
COR SEC 20, T 1S, R 1W, SLM; S 89^54'34" W 243.89 FT M OR L;
S 0^02'38" E 111.94 FT M OR L; N 61^39'59" E 24.97 FT; NE'LY
FT TO BEG. 0.38 AC M OR L. 5938-1525 5791-152 . 38" W 30.47

BK7488PG0678

6454322
09/13/96 09:06 AM**NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
REC BY:D BECKSTEAD ,DEPUTY - WI

BK 4488 PG 0679

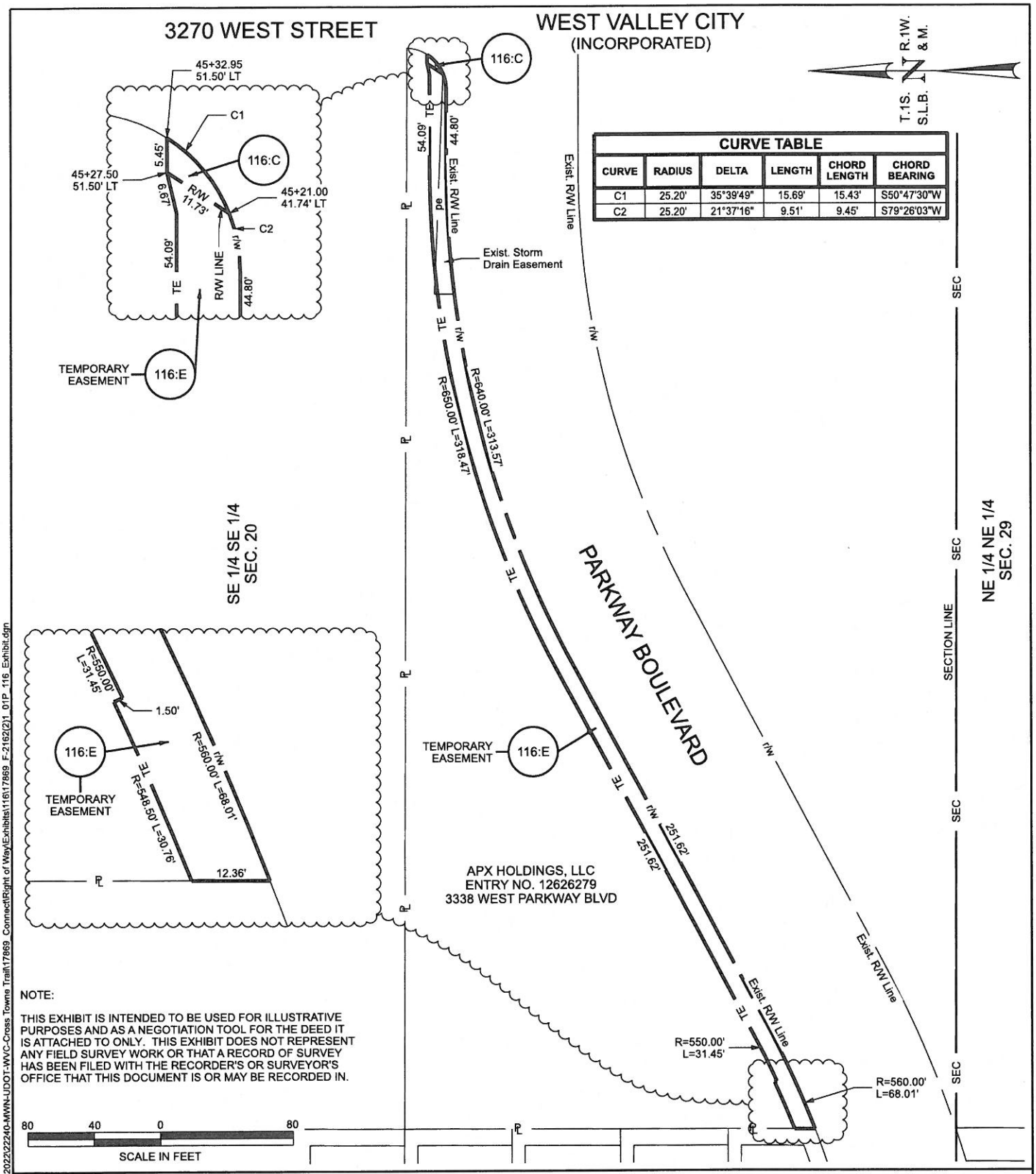


PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
116:C	APX HOLDINGS, LLC	0.001	39	NONE	1.539	1.538	NONE
116:E	APX HOLDINGS, LLC	0.159	6,938			TEMPORARY	

SHEET NO. 116-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	APX HOLDINGS, LLC
PROJECT	CROSS TOWNE TRAIL; 2700 WEST	PROPERTY ADRESS:	3338 WEST PARKWAY BLVD
	TO BANGERTER HWY	UTAH DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER	F-2162(2)1 PIN 17869	MERIDIAN ENGINEERING, INC.	

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21-APR-2023



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
116:C	APX HOLDINGS, LLC	0.001	39	NONE	1.539	1.538	NONE
116:E	APX HOLDINGS, LLC	0.159	6,938			TEMPORARY	

SHEET NO. 116-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	APX HOLDINGS, LLC
PROJECT	CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HWY	PROPERTY ADRESS:	3338 WEST PARKWAY BLVD
PROJECT NUMBER	F-2162(2)1 PIN 17869	UTAH DEPARTMENT OF TRANSPORTATION MERIDIAN ENGINEERING, INC.	

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\116\17869_F-2162(2)1_01P_116_Exhibit.dgn
21-APR-2023

WEST VALLEY CITY
(INCORPORATED)

GRAYDON SUBDIVISION

38+00 | 39+00 | 40+00 | 41+00 | 42+00

SE 1/4 SE 1/4
SEC. 20

T.1S. S.L.B. | R.1W. & M.

APX HOLDINGS, LLC
ENTRY NO. 12626279
3338 WEST PARKWAY BLVD

TEMPORARY EASEMENT 116:E

Exist. Public Utility & Drainage Easement

38+53.35
51.50' LT
R=548.50' L=30.76'

38+87.00
51.50' LT
1.50'
R=550.00' L=31.45'

39+21.31
50.00' LT

38+87.00
50.00' LT
R=560.00' L=68.01'

38+48.44
40.00' LT

12.36'

TE | FILL | TE | 251.62' | TE | CUT | TE

41+72.93
50.00' LT
R=650.00' L=318.47'
CUT

R=640.00' L=313.57'
Exist. R/W Line

251.62'

Exist. 40.00'

PT 39+21.31
N 429580.214
E 510012.644

PARKWAY BOULEVARD

CONTROL LINE
N61°57'18"E 251.62'

C2

C3

PC 41+72.93
N 429698.517
E 510234.719

Exist. R/W Line

SECTION LINE
N89°47'59"W 2651.81'

Exist. 30' ROW Easement

SEC

NE 1/4 NE 1/4
SEC. 29

SE 1/4 SE 1/4
SEC. 20

SC 57
FOUND NORTHEAST
CORNER
OF SEC. 29
N 429498.102
E 511062.270

C2
CONTROL LINE
PI 37+76.49
N 429509.237
E 509879.408
Δ = 28°14'43" LT
R = 600.00'
L = 295.78'
CH = 292.80'
CHB = N76°04'40"E

C3
CONTROL LINE
PI 43+22.93
N 429769.042
E 510367.105
Δ 28°04'21" RT
R 600.00'
L 293.97'
CH = 291.04'
CHB = N75°59'29"E

30 15 0 30
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

DRAWN BY JMM | CHECKED BY TJB | QC

APPROVED

PROFESSIONAL LAND SURVEYOR

DATE

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY

PROJECT NUMBER: F-2162(2)1 | PIN 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY

TEMP 01P

SHEET NO. RW-05

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27-APR-2023



C2
CONTROL LINE
PI 37+76.49
N 429509.237
E 509879.408
Δ = 28°14'43" LT
R = 600.00'
L = 295.78'
CH = 292.80'
CHB = N76°04'40"E

C3
CONTROL LINE
PI 43+22.93
N 429769.042
E 510367.105
Δ 28°04'21" RT
R 600.00'
L 293.97'
CH = 291.04'
CHB = N75°59'29"E

30 15 0 30
SCALE IN FEET

NO.	DATE	APPROVED BY	REMARKS

REVISIONS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

APPROVED

PROFESSIONAL LAND SURVEYOR

DATE

DRAWN BY JMM
QC CHECKED BY TJB

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY
PROJECT NUMBER: F-2162(2)1
PIN: 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY
TEMP 01P
SHEET NO. RW-05

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27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

43+00 | 44+00 | 45+00

T.1S. S.L.B. & M. R.1W.

SE 1/4 SE 1/4
SEC. 20

3270 WEST STREET

APX HOLDINGS, LLC
ENTRY NO. 12626279
3338 WEST PARKWAY BLVD

42+00

TEMPORARY EASEMENT — 116:E

116:C

45+27.50
51.50' LT

6.67'

5.45'

44+66.91
50.00' LT

45+21.00
50.00' LT

45+32.95
51.50' LT

54.09'

R=650.00' L=318.47'

R=640.00' L=313.57'

44.80'

11.73'

Exist. R/W Line

Exist. Storm Drainage Easement

C1

C2

45+21.00
41.74' LT

PARKWAY BOULEVARD

CUT

Exist. 40.00'

CONTROL LINE
S89°58'21"E 627.18'

41+72.93
50.00' LT

R=650.00' L=318.47'

R=640.00' L=313.57'

Exist. R/W Line

251.62'

251.62'

Exist. 40.00'

CONTROL LINE
N61°57'18"E 251.62'

Exist. 40.00'

PC 41+72.93
N 429868.317
E 510534.719

Exist. R/W Line

C3

Exist. 40.00'

PT 44+66.91
N 429769.970
E 510517.105

Exist. R/W Line

SE 1/4 SE 1/4
SEC. 20

C3
CONTROL LINE
PI 43+22.93
N 429769.042
E 510367.105
Δ 28°04'21" RT
R 600.00'
L 293.97'
CH = 291.04'
CHB = N75°59'29"E

RIGHT-OF-WAY CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.20'	35°39'49"	15.69'	15.31'	N50°38'24"E
C2	25.20'	21°37'16"	9.51'	9.45'	N79°26'03"E

30 15 0 30
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

APPROVED

PROFESSIONAL LAND SURVEYOR

DATE

DRAWN BY: JMM
CHECKED BY: TJB
QC

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY
PROJECT NUMBER: F-2162(2)1
PIN: 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY

TEMP 01P

SHEET NO. RW-06

DGN: File:\Projects\2022\22248-HWY-UDOT-WVC-Cross Towne Trail\17869_Connect\Rights of Way\17869_F-2162(2)1_Rw-06.dgn
27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

43+00 44+00 45+00 42+00

T.1S. S.L.B. & M. R.1W.

SE 1/4 SE 1/4
SEC. 20

APX HOLDINGS, LLC
ENTRY NO. 12626279
3338 WEST PARKWAY BLVD

3270 WEST STREET

TEMPORARY EASEMENT 116:E

116:C

45+27.50
51.50' LT

6.67'

5.45'

44+66.91
50.00' LT

45+21.00
50.00' LT

45+32.95
51.50' LT

54.09'

R=650.00' L=318.47'

R=640.00' L=313.57'

44.80'

11.73'

Exist. R/W Line

Exist. Storm Drainage Easement

C1

C2

45+21.00
41.74' LT

PARKWAY BOULEVARD

CONTROL LINE
S89°58'21"E 627.18'

C3

41+72.93
50.00' LT

251.62'

Exist. 40.00'

PT 44+66.91
N 429768.970
E 510517.105

CONTROL LINE
N61°57'18"E 251.62'

PC 41+72.93
N 429808.517
E 510524.119

SE 1/4 SE 1/4
SEC. 20

C3
CONTROL LINE
PI 43+22.93
N 429769.042
E 510367.105
Δ 28°04'21" RT
R 600.00'
L 293.97'
CH = 291.04'
CHB = N75°59'29"E

RIGHT-OF-WAY CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.20'	35°39'49"	15.69'	15.31'	N50°38'24"E
C2	25.20'	21°37'16"	9.51'	9.45'	N79°26'03"E

30 15 0 30
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

DRAWN BY JMM
QC CHECKED BY TJB

APPROVED

PROFESSIONAL LAND SURVEYOR DATE

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY
PROJECT NUMBER: F-2162(2)1
PIN: 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY
TEMP 01P
SHEET NO. RW-06

DGN File:\UsProjects\2022\22248-MVW-UDOT-WC-Cross Towne Trail\17869_Connect\Rights of Way\17869_F-2162(2)1_RW-06-Aerial.dgn
27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

45+00 | 46+00 | 47+00 | 48+00 | 49+00

3270 WEST STREET

Exist. R/W Line

SE 1/4 SE 1/4
SEC. 20

APX HOLDINGS, LLC
ENTRY NO. 12626279
3338 WEST PARKWAY BLVD

TEAMSTERS, ETAL
ENTRY NO. 2771522
2641 SOUTH 3270 WEST

T.1S. S.L.B. R.1W. & M.

116:C
45+27.50 51.50' LT
6.67'
5.45'
45+21.00 50.00' LT
45+32.95 51.50' LT
54.09'
TE
11.73'
44.80'
Exist. R/W Line
C1
45+21.00 41.74' LT
116:E
TEMPORARY EASEMENT
Exist. 40.00'

45+86.81 59.50' LT
5.00'
45+86.79 54.50' LT
16.67'
14.73'
9.96'
45+97.10 46.39' LT
46+11.59 45.00' LT
14.56'
17.41'
45+94.02 41.67' LT
46+11.35 40.00' LT
C2
Exist. 19.48'
Exist. 30.52'

TEMPORARY EASEMENT
117:E
Exist. Power Row & Easement
319.37'
321.65'
326.37'
Exist. 20' Utility Easement
117:C
SAWCUT
CONTROL LINE
S89°58'21"E 627.18'
Exist. 19.68'
Exist. 30.32'
Exist. R/W Line

PARKWAY BOULEVARD

SE 1/4 SE 1/4
SEC. 20

RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.20'	35°39'49"	15.69'	15.31'	N50°38'24"E
C2	25.00'	90°07'49"	39.33'	35.40'	S44°52'00"E

30 15 0 30
SCALE IN FEET

181

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

DRAWN BY: JMM
CHECKED BY: TJB
QC
APPROVED
PROFESSIONAL LAND SURVEYOR
DATE

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY
PROJECT NUMBER: F-2162(2)1
PIN: 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY
TEMP 01P
SHEET NO. RW-07

DGN File:\\Projects\2022\22248-MWW-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\17869_F-2162(2)1_RW_07.dgn
27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

45+00 | 46+00 | 47+00 | 48+00 | 49+00

3270 WEST STREET

APX HOLDINGS, LLC
ENTRY NO. 12626279
3338 WEST PARKWAY BLVD

TEAMSTERS, ETAL
ENTRY NO. 2771522
2641 SOUTH 3270 WEST

SE 1/4 SE 1/4
SEC. 20

T.1S. S.L.B. 1 T R.1W. & M.

Exist. R/W Line

116:C
45+27.50
51.50' LT
6.67'
5.45'
45+21.00
50.00' LT
45+32.95
51.50' LT
54.09'
TE
11.73'
44.80' pe
C1
45+21.00
41.74' LT
116:E
TEMPORARY
EASEMENT
Exist. 40.00'

45+86.81
59.50' LT
5.00'
45+86.79
54.50' LT
16.67'
14.73'
9.96'
45+97.10
46.39' LT
46+11.59
45.00' LT
14.56'
TE
17.41'
45+94.02
41.67' LT
46+11.35
40.00' LT
C2
Exist. 19.48'
Exist. 30.52'

TEMPORARY
EASEMENT
117:E
Exist. Power Row
& Easement
319.37'
321.65'
326.37'
Exist. 20' Utility
Easement
117:C
Exist. 19.68'
Exist. 30.32'

TE | FILL | TE | FILL | TE | FILL | TE
R/W | pe | R/W | pe | R/W | pe

SAWCUT — CONTROL LINE S89°58'21"E 627.18' — SAWCUT — SAWCUT

PARKWAY BOULEVARD

SE 1/4 SE 1/4
SEC. 20

RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.20'	35°39'49"	15.69'	15.31'	N50°38'24"E
C2	25.00'	90°07'49"	39.33'	35.40'	S44°52'00"E

30 15 0 30
SCALE IN FEET

NO.	DATE	REVISIONS	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

DRAWN BY JMM
QC CHECKED BY TJB
APPROVED
DATE
PROFESSIONAL LAND SURVEYOR
DATE

PROJECT
CROSS TOWNE TRAIL; 2700 WEST
TO BANGERTER HIGHWAY
PROJECT NUMBER
F-2162(2)1
PIN 17869

RIGHT-OF-WAY PLAN

SALT LAKE
COUNTY
TEMP 01P
SHEET NO. RW-07

DGN File:\Projects\2022\22240-MWH-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\17869-F-2162(2)1_RW-07-Aerial.dgn
27-APR-2023

Item #:	
Fiscal Impact:	$324.96 (6.77% of actual cost)
Funding Source:	Transportation Alternatives Program (TAP)
Account #:	45-9610-40750-75268-0200
Budget Opening Required:	No

ISSUE:

Authorization and execution of a Real Estate Purchase Contract and acceptance of a Warranty Deed and a Temporary Construction Easement.

SYNOPSIS:

Hrair Bezdjan has signed a Real Estate Purchase Contract and has agreed to sign a Warranty Deed and a Temporary Construction Easement for property located at 2652 S. Constitution Boulevard (15-21-376-009).

BACKGROUND:

The Hrair Bezdjan parcel located at 2652 S. Constitution Boulevard is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of the Warranty Deed, Temporary Construction Easement and improvements is $4,800.00 based upon the Administrative Compensation Estimate prepared by Meridian Engineering, Inc.
The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $324.96.

RECOMMENDATION:

Accept Warranty Deed and Temporary Construction Easement and authorize the mayor to execute the Real Estate Purchase Contract. Documents will be recorded after payment by UDOT.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM HRAIR BEZDJAN FOR PROPERTY LOCATED AT 2652 SOUTH CONSTITUTION BOULEVARD.

WHEREAS, Hrair Bezdjan (herein "Owner") has entered into a Right of Way Purchase Agreement for property located at 2652 South Constitution Boulevard that is affected by the Cross Towne Trail Project (herein "Project"); and

WHEREAS, Owner has also signed a Warranty Deed and a Temporary Construction Easement (the "Documents"), as required for the Project; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to enter into the Right of Way Purchase Agreement with Owner, and to accept the Documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

1. That the above-referenced document entitled "Right of Way Purchase Agreement" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Documents for and on behalf of West Valley City.

PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 124:C, 124:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-21-376-009
Property Address: 2652 South Constitution Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 15311 South Scenic Crest Circle,BLUFFDALE,UT,84065
Primary Phone: 801-652-6764 Owner's Home Phone: (801)652-6764 Owner's Work Phone:
Owner / Grantor (s): Hrair Bezdjan

IN CONSIDERATION of the mutual promises herein and subject to approval of the Local Government Authority, Hrair Bezdjan ("Owner") agrees to sell to West Valley City ("The City") the Subject Property described below for Transportation Purposes,[1] and the City and Owner agree as follows:

1. SUBJECT PROPERTY. The Subject Property referred to in this Contract is identified as parcel numbers 124:C, 124:E, more particularly described in Exhibit A, which is attached hereto and incorporated herein.

2. PURCHASE PRICE. The City shall pay and Owner accepts $4,800 for the Subject Property including all improvements thereon and damages, if any, to remaining property. The foregoing amount includes compensation for the following cost to cure items, which are the responsibility of Owner to cure (if applicable): **N/A**

3. SETTLEMENT AND CLOSING.

3.1 Settlement. "Settlement" shall mean that Owner and the City have signed and delivered to each other or to the escrow/closing office all documents required by this Contract or by the escrow/closing office, and that all monies required to be paid by Owner or the City under this Contract have been delivered to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office.

3.2 Closing. "Closing" shall mean that: (a) Settlement has been completed; (b) the amounts owing to Owner for the sale of the Subject Property have been paid to Owner, and (c) the applicable closing documents have been recorded in the office of the county recorder ("Recording"). Settlement and Closing shall be completed at the earliest time convenient to the parties and the closing office.

3.3 Possession. Upon signing of this Contract by Owner and the Local Government Authority, Owner grants the City, its employees and contractors, including utility service providers and their contractors, the right to immediately occupy the Subject Property and do whatever construction, relocation of utilities or other work as required in furtherance of the above referenced project.

4. PRORATIONS / ASSESSMENTS / OTHER PAYMENT OBLIGATIONS.

4.1 Prorations. All prorations, including but not limited to, homeowner's association dues, property taxes for the current year and rents shall be made as of the time of Settlement.

H B.

1. "Transportation Purposes" is defined as all current or future transportation uses authorized by law, including, without limitation, the widening, expansion, and/or construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio-fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, statutory relocations caused by the project, and other related transportation uses.

Grantor's Initials

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 124:C, 124:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-21-376-009
Property Address: 2652 S. Constitution Blvd, WEST VALLEY CITY, UT 84119
Owner's Address: 15311 S. Scenic Crest Circle, BLUFFDALE, UT 84065
Primary Phone: 801-652-6764 Owner's Home Phone: (801)652-6764 Owner's Work Phone:
Owner / Grantor: Hrair Bezdjan

4.2 Fees/Costs.

(a) Escrow Fees. The City agrees to pay the fees charged by the escrow/closing office for its services in the settlement/closing process.

(b) Title Insurance. If the City elects to purchase title insurance, it will pay the cost thereof.

5. TITLE TO PROPERTY. Owner represents and warrants that Owner has fee title to the Subject Property. Owner shall indemnify and hold the City harmless from all claims, demands and actions from lien holders, lessees or third parties claiming an interest in the Subject Property or the amount paid hereunder. Owner will convey marketable title to the Subject Property to the Grantee shown on Exhibit A at Closing by deed(s) in the form shown on Exhibit A, except for easements which Owner will convey in the form also shown on Exhibit A. The provisions of this Section 5 shall survive Closing.

6. OWNER DISCLOSURES CONCERNING ENVIRONMENTAL HAZARDS. Owner represents and warrants that there are no claims and/or conditions known to Owner relating to environmental hazards, contamination or related problems affecting the Subject Property. Owner agrees to transfer the Subject Property free of all hazardous materials including paint, oil and chemicals. The provisions of this Section 6 shall survive Closing.

7. CONDITION OF SUBJECT PROPERTY AND CHANGES DURING TRANSACTION. Owner agrees to deliver the Subject Property to the City in substantially the same general condition as it was on the date that Owner signed this Contract.

8. AUTHORITY OF SIGNER(S). If Owner is a corporation, partnership, trust, estate, limited liability company or other entity, the person signing this Contract on its behalf warrants his or her authority to do so and to bind the Owner.

9. COMPLETE CONTRACT. This Contract, together with any attached addendum and exhibits, (collectively referred to as the "Contract"), constitutes the entire contract between the parties and supersedes and replaces any and all prior negotiations, representations, warranties, understandings or contracts between the parties whether verbal or otherwise. The Contract cannot be changed except by written agreement of the parties.

10. ELECTRONIC TRANSMISSION AND COUNTERPARTS. This Contract may be executed in counterparts. Signatures on any of the documents, whether executed physically or by use of electronic signatures, shall be deemed original signatures and shall have the same legal effect as original signatures.

11. ADDITIONAL TERMS (IF APPLICABLE):

Owner(s) acknowledges receiving compensation for the following improvements acquired: $1,800 for 71 square feet of landscape rock, which is included in the total purchase price.

HB

Grantor's Initials

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 124:C, 124:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail: 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-21-376-009
Property Address: 2652 S. Constitution Blvd, WEST VALLEY CITY, UT 84119
Owner's Address: 15311 S. Scenic Crest Circle, BLUFFDALE, UT 84065
Primary Phone: 801-652-6764 Owner's Home Phone: (801)652-6764 Owner's Work Phone:
Owner / Grantor: Hrair Bezdjan

SIGNATURE PAGE TO WEST VALLEY CITY REAL ESTATE PURCHASE CONTRACT

CONSULTANT DISCLOSURE. Owner acknowledges that Tammy Evans / Consultant, through Meridian Engineering, Inc., is a consultant for the Acquiring Agency, and will receive compensation from the Acquiring Agency for providing Right of Way Acquisition services.

Authorized Signature(s):

Hrair Bezdjian 8/29/23

100% Hrair Bezdjan - OWNER(s) Date Date

WEST VALLEY CITY

Karen Lang, Mayor of West Valley City Date

H.B.

Grantor's Initials

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 124:C, 124:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail: 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-21-376-009
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Primary Phone: 801-652-6764 Owner's Home Phone: (801)652-6764 Owner's Work Phone:
Owner / Grantor: Hrair Bezdjan

Exhibit A
(Attach conveyance documents)

HB

Grantor's Initials

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed
(Individual)

Salt Lake County

Tax ID No.	15-21-376-009
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:124:C

Hrair Bezdjan, Grantor(s), of West Valley City, County of Salt Lake, State of Utah, hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of an entire tract of property situate in the SE1/4 SW1/4 of Section 21, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the southeast corner of said entire tract at the intersection of the existing northerly right of way line of Parkway Boulevard and the existing westerly right of way line of Constitution Boulevard, said corner is 419.65 feet N.00°04'10"W. along the quarter section line and 50.00 feet S.89°59'50"W. from the South Quarter Corner of said Section 29; and running thence S.89°55'44"W. (S.89°59'50"W. by record) 15.72 feet along said existing northerly right of way line to a point 40.00 feet perpendicularly distant northerly from the control line of said project opposite engineer station 76+13.00; thence N.48°14'36"E. 21.05 feet to said existing westerly right of way line at a point 54.00 feet perpendicularly distant northerly from said control line opposite engineer station 76+28.72; thence S.00°04'10"E. 14.00 feet along said existing westerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 110 square feet in area or 0.003 acre, more or less.

(Note: Rotate all bearings in the above description 00°13'42" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:124:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

_____
Hrair Bezdjan

On this _____ day of _____, in the year 20_____, before me personally appeared, Hrair Bezdjan, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged to me that he/she/they executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Individual)

Salt Lake County

Tax ID No.	15-21-376-009
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:124:E

Hrair Bezdjan, Grantor(s), of West Valley City, County of Salt Lake, State of Utah, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, in the SE1/4 SW1/4 of Section 21, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, said point is 419.65 feet N.00°04'10"W. along the quarter section line and 50.00 feet S.89°59'50"W. and 15.72 feet S.89°55'44"W. (S.89°59'50"W. by record) from the South Quarter Corner of said Section 29; and running thence S.89°55'44"W. (S.89°59'50"W. by record) 7.52 feet along said existing northerly right of way line; thence N.48°14'36"E. 31.12 feet to the existing westerly right of way line of Constitution Boulevard; thence S.00°04'10"E. 6.70 feet along said existing westerly right of way line; thence S.48°14'36"W. 21.05 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 130 square feet in area or 0.003 acre, more or less.

(Note: Rotate all bearings in the above description 00°13'42" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:124:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

_____
Hrair Bezdjan

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_____
Notary Public

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Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Individual)

Salt Lake County

Tax ID No.	15-21-376-009
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:124:C

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Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:124:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

_____
Hrair Bezdjan

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_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Individual)

Salt Lake County

Tax ID No.	15-21-376-009
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:124:E

Hrair Bezdjan, Grantor(s), of West Valley City, County of Salt Lake, State of Utah, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

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(Note: Rotate all bearings in the above description 00°13'42" clockwise to obtain highway bearings.)

Continued on Page 2

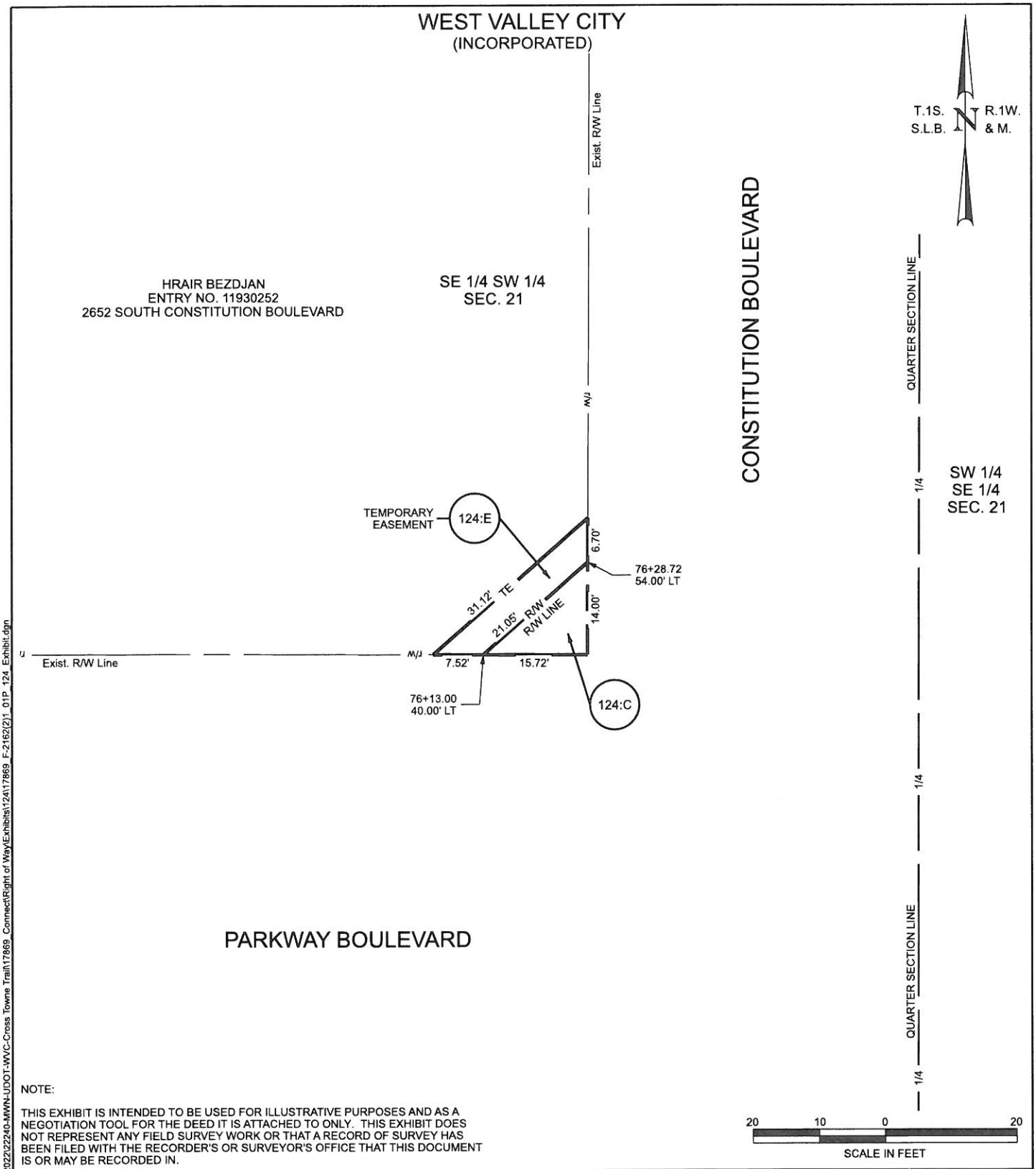
PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:124:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

_____
Hrair Bezdjan

On this _____ day of _____, in the year 20_____, before me personally appeared, Hrair Bezdjan, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged to me that he/she/they executed the same.

_____
Notary Public



NOTE:

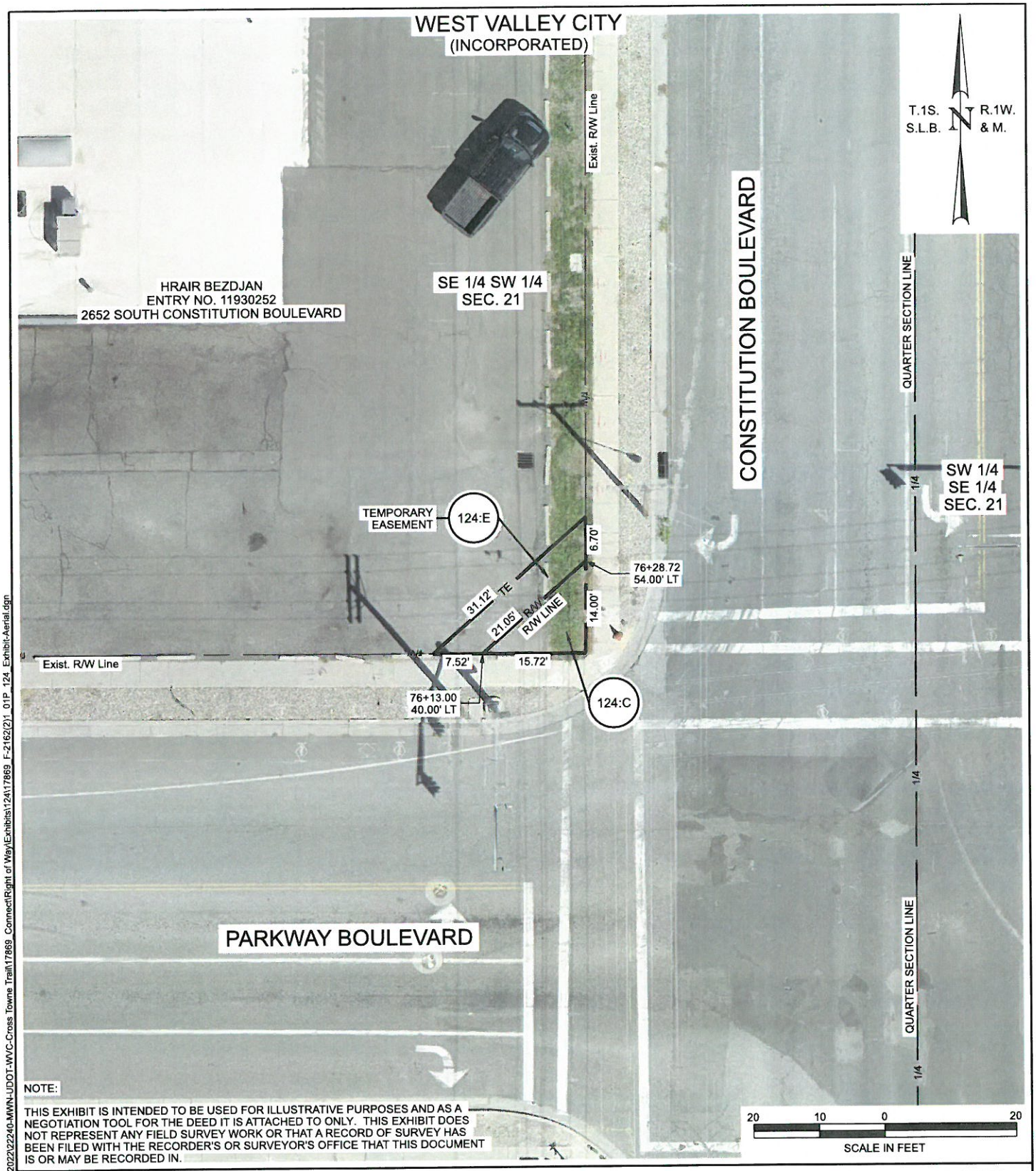
THIS EXHIBIT IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES AND AS A NEGOTIATION TOOL FOR THE DEED IT IS ATTACHED TO ONLY. THIS EXHIBIT DOES NOT REPRESENT ANY FIELD SURVEY WORK OR THAT A RECORD OF SURVEY HAS BEEN FILED WITH THE RECORDER'S OR SURVEYOR'S OFFICE THAT THIS DOCUMENT IS OR MAY BE RECORDED IN.

PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
124:C	HRAIR BEZDJAN	0.003	110	NONE	0.496	0.493	NONE
124:E	HRAIR BEZDJAN	0.003	130			TEMPORARY	

SHEET NO. 124-EXHIBIT	PARTIAL SUMMARY NO. 01P		PROPERTY OWNER:	HRAIR BEZDJAN	
PROJECT	CROSS TOWNE TRAIL; 2700 WEST		PROPERTY ADRESS:	2652 SOUTH CONSTITUTION BOULEVARD	
	TO BANGERTER HWY		UTAH DEPARTMENT OF TRANSPORTATION		
PROJECT NUMBER	F-2162(2)1	PIN 17869	MERIDIAN ENGINEERING, INC.		

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\124\17869_F-2162(2)1_01P_124_Exhibit.dgn

27-APR-2023



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
124:C	HRAIR BEZDJAN	0.003	110	NONE	0.496	0.493	NONE
124:E	HRAIR BEZDJAN	0.003	130			TEMPORARY	

SHEET NO. 124-EXHIBIT	PARTIAL SUMMARY NO. 01P			PROPERTY OWNER:	HRAIR BEZDJAN
PROJECT	CROSS TOWNE TRAIL; 2700 WEST			PROPERTY ADRESS:	2652 SOUTH CONSTITUTION BOULEVARD
	TO BANGERTER HWY			UTAH DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER	F-2162(2)1	PIN	17869	MERIDIAN ENGINEERING, INC.	

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\124\17869_F-2162(2)1_01P_124_Exhibit-Aerial.dgn
27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

74+00 | 75.00 | 76+00 | 77+00

SE 1/4 SW 1/4
SEC. 21

SW 1/4 SE 1/4
SEC. 21

T.1S. S.L.B. & M. R.1W.

CQC 53
FOUND CENTER
CORNER
OF SEC. 21
N 432141.694
E 513719.245

HRAIR BEZDJAN
ENTRY NO. 11930252
2652 SOUTH CONSTITUTION BOULEVARD

PAUL PHILLIPS
ENTRY NO. 13152131
2635 SOUTH CONSTITUTION BLVD

QUARTER SECTION LINE
S00°09'32"W 2650.87"

Exist. R/W Line

TEMPORARY EASEMENT 124:E

76+28.72
60.70' LT

6.70'

76+28.72
54.00' LT

76+05.48
40.00' LT

31.12'
TE
21.05'
R/W
14.00'

15.72'

7.52'

76+13.00
40.00' LT

124:C

PARKWAY BOULEVARD

TEMPORARY EASEMENT 125:E

77+28.72
57.00 LT

77+28.72
49.00 LT

8.00'
9.12'
24.35'
TE
13.02'
R/W

9.28'
8.00'

77+46.00
39.84 LT

77+38.00
39.86 LT

125:C

CONTROL LINE
S89°50'34"E 2383.32'

76+78.72

90°00'06"

76+22.50
40.00' RT

123:C

7.20'
6.22'
8.64'
TE
18.65'
6.95'
6.00'

76+15.30
40.00' RT

76+28.72
46.00' RT

TEMPORARY EASEMENT 123:E

76+28.72
52.95' RT

2700 SOUTH LLC
ENTRY NO. 12466695
2720-36 CONSTITUTION BLVD

79+60.72
END PROJECT
F-2162(2)1

N 429869.768
E 513994.946

QC 56
FOUND NORTH
QUARTER
OF SEC. 28
N 429490.833
E 513711.889

SE 1/4 SW 1/4
SEC. 21

30 15 0 30
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

DRAWN BY JMM
CHECKED BY TJB
QC

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

APPROVED

PROFESSIONAL LAND SURVEYOR

DATE

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY

PROJECT NUMBER: F-2162(2)1

PIN 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY

TEMP 01P

SHEET NO. RW-14

DGN File:\\Projects\2022\22240-MVN-UDOT-WVC-Cross Towne Trail\17869_Connect\Rights of Way\17869_F-2162(2)1_Rw-14.dgn

27-APR-2023

WEST VALLEY CITY
(INCORPORATED)

74+00 | 75.00 | 76+00 | 77+00

CQC 53
FOUND CENTER
CORNER
OF SEC. 21
N 432141.694
E 513719.245

T.1S. S.L.B. N R.1W. & M.

SE 1/4 SW 1/4
SEC. 21

SW 1/4 SE 1/4
SEC. 21

HRAIR BEZDJAN
ENTRY NO. 11930252
2652 SOUTH CONSTITUTION BOULEVARD

PAUL PHILLIPS
ENTRY NO. 13152131
2635 SOUTH CONSTITUTION BLVD

QUARTER SECTION LINE
S00°09'32"W 2650.87'

Exist. R/W Line

TEMPORARY EASEMENT 124:E

76+28.72
60.70' LT
6.70'
76+28.72
54.00' LT
76+05.48
40.00' LT
31.12'
TE
21.05'
R/W
14.00'
15.72'
7.52'
76+13.00
40.00' LT

124:C

TEMPORARY EASEMENT 125:E

77+28.72
57.00 LT
77+28.72
49.00 LT
8.00'
9.12'
24.35'
TE
13.02'
R/W
9.28'
8.00'
77+46.00
39.84 LT
77+38.00
39.86 LT

125:C

PARKWAY BOULEVARD

CONTROL LINE
S89°50'34"E 2383.32'

76+78.72

90°00'06"

76+22.50
40.00' RT
123:C
7.20'
6.22'
8.64'
TE
18.65'
6.00'
6.85'
76+15.30
40.00' RT
76+28.72
46.00' RT
TEMPORARY EASEMENT 123:E
76+28.72
52.95' RT

2700 SOUTH LLC
ENTRY NO. 12466695
2720-36 CONSTITUTION BLVD

SE 1/4 SW 1/4
SEC. 21

79+60.72
END PROJECT
F-2162(2)1

N 429869.768
E 513994.946

QC 56
FOUND NORTH
QUARTER
OF SEC. 28
N 429490.833
E 513711.889

30 15 0 30
SCALE IN FEET

REVISIONS				
NO.	DATE	APPROVED BY	REMARKS	

UTAH DEPARTMENT OF TRANSPORTATION
REGION 2 - MERIDIAN ENGINEERING, INC.

DRAWN BY JMM | QC CHECKED BY TJB | APPROVED | DATE

PROFESSIONAL LAND SURVEYOR

PROJECT: CROSS TOWNE TRAIL; 2700 WEST TO BANGERTER HIGHWAY
PROJECT NUMBER: F-2162(2)1 | PIN 17869

RIGHT-OF-WAY PLAN

SALT LAKE COUNTY
TEMP 01P
SHEET NO. RW-14

D:\Projects\2022\22248-MWH-JD01-WVC-Cross Towne Trail\17869_F-2162(2)1_RW14-Rem.dgn
27-APR-2023

Item #:	
Fiscal Impact:	$0.00
Funding Source:	
Account #:	
Budget Opening Required:	No

ISSUE:

A resolution appointing members to the Healthy West Valley City Committee for a term commencing October 3, 2023 and ending May 31, 2027.

SYNOPSIS:

The following list of community partners / volunteers are willing to serve as members of the Healthy West Valley City Committee.

BACKGROUND:

Members of the Healthy West Valley City Committee are appointed for a four year term by the City Manager with the advice and consent of the City Council.

RECOMMENDATION:

City staff recommends approval of the resolution.

SUBMITTED BY:

Craig Thomas, Neighborhood Services Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S APPOINTMENT OF MEMBERS OF THE HEALTHY WEST VALLEY COMMITTEE.

WHEREAS, the Healthy West Valley Committee consists of members appointed by the City Manager; and

WHEREAS, the City Manager desires to appoint members of the Healthy West Valley Committee for a term commencing on October 3, 2023 and ending May 31, 2027; and

WHEREAS, said members are willing to accept said appointments; and

WHEREAS, said appointments require the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's appointment of Caitlyn Jasumback, Jordan Fuller, and Ashley Castaneda as members of the Healthy West Valley Committee for a term commencing on October 3, 2023 and ending May 31, 2027.

PASSED, **APPROVED** and **MADE EFFECTIVE** this 3rd day of October, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Healthy West Valley Committee Member Submissions

New members for approval:

Caitlyn Jasumback



I am a West Valley City resident who is passionate about public health and improving the health of other West Valley residents.

Jordan Fuller



I was born and raised in West Valley City and graduated from Granger High School. After getting my education (BYU-Political Science and MPA, with an emphasis in Local Government-University of Nebraska—Omaha) I worked as a City Manager in Iowa for over 5 years before returning to West Valley City. As City Manager, I managed all city departments, including Parks and Recreation, community development, and public works and safety.

For the past 11 years I have been working as Meetinghouse Planning Manager for the Church of Jesus Christ of Latter-Day-Saints. I have 7 children, four who were adopted from Detroit and three biological children. We love the outdoors, particularly hiking, camping, and fishing. I also enjoy diversity, and learning about cultures, languages, and trying new food!



My name is Ashley Castaneda, I graduated from the University of Utah with a major in Communications in 2021, and am currently working on my Masters in Healthcare Administration. I have lived in West Valley City my whole life and absolutely love it. I am very passionate about preventative health and finding ways to provide it to underserved communities. In my free time you'll catch me working out, making crafts, doing DIY's and spending time with family and friends.

RDA/Granger Crossing Program Overview (10 min)



September 21, 2023

MEMORANDUM

TO: CITY COUNCIL

FROM: WAYNE T. PYLE, CITY MANAGER

RE: UPCOMING MEETINGS AND EVENTS

City Council Study Meetings are held at 4:30 P.M. every Tuesday unless otherwise noted.

City Council Regular Meeting are held at 6:30 P.M. every Tuesday unless otherwise noted.

September 2023

September 26, 2023 *Tuesday*	Bike Park Ribbon Cutting, 3:30 PM; 5405 W 3100 S
September 26, 2023 *Tuesday*	Letters to Survivors: Domestic Violence Awareness Event, 4-6 PM; West Valley City Hall Lobby, 3600 Construction Blvd.
September 27, 2023 *Wednesday*	Herriman City Community Partners Luncheon (Invitation Only), 11 AM to 1:30 PM; Herriman City Hall, 5355 W Herriman Main Street
September 28, 2023 *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100 S
September 30, 2023 *Saturday*	Avenged Sevenfold, 6:30 PM; USANA, 5150 Upper Ridge Rd

October 2023

October 3, 2023	Zions Bank's 150th Anniversary Celebration, 11 AM – 1 PM

Tuesday	; 2950 W 3500 S
October 3, 2023 *Tuesday*	Godsmack, 7 PM; Maverik Center, 3200 Decker Lake Dr
October 5, 2023 *Thursday*	Elected Officials Lunch w/ Celeste Maloy; 12PM, SL County South Building
October 5-30, 2023	Sleepy Hollow; West Valley City Performing Arts Center, 3333 Decker Lake Dr
October 5, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
October 7, 2023 *Saturday*	MyHometown Day of Service West Granger, 8 AM – 12 PM; Various Locations in West Granger
October 7, 2023 *Saturday*	All Elite Wrestling, 5:30 PM; Maverik Center, 3200 Decker Lake Dr
October 10, 2023 *Tuesday*	Billy Strings, 7:30 PM; Maverik Center, 3200 Decker Lake Dr
October 11, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
October 11, 2023 *Wednesday*	Rumours of Fleetwood Mac, 8 PM; Maverik Center, 3200 Decker Lake Dr.
October 14, 2023 *Saturday*	Zac Brown Band, 7 PM; USANA, 5150 Upper Ridge Rd
October 14, 2023 *Saturday*	Ryan Adams w/ The Cardinals, 7:30 PM; Maverik Center, 3200 Decker Lake Dr.
October 17, 2023 *Tuesday*	Shinedown, 6:50 PM; USANA, 5150 Upper Ridge Rd
October 20, 2023 *Friday*	Hozier: Unreal Unearth Tour, 8 PM; Maverik Center, 3200 Decker Lake Dr

October 21, 2023 *Saturday*	MyHometown Day of Service Granger, 8 AM – 12 PM; Various Location in Granger
October 21, 2023 *Saturday*	MyHometown (ALL) Family Night at Grizzlies, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
October 22, 2023 *Sunday*	Grizzlies vs Tulsa Oilers, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
October 24, 2023 *Tuesday*	Nirto Circus 20th Anniversary Tour, 7 PM; Maverik Center, 3200 Decker Lake Dr
October 27, 2023 *Friday*	Grizzlies vs Idaho Steelheads, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
October 28, 2023 *Saturday*	MyHometown Day of Service North Granger, 8 AM – 12 PM; Various Location in North Granger
October 28, 2023 *Saturday*	Grizzlies vs Idaho Steelheads, 7:10 PM; Maverik Center, 3200 S Decker Lake Dr
October 31, 2023 *Tuesday*	Skillet & Theory of a Deadman, 7 PM; Maverik Center, 3200 Decker Lake Dr

November 2023

November 3, 2023 *Friday*	Juan Luis Guerra, 8 PM; Maverik Center, 3200 Decker Lake Dr
November 4, 2023 *Saturday*	Jonas Brothers, 7 PM; Maverik Center, 3200 Decker Lake Dr
November 8, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
November 8, 2023 *Wednesday*	Grizzlies vs Wichita Thunder, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
November 10, 2023 *Friday*	Grizzlies vs Wichita Thunder, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
November 11, 2023	Grizzlies vs Wichita Thunder, 7:10 PM; Maverik Center,

Saturday	3200 Decker Lake Dr
November 14, 2023 *Tuesday*	My Hometown Central Granger Piano Recitals, Time TBD; Central Granger CRC, 2850 W 3835 S
November 15, 2023 *Wednesday*	Watch Wednesday – CPTED Holiday Safety Tips, 6:30-7:30 PM, Family Fitness Center, 5415 W 3100 S
November 18, 2023 *Saturday*	C&B Committee City Hall Lobby Decorating, 8 AM – 12 PM; 3600 S Constitution Blvd
November 18, 2023 *Saturday*	Survivors of Suicide Loss Event, 2-4 PM; UCCC, 1355 W 3100 S
November 19, 2023 *Sunday*	MyHometown (ALL) Adult Education Fair, 6-8 PM; LDS Building at 3901 West 2925 South
November 21, 2023 *Tuesday*	General Election Day
November 22, 2023 *Wednesday*	Grizzlies vs Newfoundland Growlers, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
November 23, 2023 *Thursday*	Thanksgiving/City Office's Closed
November 24, 2023 *Friday*	Grizzlies vs Newfoundland Growlers, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
November 30, 2023 *Thursday*	for King + Country, a Drummer Boy Christmas, 7 PM; Maverik Center, 3200 Decker Lake Dr

December 2023

December 6, 2023 *Wednesday*	Grizzlies vs Allen Americans, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
December 7, 2023 Thursday	Chris Isaak: It's Almost Christmas Tour, 7:30 PM; Maverik Center, 3200 Decker Lake Dr
December 8, 2023 *Friday*	Grizzlies vs Allen Americans, 7:10 PM; Maverik Center, 3200 Decker Lake Dr

December 17-21, 2023 *Sunday - Thursday*	Giving Tree Week
December 23, 2023 *Saturday*	Grizzlies vs Idaho Steelheads, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
December 25, 2023 *Monday*	Christmas Day/City Office's Closed
December 29, 2023 *Friday*	Grizzlies vs Tulsa Oilers, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
December 30, 2023 *Saturday*	Grizzlies vs Tulsa Oilers, 7:10 PM; Maverik Center, 3200 Decker Lake Dr
December 31, 2023 *Sunday*	Grizzlies vs Tulsa Oilers, 3:10 PM; Maverik Center, 3200 Decker Lake Dr

Strategic Discussion List

1- **Budget Topics**
~~Finance Director Presentation~~ Complete- 2.7.23
~~Capital Expenditure Plan~~ – Discussed 2.14.23/ Follow Up Discussed 3.7.23
~~Budget Reduction Proposals~~ Discussed 2.14.23/ Follow Up Discussed 4.18.23
Bond Rating Page 8,13- Discussed 2.14.23/ Meeting with Councilmember Nordfelt Completed
Limits on Fund Balance – Discussed 2.14.23/ Fund Balance History emailed to Council 2.27.23/ Waiting Council Discussion

2- Contract evaluation form for city manager
~~Employee manual~~ - Discussed 5.13.23

3- **Public Works Topics**
~~Street Light Schedule / Plan for years 1-5~~ – Discussed 3.7.23
~~Sidewalk Installation / Plan for years 1-5~~ – Discussed 3.7.23
Recycling Issues

~~Dowdle Puzzle project~~ Presentation Conducted 2.28.23/ Scheduled for Discussion 3.7.23/ Additional information requested by staff emailed on 3.16.23/ Council directed to incorporate into upcoming budget for next year

4- **Parks Topics**
Park Land Review and Strategy- Information submitted via email 2.27.23/ Waiting Council Discussion

5- **Development Issues**
3500 South / Redwood Road
Tax Credit Veteran Housing

6- **Other**
Archives- Scheduled 04.11.23 / Wayne sent follow-up memo 5.22.23/Waiting Council Discussion
Hotels becoming long term rentals
~~Homeless task force invitation-~~ Discussed with Councilmember Whetstone 3.1.23

The Regular Electronic Meeting of the West Valley City Building Authority will be held on Tuesday, October 3, 2023, at 6:30 PM, or as soon thereafter as the City Council Meeting is completed, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

WILL WHETSTONE, CHAIR
SCOTT HARMON, VICE CHAIR

A G E N D A

1. Call to Order

2. Opening Ceremony

3. Roll Call

4. Approval of Minutes:

   A. July 18, 2023 (Special Meeting)

5. Public Hearings:

   A. Accept Public Input Regarding Re-Opening the FY 2023-2024 Budget

      Action: Consider Resolution 23-07, Amend the Budget of West Valley City Municipal Building Authority for the Fiscal Year Beginning July 1, 2023 and

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

Ending June 30, 2024 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds

6. Adjourn

MINUTES OF THE MUNICIPAL BUILDING AUTHORITY SPECIAL MEETING – JULY 18, 2023
-1-

THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY MET IN SPECIAL SESSION ON TUESDAY, JULY 18, 2023, AT 7:14 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM. THE MEETING WAS CALLED TO ORDER BY VICE CHAIRMAN SCOTT HARMON.

THE FOLLOWING MEMBERS WERE PRESENT:

Scott Harmon- Vice Chair
Jake Fitisemanu *(electronically)*
Tom Huynh
Don Christensen
Lars Nordfelt
Karen Lang

ABSENT:

William Whetstone, Chair

STAFF PRESENT:

Wayne Pyle, City Manager *(electronically)*
Nichole Camac, City Recorder
Bradley Jeppsen, Acting City Attorney *(electronically)*
Colleen Jacobs, Police Chief
John Evans, Fire Chief *(electronically)*
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
John Flores, HR Director
Mark Nord, RDA Director *(electronically)*
Sam Johnson, Strategic Communications Director *(electronically)*
Ken Cushing, IT

APPROVAL OF MINUTES OF SPECIAL MEETING HELD JUNE 20, 2023
The Board considered Minutes of the Special Meeting held June 20, 2023. There were no changes, corrections or deletions.

DRAFT

Ms. Lang moved to approve the Minutes of the Special Meeting held June 20, 2023. Mr. Huynh seconded the motion.

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

RESOLUTION 23-06: AUTHORIZE THE AUTHORITY TO EXECUTE AN UNDERGROUND RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER

Wayne Pyle, City Manager, discussed proposed BA Resolution 23-06 that would authorize the Authority to Execute an Underground Right of Way Easement in Favor of Rocky Mountain Power

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

> Rocky Mountain Power is requesting an Underground Right-of-way Easement across Municipal Building Authority property located at 3600 S Constitution Blvd. in order to install infrastructure for future charging facilities for the UTA Bus Hub expansion and the electric vehicle charging stations to be built in the City Hall parking lot.

Upon inquiry by Vice Chairman Harmon there were no further questions from members of the Authority, and he called for a motion.

Mr. Nordfelt moved to approve Resolution 23-06.

Mr. Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Mr. Huynh	Yes
Ms. Lang	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Vice Chair Harmon	Yes
Chair Whetstone	N/A

Unanimous.

MOTION TO ADJOURN

Upon motion by Mr. Huynh, all voted in favor to adjourn.

Page 2 of 2

THERE BEING NO FURTHER BUSINESS OF THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, THE SPECIAL MEETING OF TUESDAY, JULY 18, 2023, WAS ADJOURNED AT 7:16 PM. BY VICE CHAIRMAN HARMON.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Special Meeting of the Municipal Building Authority of West Valley City held Tuesday, July 18, 2023.

_____
Nichole Camac
Secretary

DRAFT

Item: _____
Fiscal Impact: _____
Funding Source: _____
Account #: _____
Budget Opening Required: _____

ISSUE:

Approve a resolution to re-open the fiscal year 2023-2024 budget for the purpose of making amendments to reflect changes in actual revenues and expenditures.

SYNOPSIS:

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the Building Authority to amend its budget during the year. The Building Authority may hold public hearings on budget amendments on a quarterly basis each fiscal year.

BACKGROUND:

A Public Notice was posted September 21, 2023, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City's Website. Notice was given that a public hearing is to be held October 3, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

RECOMMENDATION:

City staff recommends approval of the resolution amending the budget of the Building Authority of West Valley City for the fiscal year beginning July 1, 2023 and ending June 30, 2024, to reflect changes in the budget from increased revenues and authorize the disbursement of funds.

MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY

RESOLUTION NO._____

A RESOLUTION AMENDING THE BUDGET OF THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS.

WHEREAS, the Board of Trustees of the Municipal Building Authority of West Valley City adopted a resolution approving the budget of the Municipal Building Authority for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in accordance with the requirements of state law; and

WHEREAS, the Treasurer of the Municipal Building Authority has prepared the proposed amendments to the adopted budget for consideration by the Board of Trustees and inspection by the public; and

WHEREAS, said proposed amendments reflect changes in the budget from increased revenues and transfers as reflected; and

WHEREAS, notice was duly given of a public hearing to be held on October 3, 2023, to consider the proposed amendments; and

WHEREAS, a public hearing to consider the proposed amendments was held on October 3, 2023 in accordance with said notice, at which hearing all interested parties were afforded an opportunity to be heard for or against said proposed amendments; and

WHEREAS, all conditions precedent to the amendment of the budget have been accomplished;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Municipal Building Authority of West Valley City, Utah as follows:

Section 1. The budget amendments attached hereto and made a part of this Resolution are hereby adopted and incorporated into the budget of the Municipal Building Authority of West Valley City for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in accordance with the requirements of state law.

Section 2. The Secretary is directed to have this Resolution certified by the Treasurer and filed with the State Auditor, as required by law.

Section 3. The Resolution takes effect upon passage.

PASSED and APPROVED this _____ day of _____, 2023.

MUNICIPAL BUILDING AUTHORITY
OF WEST VALLEY CITY

_____
PRESIDENT

ATTEST:

_____
SECRETARY

WEST VALLEY CITY BUILDING AUTHORITY - FUND 24
REVENUE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
BUILDING AUTHORITY:			
Misc. Revenue	0	0	
Interest Income	0	0	
Funding Other Sources	0	158,442	1
Total Revenues	**0**	**158,442**	
Total Revenues	**0**	**158,442**	

WEST VALLEY CITY BUILDING AUTHORITY - FUND 24
EXPENDITURE STATEMENT

	Adopted 2023-2024	Sept 2023 Openings	
BUILDING AUTHORITY:			
Inter-Departmental Transfers-In:			
Capital Reserve-Theater	(50,000)	(50,000)	
Capital Reserve-Arena	(100,000)	(100,000)	
Capital Reserve (FFC)	(30,000)	(30,000)	
MBA S 2016 Fire 71,72,76 (GF)	(524,500)	(524,500)	
MBA S 2017 (GF)	(3,325,450)	(3,325,450)	
MBA S 2019 Parks/PW (CRoads)	(267,867)	(267,867)	
MBA S 2019 Parks/PW (SW)	(267,867)	(267,867)	
MBA S 2019 Parks/PW (GF)	(220,791)	(220,791)	
MBA S 2022-Courts Reno	(382,500)	(382,500)	
Maverik Center Refunding (RDA)	(2,375,000)	(2,375,000)	
Subtotal Transfers-In	**(7,543,975)**	**(7,543,975)**	
EXPENDITURES:			
Theater Capital Reserve	50,000	208,442	1
Arena Capital Reserve	100,000	100,000	
Arena Capital Projects	0	0	
Fitness Center Capital Reserve	30,000	30,000	
MBA S 2010 Fire Station/PW	0	0	
MBA S 2016 Fire 71, 72 & 76	522,000	522,000	
MBA S 2017 Parking, PD & Court	3,322,950	3,322,950	
MBA S 2019 Parks/PW	754,025	754,025	
MBA S 2022-Courts Reno	380,000	380,000	
MBA S 2016 Arena Refund	2,375,000	2,375,000	
Bond Issuance Costs/Fees	10,000	10,000	
Transfers Out	0	0	
Subtotal Expenditures	**7,543,975**	**7,702,417**	
Total Expenditures	**0**	**158,442**	

As authorized by the Uniform Fiscal Procedures Act for Utah Cities, the operating budget of West Valley City is periodically amended to accommodate regular and necessary changes in expenditures and revenues that occur throughout the fiscal year. These budget modifications are called “budget openings”. They are considered by the City Council and accompanied by a public hearing to provide authorization to expend resources for grants received, rollovers of projects from the prior years, emergency expenditures, take advantage of economic opportunities, or other expenditures deemed to be appropriate and timely. Regular budget openings are necessary to maintain regular and orderly city operations and stay in compliance with State laws.

BUDGET OPENING
JULY 2023 - SEPT 2023
BUILDING AUTHORITY OF WEST VALLEY CITY
FISCAL YEAR 2023-2024

No.	Amount	Description	Source
1	$ 158,442.02	Theater Boiler Replacement *(Boiler is at End of Life)*	Theater R&R Reserves