

MINUTES OF COUNCIL STUDY MEETING – MARCH 9, 2021

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, MARCH 9, 2021 AT 4:30 P.M. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR PRO-TEM BUHLER.

THE MEETING WAS HELD ELECTRONICALLY VIA ZOOM.

THE FOLLOWING MEMBERS WERE PRESENT ELECTRONICALLY:

Ron Bigelow, Mayor (*arrived as noted*)
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Steve Buhler, Councilmember District 2 (Mayor Pro-Tem)
Karen Lang, Councilmember District 3

ABSENT:

Tom Huynh, Councilmember District 1
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT ELECTRONICALLY:

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

APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 2, 2021

The Council considered the Minutes of the Study Meeting held March 2, 2021. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Study Meeting held March 2, 2021. Councilmember Lang seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF MARCH 9, 2021

Upon inquiry by Mayor Pro-Tem Buhler, 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 21-36: APPROVE A MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN WEST VALLEY CITY AND IMMIGRATION AND CUSTOMS ENFORCEMENT FOR THE REIMBURSEMENT OF JOINT OPERATIONS EXPENSES FROM THE TREASURY FORFEITURE FUND

Colleen Jacobs, Police Chief, stated that this item will be removed from the agenda so that she can obtain further clarification and information.

RESOLUTION 21-37: APPROVE A MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN WEST VALLEY CITY AND THE FEDERAL BUREAU OF INVESTIGATION (FBI) TO JOIN THE JOINT TERRORISM TASK FORCE

Colleen Jacobs, Police Chief, presented proposed Resolution 21-37 that would approve a Memorandum of Understanding ("MOU") Between West Valley City and the Federal Bureau of Investigation (FBI) to join the Joint Terrorism Task Force.

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

In an effort to leverage the collective resources for the prevention, preemption, deterrence and investigation of terrorist acts that affect United States interests, and to disrupt and prevent terrorist acts and apprehend individuals. Law enforcement agencies of the greater Salt Lake Valley, State and Federal agencies have united efforts and resources to form the Joint Terrorism Taskforce (JTTF). The Police Department seeks to assign one (1) investigator to this position. This agreement clarifies the responsibilities of participating agencies to establish the groundwork for the administration and operation of the taskforce.

This task force is authorized to coordinate intelligence, investigative, and operational responses to various criminal, cyber and national security threats, attacks, and intrusions pursuant to various statutory and executive authorities.

The City Council will consider Resolution 21-37 at the Regular Council Meeting scheduled March 16, 2021 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR MARCH 16, 2021

A. RESOLUTION 21-38: AUTHORIZE THE CITY TO ENTER INTO AN

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EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JOE AND FEDERICA RAMOS FOR PROPERTY LOCATED AT 4171 SOUTH 2735 WEST

Mayor Pro-Tem Buhler discussed proposed Resolution 21-38 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement and a Temporary Construction Easement with and from Joe and Frederica Ramos for property Located at 4171 South 2735 West.

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

These easements on the Joe G. Ramos and Frederica Ramos parcel located at 4171 South 2735 West are being acquired as part of the 2700 West Improvement Project Phase 2, scheduled to be constructed in 2020. This project will include construction of sidewalk, textured colored concrete parkstrip, street trees, and decorative street lighting along the west side of Constitution Boulevard (2700 West) from 4100 South to 4700 South. The project will also include an eight-foot tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard. The acquisition from Joe G. Ramos and Frederica Ramos includes a Perpetual Easement for the wall and for a Temporary Construction Easement. Compensation in the amount of \$1,600 is based upon the Appraisal Report prepared by the Fortis Group LLC.

B. RESOLUTION 21-39: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM SWANK AND REAM HENG FOR PROPERTY LOCATED AT 2719 WEST 4270 SOUTH

Mayor Pro-Tem Buhler discussed proposed Resolution 21-39 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement and a Temporary Construction Easement with and from Swank and Ream Heng for Property Located at 2719 West 4270 South.

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

These easements on the Swank Heng and Ream Heng parcel located at 2719 West 4270 South are being acquired as part of the 2700 West Improvement Project Phase 2, scheduled to be constructed in 2020. This project will include construction of sidewalk, textured colored concrete parkstrip, street trees, and decorative street lighting along the west side of Constitution

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Boulevard (2700 West) from 4100 South to 4700 South. The project will also include an eight-foot tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard. The acquisition from Swank Heng and Ream Heng includes a Perpetual Easement for the wall and for a Temporary Construction Easement. Compensation in the amount of \$3,400 is based upon the Appraisal Report prepared by the Fortis Group LLC.

C. RESOLUTION 21-40: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JOHN AND CECILIA TRUJILLO FOR PROPERTY LOCATED AT 4233 SOUTH 2735 WEST

Mayor Pro-Tem Buhler discussed proposed Resolution 21-40 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement and a Temporary Construction Easement with and from John and Cecilia Trujillo for Property Located at 4233 South 2735 West.

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

These easements on the John Trujillo and Cecilia Trujillo parcel located at 4233 South 2735 West are being acquired as part of the 2700 West Improvement Project Phase 2, scheduled to be constructed in 2020. This project will include construction of sidewalk, textured colored concrete parkstrip, street trees, and decorative street lighting along the west side of Constitution Boulevard (2700 West) from 4100 South to 4700 South. The project will also include an eight-foot tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard. The acquisition from John Trujillo and Cecilia Trujillo includes a Perpetual Easement for the wall and for a Temporary Construction Easement. Compensation in the amount of \$2,600 is based upon the Appraisal Report prepared by the Fortis Group LLC.

D. RESOLUTION 21-41: AUTHORIZE THE CITY TO APPROVE A DELAY AGREEMENT WITH KILGORE COMPANIES, LLC TO DELAY CERTAIN IMPROVEMENTS AT 6831 WEST 5400 SOUTH

Mayor Pro-Tem Buhler discussed proposed Resolution 21-41 that would authorize the City to approve a Delay Agreement with Kilgore Companies, LLC to delay certain improvements at 6831 West 5400 South.

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

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Kilgore Companies, LLC has requested to delay the installation of off-site improvements at 6831 West 5400 South as required by ordinance for their proposed site improvements. Off-site improvements include the installation of curb, gutter, and sidewalk.

Presently, there are no adjoining roadway improvements along this property. Postponing the construction of the required improvements would allow time for additional development to provide similar adjoining improvements and would eliminate the creation of drainage problems.

Mayor Pro-Tem Buhler stated that if development occurs in the future, this delay agreement could be called forward. Russ replied yes. Mayor Pro-Tem Buhler asked what the length of the delayed improvements would be. Councilmember Lang replied 400 feet.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolutions 21-38 through 21-41 at the Regular Council Meeting scheduled March 16, 2021, at 6:30 P.M.

COMMUNICATIONS

A. STREET LIGHTING FEE

Russ Willardson, Public Works Director, presented a PowerPoint presentation summarized as follows:

Following is a recommendation for long-term funding to cover the cost of operating, maintaining, replacing, and upgrading the City's street lighting system.

What is proposed?

A new street lighting fee of \$3.00 per month per single family residential equivalent unit is proposed. Each single family and duplex unit would be charged \$3.00 per month as an additional line item on the current City utility bill. Non-residential properties would be charged \$3.00 per month per Equivalent Residential Unit (ERU), with one ERU equaling 80 feet of street frontage.

Why is this fee needed?

The current street lighting budget covers only minimal maintenance and energy costs for the City's 7,488 streetlights. Additional personnel and equipment are needed to reduce downtimes on pole knockdowns,

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underground repairs, and lamp replacements. Currently 97 lights are inoperable and awaiting repair because of traffic accidents or underground wiring problems.

Additional funds are also needed to begin a long-term replacement of the existing system. Many of the current street lighting poles are at or beyond their projected service life.

Direct-buried fiberglass poles and underground wiring. These 2,592 Town and Country style lights were installed in the mid-1990's, making them now 25 years old. These low-cost lights were originally installed and owned by Rocky Mountain Power with direct-buried fiber-glass poles and direct-buried power lines, with no conduit, points of power disconnect or junction boxes.

While the Town and Country poles are still intact, replacement will be needed in the next 20 years. Fiberglass poles have an expected life of 20-30 years. These fiberglass poles are now oxidizing and unraveling. Painting these poles to extend their life is not possible with the current street lighting staff of two.

With streetlighting power lines buried directly in the ground, finding and isolating problems is often impossible. It is often more cost efficient to replace all the underground wiring and add junction boxes and disconnect points to facilitate future maintenance. Essentially, it becomes a rebuild of the entire underground system.

One example is Lake Park Boulevard. Here 42 out of 61 lights are out due to underground wiring problems. The estimated cost to replace the underground wiring is \$250,000. There is no funding available for major renovations to the system such as this.

Wooden poles. There are 2,843 existing lights on wooden poles installed prior to City incorporation in 1980, in areas with overhead power. These poles are at least 40 years into their expected life of 50 to 80 years. Although none of the poles have failed, large cracks are visible, and some are beginning to show deterioration at the base. Current resources are inadequate to try to extend pole life with more maintenance.

How much revenue will the proposed fee raise?

A \$3.00 per ERU street lighting fee would generate approximately \$1.28 million, with 70% coming from residential units.

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What other funding options exist?

Street lighting in West Valley City was first funded by a property tax increase in the mid-1990s. The current budget of \$491,000 comes from the General Fund. Current General Fund revenues are insufficient to fund a program of this magnitude.

A \$2.00 per month street lighting fee combined with the current \$491,000 General Fund budget would be equivalent to a \$3 per month fee with no General Fund monies.

Installation costs for streetlights in new developments are borne by the developer. Transportation funds are used for new street lighting on road projects. These practices reduce the capital construction needs for street lighting.

How will new street lighting revenues be used?

Additional personnel and equipment to improve operation and maintenance of the existing system is the top priority. One additional street lighting technician with a bucket truck and additional materials would be added, with an initial annual cost of \$315,000 and an ongoing cost of \$165,000. An old bucket truck would also be replaced at cost of \$150,000.

A capital budget for major repairs, replacements and additions to the system is also needed. The proposed \$3.00 per month fee provides about \$500,000 annually for capital projects.

- This capital budget would cover replacement of 70-80 lights per year, (including poles, wiring replacement and junction boxes), or an area about the size of Operation My Hometown (OMH).
- An additional 120 lights are needed for streets with no current street lighting. The estimated cost is \$900,000.
- A \$3 street lighting fee would not provide sufficient capital for a major pole replacement program. It would, however, provide resources for a pole maintenance program. The estimated cost to paint or treat all poles is roughly \$500,000.
- This is a minimal capital budget, but it's a start and will provide means to address the most pressing problem areas or focus areas like OMH. With this funding level, it will take over 30 years to replace just the direct-buried fiberglass poles.

Implementation

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No additional administrative costs are necessary. Street Lighting Fees can be added to existing City garbage and storm water utility bills. All property owners would be charged a fee including property-tax exempt parcels.

Lamps in all streetlights have been converted to LED for energy savings. These lamps can be reused in new fixtures when poles and fixtures are replaced.

What other cities charge street lighting fees?

The following cities have chosen to fund their street lighting needs with a street lighting fee: Salt Lake City, Sandy, West Jordan, Layton, and Orem. The fees range from \$1.71 per month in West Jordan to \$3.73 per month in Salt Lake City, with an average fee of \$2.73.

- LED Lamp Conversions
 - o All lamps have been converted to LED.
 - o Fixtures and poles were not upgraded.
 - o Holding final payment until contractor corrects wiring problems.
- Wooden Light Poles
 - o 2,843 Wood Pole Cobra Heads
 - o Wood Pole Life Expectancy of 50-80 years
 - o All Wood Poles Installed Prior to 1980
- Fiberglass Light Poles
 - o 2,592 Town and Country Style Fixtures
 - o Life Expectancy of 20-30 years
 - o All Fiberglass Poles installed between 1994-1995
 - o Direct-buried power lines, no conduit, point of power disconnect nor junction boxes
- Aluminum Light Pole
 - o Life Expectancy over 50 years
 - o Since 2003, all poles installed have been aluminum
- Current Funding Source
 - o **GENERAL FUND**
 - Property Tax increase in mid-1990's
 - Current Budget \$491,000
 - o **CLASS "C" and other TRANSPORTATION FUNDS**
 - Used for street lighting on road projects
 - o **DEVELOPERS**
 - New developments are required to install streetlights to current standards
- Maintenance Backlog and Unfunded Needs

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- o 97 lights out waiting for repair
 - o Underground direct-buried power line repairs on next slide
 - o Painting fiber-glass poles
 - o Treating cracked and deteriorating wooden poles
 - o Long-term replacement plan
- Underground Repairs Since 2014
- Street Lighting Fee
 - o \$3.00 per month
 - o \$2.00 per month (with \$491,000 from General Fund)
 - o Per home or per 80 LF of Street Frontage
- Increased Operations and Maintenance Budget
 - o \$800,000 for personnel, equipment, energy, parts and materials, and small contracted underground repairs
- New Revenue to Meet Long Term Needs
 - o \$500,000 Annually for Major Repairs and Capital Projects
- Street Lighting Fees in Comparable Cities (not all cities have fees)
- Improved Operations and Maintenance
 - o Current Operations
 - **One Street Light Supervisor/One Technician**
 - Total two employees
 - **Two Bucket Trucks**
 - 2008 Sterling 123,000 miles
 - 2016 Ford 54,500 miles
 - **Parts and Materials**
 - \$175,000 Budget
 - **Small Underground Repairs**
 - \$15,000 Budget
 - **Blue Stakes**
 - No budget
 - o Potential Operations
 - **One Street Light Supervisor/Two Technicians**
 - Total three employees
 - **Three Bucket Trucks**
 - 2016 Ford 54,500 miles
 - Replace 2008 Sterling (\$150,000)
 - New bucket truck(\$150,000)
 - **Parts and Materials**
 - \$250,000 Budget
 - **Small Underground Repairs**
 - \$80,000 Budget
 - **Blue Stakes**
 - \$30,000 Budget

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- Long Term Repair and Replacement Plan (\$500,000 per year)
 - o **Lake Park Blvd Underground Wiring Repairs**
 - Estimated cost is \$750,000 to \$900,000
 - o **Additional 120 lights for streets with no current street lighting**
 - Estimated cost is \$900,000
 - o **Pole maintenance program – paint and treat all poles**
 - Estimated cost is \$500,000
 - o **Streetlight replacements**
 - 70-80 lights per year, including poles, wiring replacement and junction boxes (an area about the size of Operation My Hometown)
 - o Estimated cost is \$500,000-600,000
 - o Will take over 30 years to replace 2,592 fiberglass poles
 - o Policy question whether to replace wooden poles with aluminum “acorn” style poles and underground power, or replace them with overhead power poles

Mayor Pro-Tem Buhler clarified how the fees would be implemented into the existing budget. He stated that with the addition of these fees an average home would pay around \$300 a year. Mayor Pro-Tem Buhler stated that streetlights are essential to neighborhoods. Councilmember Lang stated that the City should maybe be focused more on sidewalks and also questioned whether 3 employees would be able to accomplish all the street lighting repairs needed. Mayor Pro-Tem Buhler noted that sidewalks are more expensive but stated that he would need to know how long it would take to build them out. Russ replied that there is a priority list but it will take a long time to build out the needed sidewalks in the City. Russ stated that the majority of the streetlight concern is maintenance and repair and not so much adding more streetlights. He broke down the cost and the amount of time it will take to get caught up. Councilmember Lang stated that it's overwhelming to think that it could take 30 years to get lighting where it needs to be.

Mayor Bigelow joined the meeting at 5:08 PM. He asked that Mayor Pro-Tem Buhler continue to conduct the meeting.

Wayne Pyle indicated that there will be a problem as streetlights continue to age. He stated that the City Council either needs to choose to let street lighting go or make a plan for getting it improved. Mayor Pro-Tem Buhler stated that streetlights are important and lights being out is an issue and bad for the image of the City. He indicated that the City should go forward with some plan to address the concern. Councilmember Lang stated she would like to discuss this in Strategic Plan next year. Councilmember Christensen stated that he feels there is a safety concern for

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residents, and it should be addressed soon. Mayor Bigelow suggested a brief revisit of this conversation next week when all Councilmembers are present.

B. COUNCIL CALENDAR

Mayor Pro-Tem Buhler 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.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

Wayne Pyle asked if the Council has any further direction on the Veteran's Hall Memorial. He indicated that this would include a \$500,000 front from the City as well as other funding sources. Councilmember Lang asked when the other phases of the project could be concluded. Wayne indicated that would depend entirely on when funding could be raised. Councilmember Lang verified that if other funding sources don't come to fruition that the City would not move forward with their \$500,000. Wayne replied yes. Mayor Bigelow discussed funding from other entities and the decision to phase the projects.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- MUNICIPAL COUNCILS

Councilmember Christensen stated that the Municipal Councils had a report from GOED that indicated Utah has the number one economic plan in the Country.

C. REVIEW AGENDA FOR SPECIAL REDEVELOPMENT AGENCY MEETING SCHEDULED MARCH 16, 2021

RESOLUTION 21-01: AUTHORIZE THE AGENCY TO EXECUTE A WATERLINE EASEMENT IN FAVOR OF GRANGER-HUNTER IMPROVEMENT DISTRICT

Russ Willardson, Public Works Director, presented proposed RDA Resolution 21-01 that would authorize the Agency to execute a Waterline Easement in favor of Granger-Hunter Improvement District.

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

Granger-Hunter Improvement District is replacing waterlines in 3500 South near 1200 West. To facilitate its project Granger-Hunter Improvement District is requesting a Waterline Easement across property owned by the

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Redevelopment Agency of West Valley City and located at 3344 South 1200 West (parcel #15-26-352-016). The proposed easement is 15 feet wide by 20 feet long and is to be located at the northeast corner of the RDA property at the southwest corner of 3300 South and 1200 West. Compensation to the Redevelopment Agency of West Valley City in the amount of \$2,500.00 will be paid by Granger-Hunter Improvement District.

Mayor Pro-Tem Buhler verified that there would be no impact to the developability of the property. Russ replied no.

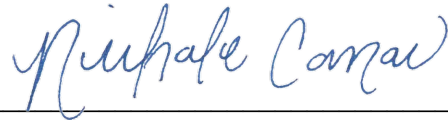
The Redevelopment Agency will consider Resolution 21-01 at the Special Meeting scheduled March 16, 2021 at 6:30 P.M.

MOTION TO ADJOURN

Upon motion by Mayor Bigelow all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY MARCH 9, 2021 WAS ADJOURNED AT 5:29 PM BY MAYOR PRO-TEM BUHLER.

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, March 9, 2021.



Nichole Camac, CMC
City Recorder