

REQUEST FOR COUNCIL ACTION

SUBJECT: Resolution authorizing the Mayor to sign a Cooperative Agreement with the State of Utah, Division of Forestry, Fire and State Lands for construction related services at the "Big Bend" Habitat site

SUMMARY: The Utah Department of Forestry, Fire and State Lands operates a riverbank stabilization program and has been working with the City to improve river access and minimize bank erosion at the "Big Bend" Habitat site. This is an expansion of the previous bank stabilization project undertaken during FY2018 by the City and will add five hundred feet (500') of additional stabilization and bank cut back.

FISCAL IMPACT: Matching funds are required for this \$25,000 grant. The City will use current funding approved for this project.

STAFF RECOMMENDATION:

Approve a resolution authorizing the Mayor to sign a Cooperative Agreement with the State of Utah, Division of Forestry, Fire and State Lands for construction related services at the "Big Bend" Habitat site

MOTION RECOMMENDED:

"I move to approve Resolution # 19-18 authorizing the Mayor to sign a Cooperative Agreement with the State of Utah, Division of Forestry, Fire and State Lands for construction related services at the "Big Bend" Habitat site.

Roll Call vote required

Prepared and to be Presented by:



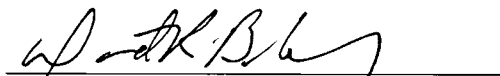
Charles Tarver
Grants Coordinator

Recommended by:



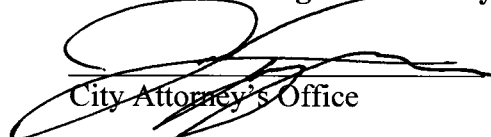
Brock Hudson
Community Preservation Director

Authorized for Council Consideration:



David R. Brickey
City Manager

Reviewed for Legal Sufficiency



City Attorney's Office

BACKGROUND DISCUSSION:

The City of West Jordan has developed plans for the restoration of 70 acres along the Jordan River that was part of the original Sharon Steel Settlement for the Super Fund clean-up program. The City has worked numerous years on this project and divided it into 4 separate phases:

- Phase 1: Project 60% design and approval by City Council;
- Phase 2: Realignment of the river channel between 8400 S and 8800 S with the construction of a wetland;
- Phase 3: Creation of a habitat area to the east of the river realignment;
- Phase 3.1: Construction of an urban fishery to be located along the Jordan River Trail at approximately 8600 S;

The State of Utah, Division of Forestry, Fire and State Lands funding will provide for five hundred feet (500') of additional construction related services at the "Big Bend" Habitat site for the ongoing bank stabilization and layback program. This is an expansion of the previous bank stabilization project undertaken during FY2018 by the City.

CITY OF WEST JORDAN

RESOLUTION NO. 19-191

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A COOPERATIVE AGREEMENT WITH THE STATE OF UTAH, DIVISION OF FORESTRY, FIRE AND STATE LANDS FOR DESIGN AND RELATED SERVICES AT THE "BIG BEND" HABITAT SITE

WHEREAS, it is the intent of the City Council to control bank erosion and stabilization at the 70 acres "Big Bend" Habitat site; and

WHEREAS, the City has worked with the State of Utah, Division of Forestry, Fire and State Lands for funding for this project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THAT:

SECTION 1: The West Jordan City Council authorizes the Mayor to sign a Cooperative Agreement with the State of Utah, Division of Forestry, Fire and State Lands for construction related services at the "Big Bend" Habitat site for \$25,000.

SECTION 2: This Resolution shall take effect on October 9, 2019

Adopted by the City Council of West Jordan, Utah, this 9th day of October 2019.

Jim Riding
Mayor

ATTEST:

JAMIE BROOKS
Interim City Recorder

Voting by the City Council	"YES"	"NO"
Council Member Alan Anderson	_____	_____
Council Member Dirk Burton	_____	_____
Council Member Zach Jacob	_____	_____
Council Member Chad Lamb	_____	_____
Council Member Chris McConnehey	_____	_____
Council Member Kayleen Whitelock	_____	_____
Mayor Jim Riding	_____	_____



GARY R. HERBERT
Governor

Spencer J. Cox
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Forestry, Fire and State Lands

Brian L. Cottam
State Forester/Division Director

August 12, 2019

City of West Jordan
C/O Charles Tarvar
8000 South Redwood Road
West Jordan, UT 84088

RE: Bank Stabilization Project Funding Contract Agreement

Charles,

Enclosed, please find a copy of the funding agreement regarding the City of West Jordan bank stabilization project at the Big Bend property. Please have the signatory authority sign and return the agreement to my attention at the address below as soon as possible. The permit is not active until all parties have signed the documents. Should you have any questions or concerns please do not hesitate to contact me at 385-222-0012 or mfaulkner@utah.gov.

Sincerely;

Morgan Faulkner
Sovereign Lands Analyst
Division of Forestry, Fire and State Lands



**COOPERATIVE AGREEMENT
BETWEEN
STATE OF UTAH, DIVISION OF FORESTRY, FIRE AND STATE LANDS
AND
THE CITY OF WEST JORDAN**

I INTRODUCTION

The State of Utah, Division of Forestry, Fire and State Lands (FFSL) and the City of West Jordan are entering into a cooperative agreement to provide funding for a stream bank restoration project on the Jordan River.

II PURPOSE

Much of the Jordan River channel corridor has been extensively modified by human activity throughout the history of the Salt Lake Valley. Dredging and rechanneling has occurred frequently on the river to prevent or minimize potential flooding. Because the river has been extensively modified and has not been able to meander naturally, some banks have deteriorated. Not only does this create unsafe conditions around the bank, it also releases sediment into the river and is less suitable for native riparian plants. The banks are approximately 10 feet tall and have eroded 90 feet over the last 10 years. This portion of the project is an extension of the bank stabilization on the property that was implemented in 2018.

A. FFSL will:

1. Match up to \$25,000 in project funding on a 1:1 basis to West Jordan City before June 30, 2020.

B. The City of West Jordan will:

1. Advise FFSL of any proposed changes to scope of work and the effects of this change. Change must be agreed upon by FFSL before any of the proposed changes take place.
2. Submit detailed invoices showing actual hours worked, rates, materials, etc. and be able to supply documentation of time spent or expenditures made using the funds of this agreement if requested.
3. Allow State agency staff, and State auditors access to all records pertaining to this agreement for audit and inspection of this project. The City of West Jordan will maintain all records necessary to properly account for the expenses made for the costs authorized by this agreement. These records will be maintained for at least four years after the agreement terminates, or until after all audits initiated within the four years have been completed, whichever

is later.

4. Stabilize and restore 500 linear feet of streambank through grading, toe boulders and large woody debris, and planting native vegetation.
5. Follow proper purchasing procedures for political subdivisions of the State of Utah and as outlined in City policy, Chapter 1, Purchases and Encumbrances, 3-1-3 when soliciting bids from contractors.

IV TERMS OF AGREEMENT

This Agreement shall become effective July 15, 2019 and shall remain in effect until June 30, 2020, at the end of which time it will expire unless canceled. This agreement may be revised as necessary by mutual consent of the Parties or by the issuance of a written amendment, signed and dated by Parties. Either Party, providing it gives 30 days written advance notice, may terminate this Agreement.

By: _____
Name: Brian L. Cottam
Title: FFSL Director
Date _____

By: _____
Name: Stacy Carroll
Title: FFSL Director of Administrative Services
Date _____

By: Fredric J. Donaldson
Name: Fredric J. Donaldson
Title: Assistant Attorney General
Date 8/13/2019

By: _____
Name: Jim Riding
Title: City of West Jordan
Date _____

By: Jamie Barnes
Name: Jamie Barnes
Title: Sovereign Lands Program Manager
Date 8/13/19

Scope of Work between
City of West Jordan
and
Utah Division of Forestry, Fire and State Lands

I. Purpose of this Scope of Work

This scope of work is entered into between the Utah Department of Natural Resources, Division of Forestry, Fire, and State Lands, hereinafter referred to as “FFSL” and the City of West Jordan for the purpose of restoring an eroded stream bank at the Big Bend restoration site in West Jordan, Utah. This scope of work provides a basis for:

- Obligating funds for work performed by the City of West Jordan,
- The City of West Jordan to invoice FFSL for work completed, and
- Payment of funds by FFSL to the City of West Jordan.

II. Funds Obligated

- \$25,000 of matching funds to be used for the bank stabilization project at the Big Bend restoration site

III. Project Work Plan

1. Stabilize and restore 500 linear feet of streambank through grading, toe boulders, and large woody debris
2. Improve the diversity and composition of the riparian community through planting native vegetation
3. Enhance river recreation access for the general public by terracing the stream bed

IV. Reports, Invoices, Payments

Reports, invoices, and payments will be completed in a timely manner. An annual report will share descriptions of programs offered, number of programs offered, and number of participants reached.

V. Term – Effective Dates

This scope of work shall become effective July 15, 2019 and shall remain in effect until funds are used or until June 30, 2020.