



A Special Electronic Meeting of the West Valley City Building Authority will be held on Tuesday, July 18, 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. June 20, 2023
5. Resolutions:
 - A. 23-06: Authorize the Authority to Execute an Underground Right of Way Easement in Favor of Rocky Mountain Power
6. Adjourn

- 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.

**MINUTES OF THE MUNICIPAL BUILDING AUTHORITY SPECIAL MEETING – JUNE
20, 2023**

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THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY MET IN SPECIAL SESSION ON TUESDAY, JUNE 20, 2023, AT XX 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 CHAIRMAN WILLIAM WHETSTONE.

THE FOLLOWING MEMBERS WERE PRESENT:

William Whetstone, Chair
Jake Fitisemanu
Scott Harmon
Tom Huynh
Don Christensen
Lars Nordfelt
Karen Lang

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/ General Counsel
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 (*electronically*)
Mark Nord, RDA Director (*electronically*)
Sam Johnson, Strategic Communications Director
Ken Cushing, IT

APPROVAL OF MINUTES OF SPECIAL MEETING HELD JUNE 13, 2023

The Board considered Minutes of the Annual Meeting held June 13, 2023. There were no changes, corrections or deletions.

Mr. Christnesen moved to approve the Minutes of the Annual Meeting held June 13, 2023.
Mr. Lang seconded the motion.

**MINUTES OF THE MUNICIPAL BUILDING AUTHORITY SPECIAL MEETING – JUNE
20, 2023**

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

PUBLIC HEARINGS

**A. ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2022-
2023 BUDGET**

Wayne Pyle informed a public hearing had been advertised for the Special Municipal Building Authority Meeting scheduled June 20, 2023, in order for the Authority to hear and consider public comments regarding re-opening the FY 2022-2023 Budget.

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

A Public Notice was posted June 8, 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 June 8, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

Chairman Whetstone opened the Public Hearing. There being no one to speak in favor or opposition, Chairman Whetstone closed the Public Hearing.

**ACTION: CONSIDER RESOLUTION 23-05, AMEND THE BUDGET OF
WEST VALLEY CITY MUNICIPAL BUILDING AUTHORITY FOR THE
FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023
TO REFLECT CHANGES IN THE BUDGET FROM INCREASED
REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS**

The Municipal Building Authority previously held a public hearing regarding proposed Resolution 23-05 that would amend the budget of West Valley City Municipal Building Authority for the fiscal year beginning July 1, 2022 and ending June 30, 2023 to reflect changes in the budget from increased revenues and authorize the disbursement of funds.

Upon inquiry by Chairman Whetstone there were no further questions from members of the Authority, and he called for a motion.

Ms. Nordfelt moved to approve Resolution 23-05.

Mr. Harmon seconded the motion.

A roll call vote was taken:

**MINUTES OF THE MUNICIPAL BUILDING AUTHORITY SPECIAL MEETING – JUNE
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Mr. Fitisemanu	Yes
Mr. Harmon	Yes
Mr. Huynh	Yes
Ms. Lang	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Chair Whetstone	Yes

Unanimous.

MOTION TO ADJOURN

Upon motion by Mr. Lang, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, THE REGULAR MEETING OF TUESDAY, JUNE 20, 2023, WAS ADJOURNED AT 7:03 PM. BY CHAIRMAN WHETSTONE.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the Municipal Building Authority of West Valley City held Tuesday, June 20, 2023.

Nichole Camac
Secretary

Item #:	
Fiscal Impact:	
Funding Source:	
Account #:	
Budget Opening	
Required:	No

ISSUE:

Authorization and execution of an Underground Right-of-way Easement in favor of Rocky Mountain Power – Midvalley Connector Bus Rapid Transit Project.

SYNOPSIS:

Rocky Mountain Power is requesting an Underground Right-of-way Easement across Municipal Building Authority of West Valley City property located at 3600 S. Constitution Boulevard (15-33-129-050).

BACKGROUND:

Rocky Mountain Power is requesting an Underground Right-of-way Easement across Municipal Building Authority of West Valley City property located at 3600 S. Constitution Boulevard 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.

RECOMMENDATION:

Authorize the mayor to execute Underground Right-of-way Easement for and on behalf of West Valley City.

SUBMITTED BY:

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

MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE AUTHORITY TO
EXECUTE AN UNDERGROUND RIGHT OF WAY EASEMENT IN
FAVOR OF ROCKY MOUNTAIN POWER.**

WHEREAS, the City desires to install electric vehicle charging stations and provide for future charging stations at the UTA facility near City Hall; and

WHEREAS, in order to install said stations, Rocky Mountain Power requires an easement on the Authority's property; and

WHEREAS, an Underground Right of Way Easement (the "Easement") has been prepared in favor of Rocky Mountain Power;

WHEREAS, the Board of Trustees of the Municipal Building Authority does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to grant the Easement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Municipal Building Authority of West Valley City that the Easement is hereby approved, and that the President is authorized to execute said Easement, subject to final approval of the form of the Easement by the City Attorney's Office.

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

**MUNICIPAL BUILDING AUTHORITY
OF WEST VALLEY CITY**

PRESIDENT

ATTEST:

SECRETARY

REV101512

Return to:
Rocky Mountain Power
Lisa Louder/Bryan Millward
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Project Name: Midvalley BRT West Valley Hub Bus Charging Station
Tract Number:
WO#: 8242093
RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Municipal Building Authority of West Valley City, an nonprofit corporation of the State of Utah, Salt Lake County, Utah** ("Grantor"), hereby grants to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns, ("Grantee"), an easement for a right of way **27** feet in width and **26** feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Salt Lake County, State of Utah** described as follows and more particularly described and shown on Exhibit **A** attached hereto and by this reference made a part hereof:

:

A perpetual easement, upon part of an entire tract of property, situate in the NE1/4 NW1/4 of Section 33, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah. The boundaries of said part of an entire tract are described as follows:

Beginning at a point in the southerly boundary line of said entire tract, which point is 1065.58 feet S.00°00'44"W. along the quarter section line and 532.10 feet S.89°56'20"W. and 21.28 feet N.89°56'20"E. from the North Quarter Corner of said Section 33; and running thence N.34°34'18"W. 10.46 feet; thence N.55°25'42"E. 23.00 feet; thence S.34°34'18"E. 26.27 feet to the southerly boundary line of said entire tract; thence N.89°56'20"E. 27.91 feet along said southerly boundary line to the point of beginning. The above described part of an entire tract of property contains 422 square feet or 0.010 acre in area.

(Note: Rotate all bearings in the above description 00°14'45" clockwise to obtain highway bearings.)

Assessor Parcel No. **15-33-129-050**

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of

all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

WITNESSED the hand of said GRANTOR this ____ day of _____, 2023.

GRANTOR
**Municipal Building Authority of West Valley City,
a nonprofit corporation of the State of Utah**

William Whetstone, President

State of Utah)
 :SS
County of Salt Lake)

On this _____ day of _____, 2022, personally appeared before me **William Whetstone**, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed to me that he is the **President** of the **Municipal Building Authority of West Valley City, a nonprofit corporation of the State of Utah**, and that the foregoing instrument was signed on behalf of said agency by authority of a resolution of its Board of Directors, and he acknowledged to me that said corporation executed the same.

Notary Public

NOT FOR CONSTRUCTION

4/7/2023

WVC_Hub.RDW- RMP-Exhibit.dgn

