



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY– October 3, 2017**

AMENDED

5:30 p.m. – Work Session (*City Council Conference Room*)

No motions or decisions will be considered during this session, which is open to the public.

6:00 p.m. – Council Meeting (*Council Chambers*)

A. Welcome & Roll Call

B. Pledge of Allegiance

C. Moment of Silence

D. Open Communications

(This is an opportunity to address the City Council regarding your concerns or ideas. Please try to limit your comments to three minutes.)

E. Presentations and Reports

1. Mayor's Report
 - a. Council Committee Assignment Reports

F. Consent Items

1. Consideration to approve meeting minutes:
September 19, 2017 City Council Work Session
September 19, 2017 City Council Regular Session

G. Action Items

1. Consideration of **Resolution 2017-23**, Interlocal Agreement between Riverdale City and the Weber Morgan Narcotic/Gang Strike Force to investigate drug and gang related crime.
Presenter: Scott Brenkman, Police Chief

2. Consideration of Resolution 2017-24, authorization for City Staff to repair or replace the fire apparatus.
Presenter: Jared Sholly, Fire Chief

H. Executive Closed Session

1. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the purchase, exchange, or lease of real property (roll call vote).

I. Discretionary Items

J. Adjournment

In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Offices (801) 394-5541 at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Riverdale City limits on this 2nd day of October, 2017 at the following locations: 1) Riverdale City Hall Noticing Board 2) Riverdale City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html> and 4) the Standard-Examiner via email.

Jackie Manning
City Recorder

**RIVERDALE CITY
CITY COUNCIL AGENDA
October 3, 2017**

AGENDA ITEM: F

SUBJECT: Consideration to approve meeting minutes.

PRESENTER: Jackie Manning, City Recorder

INFORMATION: a. September 19, 2017 City Council Work Session
b. September 19, 2017 City Council Regular Meeting

[BACK TO AGENDA](#)

Minutes of the **Work Session** of the **Riverdale City Council** held Tuesday, September, 2017, at 5:30 p.m., at the Civic Center in the Administrative Offices, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:	Norm Searle, Mayor		
	Braden Mitchell, Councilmember		
	Brent Ellis, Councilmember		
	Gary E. Griffiths, Councilmember		
	Cody Hansen, Councilmember		
City Employees:	Rodger Worthen, City Administrator		
	Steve Brooks, City Attorney		
	Cody Cardon, Business Administrator		
	Mike Eggett, Community Development		
	Jackie Manning, City Recorder		
Absent:	Alan Arnold, Councilmember		
Visitors:	Clark Hogan	Kelly Kearn	Mark Henderson

The City Council Work Session meeting began at 5:30 p.m. Mayor Searle welcomed all in attendance and excused Councilmember Arnold who was not in attendance.

Open Communications:

There were no confirmed open communications. There was a brief discussion pertaining to ethics of City Council and Planning Commissioners when making public comments.

Presentations and Reports:

Rodger Worthen, the City Administrator, discussed the employee tenure awards that would be presented during the regular meeting.

Mayor Searle inquired about the change in the ambulance fee report. Cody Cardon, the Business Administrator, explained the difference is due to a system error in the billing system. The issue has been corrected, and any missed billings have been sent.

Mayor Searle inquired about the increase in court fines. Mr. Cardon discussed the billing process for the court clerks and stated he felt the increase was a one-time occurrence.

Councilmember Griffiths discussed the advantage of making a backlog for anyone not paying their citations/court fees. Mayor Searle directed City Staff to compile data pertaining to the amount of unpaid citations.

Consent Items:

Mayor Searle invited any corrections or comments regarding the City Council meeting minutes for the following meetings: August 29, 2017, Joint Strategic Planning and September 5, 2017 Work Session and Regular Meeting. There were no corrections requested.

Action Items:

Mayor Searle invited discussion regarding the first action item, public hearing and consideration to approve resolution 2017-22, accepting the results of the nonreciprocal interfund activity transfer of resources utilized by the General Fund and provided by the Water Fund. Mr. Cardon summarized the executive summary and invited questions. There were no questions regarding this item.

Mayor Searle invited discussion regarding the second action item, consideration of Final Site Plan and Plat for Greenhill at Riverdale Apartment Buildings Addition, property located approximately 4189 South 300 West, Riverdale, Utah 84405; requested by Riverdale Apartment Partners and US Development. Mike Eggett, the Community Development Director, summarized the executive summary and invited questions.

Councilmember Ellis asked if the applicants would be expanding the driveway. Mr. Eggett explained there would be an addition to accommodate emergency access vehicles.

Councilmember Ellis asked if there needed to be a traffic study to accommodate the additional 30 units. Mr. Eggett stated no concerns have been expressed by the City Engineer or Public Works Director regarding the need for a traffic study.

Mayor Searle invited discussion regarding the third action item, Consideration of Ordinance 895, a rezone request for properties located at approximately 4465 South 600 West, Riverdale, Utah, zone change from Agricultural (A-1) to

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Regional Planned Commercial (CP-3) zoning; requested by M&J Leisure LC. Mr. Eggett summarized the executive summary and invited questions. There were no questions regarding this item.

Discretionary Items:

There were no discretionary items.

Adjournment:

Having no further business to discuss the Council adjourned at 6:01 p.m. to convene into their Regular City Council Meeting.

DRAFT

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, September 19, 2017, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:	Norm Searle, Mayor		
	Braden Mitchell, Councilmember		
	Brent Ellis, Councilmember		
	Gary E. Griffiths, Councilmember		
	Cody Hansen, Councilmember		
City Employees:	Rodger Worthen, City Administrator		
	Steve Brooks, City Attorney		
	Cody Cardon, Community Development		
	Jared Sholly, Fire Chief		
	Mike Eggett, Community Development		
	Jackie Manning, City Recorder		
Excused:	Alan Arnold, Councilmember		
Visitors:	Mike Hadley	Amy Hadley	Frank White
	LaNae White	David Leahy	Charles Kerkvliet
	David Ermer	Clark Hogan	Kelly Kearns
	Mark Henderson	Vaughan Ashley	

A. Welcome & Roll Call

The City Council meeting began at 6:04 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all Councilmembers with the exception of Councilmember Arnold who is excused. Mayor Searle encouraged the public to sign the attendance roster.

B. Pledge of Allegiance

Mayor Searle invited Councilmember Mitchell to lead the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence and asked everyone to remember our police officers, fire fighters, U.S. Military service members, and members of the City Council as they make decisions this evening.

D. Open Communications

Mayor Searle invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes. No comments were made.

E. Presentations and Reports

1. Mayors Report

Mayor Searle informed the public of the upcoming meet the candidates night, which will be held on Thursday from 6:30 p.m. to 8:00 p.m. at the Riverdale Senior Center.

2. City Administration Report

Rodger Worthen, the City Administrator, summarized the department reports, staffing authorization plan, highlighted the staff anniversaries, and the treasurers report. Mr. Worthen recognized staff members who participated in cleaning up the outside area of the civic center by pulling weeds and trimming bushes.

Mr. Worthen presented awards to the five year incremental anniversaries for: Frank White -15 years; and Michael Hadley-10 years.

F. Consent Items

1. Review of meeting minutes for the Joint Strategic Planning Meeting held on August 29, 2017 and the City Council Work Session and Regular Meeting minutes held on September 5, 2017.

Mayor Searle invited any corrections or comments regarding the meeting minutes. There were no requested changes.

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71 **MOTION:** Councilmember Mitchell moved to approve the consent items as proposed.
72 Councilmember Ellis seconded the motion. There was not any discussion
73 regarding this motion. The motion passed unanimously in favor.

74 **G. Action Items**

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76 **1. a. Public Hearing to receive and consider comments regarding the new state requirement affecting the**
77 **nonreciprocal interfund activity transfer of resources utilized by the General Fund and provided by the Water**
78 **Fund.**

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80 Cody Cardon, the Business Administrator, summarized the executive summary which explained:

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82 To measure accountability, our City uses several separate funds. A fund is a fiscal and accounting entity with self-
83 balancing set of accounts segregated for the purpose of carrying on specific activities for attaining certain objectives in
84 accordance with regulations, restrictions, or limitations. Our City is in reality a combination of several distinctly different
85 fiscal and accounting entities, each having a separate set of accounts and functioning independently. We are required by
86 Utah Code and governmental accounting standards for services provided by a utility enterprise fund to another fund to
87 estimate or calculated the value of said services at the same rate as other similar customers of the utility.
88

89 The City has calculated and estimated the value of water utility services utilized by its General Fund to be \$80,000 for
90 fiscal year 2018. This nonreciprocal interfund transfer amount is comprised of water utilization at all City buildings, other
91 facilities, and exterior watering of parks and other City owned property.

92
93 Utah Code 10-5-107 and 10-6-135 requires that the City hold a public hearing and notify all utility customers before
94 an interfund transfer is made. This hearing fulfills that requirement.

95
96 **MOTION:** Councilmember Griffiths moved to open the public hearing. Councilmember Ellis
97 seconded the motion; all voted in favor.

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99 No comments were made.

100
101 **MOTION:** Councilmember Hansen moved to close the public hearing. Councilmember
102 Mitchell seconded the motion; all voted in favor.

103
104 **b. Consideration of Resolution 2017-22, accepting the results of the nonreciprocal interfund activity transfer**
105 **of resources utilized by the General Fund and provided by the Water Fund.**

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107 Mr. Cardon explained this would be an annual item, and will next be presented during the next fiscal year budget
108 discussion.

109
110 There was a brief discussion regarding the transfer process, and Mr. Cardon explained the process is done through a
111 disclosure, versus an actual transfer.

112
113 **MOTION:** Councilmember Ellis moved to approve Resolution 2017-22, accepting the
114 results of the nonreciprocal interfund activity transfer of resources utilized by the
115 General Fund and provided by the Water Fund. Councilmember Griffiths
116 seconded the motion.

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118 Mayor Searle invited discussion regarding the motion. There was not a discussion.

119
120 **ROLL CALL VOTE:** Councilmembers Ellis, Mitchell, Hansen and Griffiths all voted in favor.

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123 **2. Consideration of Final Site Plan and Plat for Greenhill at Riverdale Apartment Buildings Addition, property**
124 **located approximately 4189 South 300 West, Riverdale, Utah 84405; requested by Riverdale Apartment**
125 **Partners and US Development.**

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127 Mike Eggett, in Community Development, summarized the executive summary which explained:

128
129 Riverdale Apartment Partners has applied for a Multiple-Family Residential Site Plan and Plat review and approval for
130 apartment building additions to the Greenhill at Riverdale Apartments property located at approximately 4189 South 300
131 West in a Multiple-Family Residential R-5 zone (a very small portion of this area was recently approved and rezoned from
132 R-4 to the R-5 zone). The proposed subdivision site plan is before the City Council at this time for final review and
133 approval of the site plan and plat. A public hearing is not required to consider this proposed site plan and plat. On
134 September 12, 2017, this request came before the Planning Commission and at the conclusion of the discussion, the
135 Planning Commission recommended City Council approval of the proposed Final Site Plan and Plat. Following the

136 presentation and discussion of the final site plan and plat proposal, the City Council may make a motion to approve the
137 final site plan and plat, approve with additional requirements, or not approve the proposed Greenhill Apartments building
138 additions site plan and plat with the appropriate findings of fact. Should this proposal receive final site plan and plat
139 approval, the plat could then be finalized and recorded with Weber County, a performance bond or escrow issued for the
140 project, and construction activities commence thereafter.

141
142 Title 10 Ordinance Guidelines (Code Reference)

143 This Development/Residential Subdivision Site Plan review is regulated under City Code 10-21 "Subdivisions" and City
144 Code 10-9F "Multiple-Family Residential Zone (R-5)". This proposal is also affected by City Codes 10-14 "Regulations
145 Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", and other various development
146 standards found within the City Code.

147
148 The petitioner's properties are currently listed in the County Records under the ownership of Riverdale Apartment
149 Partners. These properties have been maintained as multiple-family residential apartments and associated service
150 buildings for many years.

151
152 Recently, the City Council approved a proposed small property swap of real estate to accommodate the proposed
153 apartment building in the south of this property. As part of this property swap and in order to allow the proposed
154 apartments to have the appropriate setbacks needed for their proposal, the Riverdale City leadership submitted a rezone
155 application for a large portion of property south of the Greenhill Apartments property (as jointly owned by Riverdale City
156 and the Riverdale RDA) to change the zone from Multiple-Family Residential (R-4) zoning to Community Commercial (C-
157 2) zoning. On September 5, 2017, this rezone request was approved by the City Council and will now allow the City and
158 RDA to utilize property zoning that hopefully will provide for future commercial development opportunities on these
159 associated properties.

160
161 The applicant group also provided a rezoning application to the City to rezone all properties in the new project plat
162 from Multiple-Family Residential (R-4) and Regional Commercial (C-3) zoning to Multiple-Family Residential (R-5) zoning.
163 This rezone request was approved by the City Council on September 5, 2017 for the property area, as shown in the
164 submitted plat for this project development.

165
166 Additionally, the Greenhill Apartments applicants provided a conditional use application for the proposed building
167 additions that is required for any development of more than 49 units within an R-5 zone. On September 12, 2017, the
168 conditional use permit was approved by the Planning Commission for the proposed Greenhill Apartment Building
169 Additions and the 30 new units (and associated facilities) therein.

170
171 Attached with this executive summary is a supplementary document addressing items on the Preliminary Site Plan
172 application and as directed by 10-21 of the City Code. Also attached, following this executive summary, are comments
173 from the contracted City Engineer, Public Works Department, Fire Department, Police Department, and City
174 Administrator.

175
176 General Plan Guidance (Section Reference)

177 The General Plan use for this area is currently set as "Planned Commercial - High" and, although this project proposal is
178 not a commercial project, it would be complimentary to the regional commercial uses in this area of the City.

179
180 Ernie Willmore, the applicant, provided an overview regarding the upgrades currently being made to the exterior and
181 interior of the existing apartments.

182
183 There was a brief discussion pertaining to the pet policies for Greenhill Apartments.

184
185 **MOTION:** Councilmember Mitchell moved to approve Final Site Plan and Plat for Greenhill
186 at Riverdale Apartment Buildings Addition, property located approximately 4189
187 South 300 West, Riverdale, Utah 84405; requested by Riverdale Apartment
188 Partners and US Development. Councilmember Hansen seconded the motion.

189
190 Mayor Searle invited discussion regarding the motion. There was not a discussion.

191
192 **CALL THE QUESTION:** All Councilmembers voted unanimously in favor of the motion.

193
194 **3. Consideration of Ordinance 895, a rezone request for properties located at approximately 4465 South 600**
195 **West, Riverdale, Utah, zone change from Agricultural (A-1) to Regional Planned Commercial (CP-3) zoning;**
196 **requested by M&J Leisure LC..**

197
198 Mr. Eggett summarized the executive summary which explained:

199
200 M&J Leisure LC, the petitioner in this matter, is requesting a rezone of property located at approximately 4465 South
201 600 West from Agricultural (A-1) zoning to Regional Planned Commercial (CP-3) zoning to allow for possibility of a future
202 waterpark expansion (of Classic Waterslides area) and the potential for other future business opportunities on this

property (see the application documents for further explanation). This request is for approximately 13.09 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing was noticed and held on September 12, 2017 with the Planning Commission to receive and consider any provided public comment on the proposed amendment to the zoning map; two property owners who shared ownership of property south of the rezone request area provided comments during this public comment time. Following the public hearing, the Planning Commission amended the requested rezone area (see attached document and below summary for updated area) and then approved a motion to provide a favorable recommendation of the amended rezone area to the City Council regarding the proposed M&J Leisure LC rezone request. Following discussion in this matter, the City Council may make a motion to approve the M&J Leisure LC rezone request, approve with modifications, table the request, or deny the request based upon sufficient findings of fact to support the motion.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-8 "Agricultural (A-1, A-2) zones" and 10-10B "Regional Planned Commercial (CP-3) zone".

The petitioner's property is currently listed in the County Records under the ownership of M&J Leisure LC. This property have been utilized as open pasture and hillside areas for many years adjacent and around a waterpark (Classic Waterslides) property located more towards the northern end of this property.

The appropriate application and supporting documentation have been submitted and provided to the Planning Commission for review (please see attached applicant response documentation and maps for more).

The Regional Planned Commercial (CP-3) zone requires all development requests to be reviewed as conditional uses in this zone; all uses listed in a C-3 zone are reviewed as conditional uses in the CP-3 zone. Additionally, these planned uses need to be clearly indicated on the final development plans for any project in a CP-3 area and "shall have an acceptable relationship to, and further the purposes, of the master plan for the City." For more information relative to the zoning codes affecting this request and permitted and conditional uses for these zones, please reference the respective sections of City Code, as noted above.

Public hearing notifications required by State and City Codes have been completed in conformance with the standards established by these Codes and as reflected in the attached documentation.

As part of the Planning Commission's motion, the Planning Commission made a change to the area recommended for rezone by recommending that the rezone area should include all of the property to the north, in compliance with the Master Land Use Plan, and then only be allowed to go south of the current Classic Waterslides to the existing fence line and gate wherein the private road access starts (a map has been included for an approximate area reference). Everything south of the fence line and gate should remain Agricultural (A-1) until a clear development and use plan for other land uses has been identified by the property owner for these properties to be considered for other zoning designations.

The reasons for this determination were based upon the applicant's stated desires to expand the waterpark amenities adjacent and surrounding the Classic Waterslides area, which might include: kiddie pool and water features area expansion, additional parking, other associated water park features and amenities, etc. The applicant further stated that any development of this property area would only occur in the flatter areas of the site and not along the hillside, thus avoiding any future hillside development issues or concerns associated with these properties. Future site planning processes would need to occur in order to allow any proposed future expansion or development onto this property, should the rezone recommendation be approved by the City Council.

Staff would encourage the City Council to review this matter and discuss with the petitioners any concerns that may arise in this matter. Staff would then recommend that the City Council act accordingly to approve, approve with conditions, table, or not approve the rezone request based upon sufficient findings of fact to support the decision.

General Plan Guidance (Section Reference)

The General Plan Land Use for the properties south of the waterslides area is currently set as "Agricultural". The waterslides property and areas north and east of the waterslides property are set as "Planned Commercial – High" on the Land Use Plan.

Kelly Kearns, representative of M&J Leisure, discussed the opportunities that would arise as a result of this rezone, such as additional parking for the business and possible addition of a child pool. Mr. Kearns explained they did not want to invest any money into the possible options until they knew the rezone would be possible.

Councilmember Ellis expressed concern regarding the rezone request in the essence that there were no definitive plans for the land. Councilmember Ellis asked the applicant if they would accept the Planning Commission's recommendation and only rezone a smaller portion. Mr. Kearns explained his preference would be his original request which included the entire portion of land, but he would accept the smaller portion.

270 Councilmember Griffiths discussed a prior residential survey which results revealed the desire of having more
271 outdoor recreation available in Riverdale City. Mr. Kearns stated they are looking to stay in Riverdale City and noted his
272 favorite aspect of the waterslide is the outdoor natural landscaping in that area.
273

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275 There was a discussion regarding the private narrow road. Mr. Kearns discussed the possibility of widening the
276 private road to increase safety and better traffic flow in the busier months. Councilmember Ellis asked if a road expansion
277 would result in a right-in and right-out only onto Riverdale Road. Mr. Eggett explained that would be a decision for the
278 Utah Department of Transportation (UDOT).
279

280 There was a discussion regarding the Regional Planned Commercial (CP-3) zone and it was explained any
281 development would require a Conditional Use Permit, which would be subject to approval by the city.
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283 **MOTION:** Councilmember Hansen moved to approve Ordinance 895, a rezone request for
284 properties located at approximately 4465 South 600 West, Riverdale, Utah, zone change
285 from Agricultural (A-1) to Regional Planned Commercial (CP-3) zoning; requested by
286 M&J Leisure LC for the entire portion of land originally requested by the applicant.
287 Councilmember Mitchell seconded the motion.
288

289 There was no discussion regarding this motion.
290

291 **ROLL CALL VOTE:** Councilmembers Mitchell, Hansen and Griffiths all voted in favor of approving ordinance
292 895. Councilmember Ellis voted in opposition. The motion carried with a majority vote.
293

294 **H. Discretionary Items**
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296 Councilmember Mitchell requested emails be sent to the Councilmembers regarding block parties hosted by the
297 police department as it allowed opportunities for the Council to get to know residents.
298

299 Councilmember Griffiths forwarded concerns expressed by neighboring residents regarding fire hazards. Jared
300 Sholly, the Fire Chief, discussed the current prevention programs available to the public.
301

302 Councilmember Hansen requested an update regarding Birch Creek flooding and code enforcement pertaining to an
303 illegal shed. Mr. Worthen discussed the flooding near Birch Creek and discussed the need for a study to be conducted by
304 the surrounding cities, which would be a shared cost. He noted the long term solution would be to improve the piping
305 under the nearby railyard. Mr. Worthen explained in relation to the shed it has been sold and will be relocated shortly.
306

307 A resident in the audience raised his hand and asked if he could address the Council. Mayor Searle consented.
308

309 Vaughn Ashley, a property owner near Classic Water Slides, explained he maintains the private road previously
310 discussed. He asked if the rezone would result in residential housing. Mayor Searle explained housing was not allowed in
311 a CP-3 Zone. Mr. Ashley further explained the open space near the Classic Water Slides is the only open space left in
312 Riverdale to ride horses. He opposed the rezone.
313

314 Mr. Worthen informed the council of a Special RDA Meeting to be held on September 26, 2017 at the Civic Center,
315 the time is to be determined.
316

317 **I. Adjournment.**
318

319 **MOTION:** Having no further business to discuss, Councilmember Ellis made a motion to adjourn.
320 The motion was seconded by Councilmember Mitchell; all voted in favor. The meeting
321 was adjourned at 7:17 p.m.
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326 _____
Norm Searle, Mayor

327 _____
Jackie Manning, City Recorder

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329 Date Approved: **October 3, 2017**

**RIVERDALE CITY
CITY COUNCIL AGENDA
October 3, 2017**

AGENDA ITEM: G1

SUBJECT: Consideration of Resolution 2017-23, Interlocal Agreement between Riverdale City and The Weber Morgan Narcotic/Gang Strike Force to investigate drug and gang related crime.

PRESENTER: Scott Brenkman, Police Chief

INFORMATION: a. [Executive Summary](#)
b. [Resolution 2017-23](#)
c. [Interlocal Agreement](#)

[BACK TO AGENDA](#)



City Council Executive Summary

For the Council meeting on:
10/3/2017

Petitioner:
Chief Scott Brenkman

Summary of Proposed Action

Approval of an interlocal agreement between Riverdale City and the Weber Morgan Narcotics/Gang Strike Force to investigate drug and gang related crime.

Summary of Supporting Facts & Options

Riverdale City has long had an interlocal agreement with the Weber/Morgan Narcotics Strike Force and the gang unit to assist with the investigation of drug and gang related crime. All jurisdictions within Weber County have an agreement with the Strike Force. The Strike Force can be called upon anytime to assist with any type of crime that involves drugs and gangs. The Strike Force will provide an agent to either assist, or ultimately handle the investigation. The Riverdale Police Department has frequent contact with and interaction with the Strike Force agents and currently has a full time officer assigned to the Strike Force. It would be in the best interest of the city to approve this agreement.

Legal Comments - City Attorney

Steve Brooks

Steve Brooks
City Attorney

Fiscal Comments - Treasurer/Budget Officer

Cody Cardon

Cody Cardon
Business Administrator

Administrative Comments - City Administrator

Rodger Worthen

Rodger Worthen
City Administrator

All signatures were added electronically. Any comments are displayed accordingly.



RESOLUTION NO. 2017-23

A RESOLUTION OF RIVERDALE CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE WEBER-MORGAN NARCOTIC/GANG STRIKE FORCE UNIT AND RIVERDALE CITY CONCERNING RIVERDALE CITY'S PARTICIPATION IN SAID UNIT.

WHEREAS, Utah Code Ann. § 11-13-101 et. sec., permits governmental entities to enter into cooperation agreements with each other; and

WHEREAS, Riverdale City (herein "City") recognizes the importance and expertise that the Weber-Morgan Narcotics/Gang Strike Force Unit has and provides such services to Riverdale City and are able to facilitate and provide a necessary and needed service to the City and surrounding communities; and

WHEREAS, Riverdale City wishes to, and recognizes the importance of, participating in any efforts designed to jointly help each other in times of emergency and needs; and

WHEREAS, the Riverdale City Council has fully reviewed the attached Interlocal Agreement between the Weber-Morgan Narcotics/Gang Strike Force Unit, various other surrounding communities or entities and Riverdale City, concerning a joint agreement for STRIKE FORCE services and participation and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Riverdale City Council hereby approves the attached Interlocal Agreement (attached hereto as Attachment 1 and incorporated hereby) as written, agrees to participate as outlined and authorizes the Mayor of Riverdale City to execute this Agreement on behalf of the City.

RESOLVED this _____ day of October, 2017.

Mayor Norm Searle
Riverdale City

Attest:

Jackie Manning
City Recorder

INTERLOCAL AGREEMENT OF THE WEBER/MORGAN NARCOTICS STRIKE FORCE

This is an Agreement by and among the undersigned parties creating an Interlocal Law Enforcement Narcotics and Gang Strike Force.

This Agreement is made and executed by and among the following undersigned jurisdictions: Ogden City, Weber County as law enforcement provider for all contract cities and unincorporated areas of Weber County, Roy City, South Ogden City, North Ogden City, Riverdale City, Pleasant View City, Harrisville City, Morgan County, Weber State University, Utah Highway Patrol, and Utah Adult Probation & Parole.

RATIONALE FOR ESTABLISHING STRIKE FORCE

WHEREAS, 11-13-1 et seq., Utah Code Annotated, 1953, as amended, commonly known as the Interlocal Cooperation Act, authorizes public agencies to enter joint agreements for the promotion of police protection; and

WHEREAS, all of the parties hereto are public agencies as defined by the Interlocal Cooperation Act; and

WHEREAS, all of the parties hereto have experienced within their jurisdictions a continuing problem of the production, manufacture, trade, use of illegal controlled substances, gang organization, and gang crimes; and

WHEREAS, the effective investigation and prosecution of sales, use and manufacturing of controlled substances requires specialized personnel able to investigate on a regional basis and in a cooperative arrangement;

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

SECTION ONE RATIFICATION AND MISSION STATEMENT

- 1.1 The creation of the Weber/Morgan Narcotics Strike Force and the Ogden Metro Gang Task Force (both units hereinafter referred to as "Strike Force") is hereby ratified as a separate legal administrative entity created by the participants pursuant to the Interlocal Cooperation Act for the purpose of investigating and prosecuting the illegal importation, manufacture, use, and sale of controlled substances. In addition, Strike Force is created for the purpose of investigating narcotic and criminal gang organizations and gang crime, as specified in the N.U.C.A.T. Memorandum of Understanding (M.O.U.), the TOC-

WEST Memorandum of Understanding (M.O.U.), under state, federal, and local laws within the Weber/Morgan area as provided herein.

SECTION TWO GOVERNING BOARD

- 2.1 The Strike Force shall utilize an Executive Board in its administration and governance. The Executive Board is vested with voting authority to govern and regulate the Strike Force.
 - 2.1.1 Executive Board. The Executive Board of the Strike Force is comprised of members that have acquired voting status. The Board will select at its first meeting during a calendar year, a Chair and a Vice-Chair for the purpose of conducting the business of the Board. Any reference in this Agreement to an action by vote shall be referred to as a vote of the entire Executive Board.
 - 2.1.2 The Executive Board voting members shall be made up of a representative from each jurisdiction that provides at least one full time law enforcement officer to the Strike Force at the time of any vote. The Weber County Attorney will be the primary advisor to the Executive Board. Law Enforcement leaders from the Weber Morgan Consortium may participate in discussions with a non-voting status.
 - 2.1.3 The duties of the Executive Board shall be to:
 - a. Govern the activities of the Strike Force generally;
 - b. Adopt by-laws and/or rules for regulating the activities of the Strike Force;
 - c. Select a Strike Force Unit Commander;
 - d. Make and execute contracts or agreements necessary for the performance of its duties and the exercise of its powers under the Interlocal Cooperation Act;
 - e. Own, lease, operate, maintain, repair any equipment or facility useful in carrying out the purposes of the Strike Force;
 - f. Receive property, grants, gifts, supplies, materials, contributions, forfeitures, and any benefit derived therefrom for the provision of law enforcement services as provided by this Agreement and in accordance with state and federal law;
 - g. Conduct financial audits as deemed necessary by the Ogden City Auditor, or

his/her designee, overseeing and ensuring that at least one audit per year is performed with an additional audit done upon completion of any Unit Commander's term;

- h. Issue an annual report of the preceding year's activities to the participants and public;
 - i. Conduct program evaluation;
 - j. Appoint supervisors and staff as needed;
 - k. Establish operating policy as needed;
 - l. Coordinate training as appropriate;
 - m. Provide insurance as specified in this Agreement; and
 - n. Determine city contribution assessments as designated in Section 6.3.
- 2.1.4 Meetings. The Executive Board shall have no less than two meetings per calendar year for the purpose of fulfilling their duties as specified in this Agreement. Any chief or sheriff of any law enforcement agency within Weber and Morgan Counties are welcome to participate and provide input in any discussion presented at an Executive Board Meeting.

SECTION THREE STRIKE FORCE ADMINISTRATION

- 3.1 The Strike Force shall primarily investigate crimes related to controlled substances and investigate criminal gang organizations and gang crime. The Strike Force will notify individual jurisdictions of all crimes discovered in their geographic boundaries, provided such notification may be delayed if, in the discretion of the Strike Force Unit Commander, notification will hinder a current Strike Force investigation.
- 3.1.1 The Strike Force shall be headed by a Unit Commander.
- a. The Unit Commander shall be a Certified Law Enforcement Officer selected by the Executive Board to serve as the daily administrator;
 - b. The Unit Commander shall be in charge of directing the Strike Force activities, subject to approval of the Executive Board;
 - c. The Unit Commander shall be responsible for the administrative activity

of the Strike Force, including maintaining financial records and reporting as required by the Executive Board;

- d. The parties agree and understand that the Ogden Metro Gang Task Force, a division of the Strike Force, receives certain benefits such as overtime pay and vehicles from the FBI, and that such assistance is conditioned upon the Gang Task Force's compliance with the mission set forth in the NUCAT MOU. Therefore, the Strike Force Unit Commander will ensure that activities of the unit are consistent with that mission;
- e. Issue an annual report of the preceding year's activities to the participants;
- f. Seek federal and state grant money as may be available;
- g. Submit an annual fiscal year budget to the Executive Board every August;
- h. Submit a review of the previous fiscal year's grant fund expenditures to the Executive Board; and
- i. The Unit Commander shall perform such other duties as required by the Executive Board.

3.1.2 All agents of the Strike Force shall be Certified Peace Officers as defined by Utah law.

SECTION FOUR SCOPE OF JURISDICTION

- 4.1 All of the participants acknowledge the territorial jurisdiction of the Strike Force to be that of Weber and Morgan Counties. The signatories hereto expressly consent to the investigations conducted by the Strike Force within their respective geographical boundaries provided that Strike Force investigators not from the jurisdiction in which an investigation is conducted shall neither be considered agents of that jurisdiction, nor shall such jurisdiction assume any liability for the actions of the Strike Force except as provided in Section Seven.
- 4.2 Participating jurisdictions may refer any controlled substance investigations within their jurisdiction to the Strike Force. In order to maintain a complete county-wide database, all agencies will route drug case information to the Strike Force. The Strike Force may decline any case for cause.

**SECTION FIVE
SEIZURES AND FORFEITURES**

- 5.1 All seizures and forfeitures of property, funds, vehicles, etc., effected for violations of the Controlled Substances Act may be referred to the Strike Force for follow-up and forfeiture proceedings in accordance with and pursuant to state and federal laws.

**SECTION SIX
STRIKE FORCE FUNDING**

- 6.1 Except as provided at the sole discretion of the Strike Force, each participant hereto shall absorb all costs associated with their participation. In the event a city contributes manpower on alternating years, the manpower will serve as their contribution only during the years the manpower is with the Strike Force. During the time an entity does not contribute manpower, they must pay the assessments as provided by the Executive Board.
- 6.2 The Executive Board will provide for an operating fund for general costs incurred not directly attributable to any participant herein. The Executive Board will determine if the upcoming year's assessment needs to be changed from the previous year's assessment. The Executive Board will determine if an entity, who has chosen not to supply a FTE as part of a rotation or permanent position, should be assessed an increased fee. In an annual budget meeting, the Executive Board shall review the budget and expenses of the past year, review a proposed budget for the coming fiscal year prepared by the Strike Force Unit Commander, and approve or modify the proposed budget.
- 6.3 The Strike Force Commander will send out a Preliminary Notice of Assessment to all participants in February of each year. The Preliminary Notice will state what the assessment for each department will be for the next year's budget.
- 6.4 The Strike Force Commander will submit assessments, within the first two weeks of July of each year, to the participants who do not provide at least one FTE to the Strike Force for that coming year. Assessments shall be paid within 30 days of receipt, unless other arrangements are made with the approval of the Executive Board.
- 6.5 The Executive Board shall provide the needed office space for the Strike Force. The Executive Board may acquire other facilities as needed.
- 6.6 The financial oversight of the Strike Force will be conducted by Ogden City. Ogden City policy and rules for financial disbursement, purchasing, etc., will apply and be adhered to for all funding regarding the Strike Force.

**SECTION SEVEN
INSURANCE AND PARTICIPATING MEMBER LIABILITY**

- 7.1 The Strike Force shall procure and keep in force a General Liability and Directors' and Officers' Liability Policy with limits prescribed by the Executive Board for the purpose of defending and indemnifying its officers and participating agencies. In no event shall this section be construed with respect to third parties as a waiver of any governmental immunity to which the parties are otherwise entitled. Each participant shall indemnify its own officers for any claim of liability arising while participating in the Strike Force for amounts exceeding Strike Force liability policy limits.

**SECTION EIGHT
STRIKE FORCE DURATION AND DISSOLUTION**

- 8.1 This Agreement shall be in effect for an indefinite period of time not to exceed 50 years, provided, however, that:
- 8.1.1 Any party may withdraw at the end of the fiscal year upon 30 days written notice to the Executive Board.
 - 8.1.2 The Executive Board may terminate this Agreement upon a majority vote of the total membership of the Executive Board.
 - a. Upon withdrawal of any party or termination of this Agreement, the withdrawing party shall retain that property which it allowed to be used by the Strike Force. Upon termination of this Agreement, any property obtained in common shall be sold or divided among the current members in proportion to their most recent annual contribution of FTEs;
 - b. Upon termination of this entire Agreement, all total available funds shall be distributed among the current members in proportion to their most recent annual contribution of FTEs.
 - 8.1.3 Other jurisdictions, not an original party to this Agreement, may join with approval of the Executive Board. The Executive Board may offer investigative service to any jurisdiction without granting membership status or provide such assistance as thought appropriate by the Executive Board.

**SECTION NINE
STRIKE FORCE POLICY AND PROCEDURES**

- 9.1 All participants hereto agree that their personnel working in or with the Strike Force shall follow their department and Strike Force policies and procedures. Notification between

Strike Force supervision and participating department supervision is required when/if policy conflict occurs.

- 9.2 The Strike Force shall have no authority to discipline an officer except that the Unit Commander may suspend an officer from the Strike Force and make recommendations to the Executive Board and responsible department. Removal of an officer, if the officer is the only officer contributed for the current year by a particular department, shall cause the participant to lose voting status unless another officer is contributed to the Strike Force within 15 days.

SECTION TEN MISCELLANEOUS

- 10.1 Warranties of Participants. Each Participant hereby represents and warrants that: 1) it is a public agency or public entity within the meaning of the Interlocal Cooperation Act; 2) it is duly authorized to execute and deliver this Agreement; and 3) there is no litigation or legal or governmental action, proceeding, inquiry, or investigation pending or threatened by governmental authorities or others, or to which such participant is a party or to which any of its property is subject, which if determined adversely to such participant would individually or in the aggregate effect the validity or enforceability of this Agreement, or otherwise adversely affect the ability of such participant to comply with its obligations hereunder or the transactions contemplated hereby.
- 10.2 Documents on File. Executed copies of this Agreement shall be placed on file in the office of the Keeper of the Records of each of the Participants and shall remain on file for public inspection during the term of this Agreement.
- 10.3 Amendment. This Agreement may be changed, modified, or amended by written agreement of the Participants upon adoption of a resolution by each of the participants and upon meeting all other applicable requirements of the Interlocal Cooperation Act.
- 10.4 Effective Date. This Agreement shall become effective immediately upon the execution of a resolution approving this Agreement by each of the participants, which shall include the approval as to form by each participant's respective attorney.
- 10.5 Laws of Utah. It is understood and agreed by the parties hereto that this Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.
- 10.6 Severability of Provisions. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby as such a remainder would then continue to conform to the terms and requirements of applicable law.

- 10.7 Captions and Headings. The captions and headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any sections or provisions of this Agreement.
- 10.8 Broad Construction. It is the intention of the participants that this joint and cooperative undertaking contemplated in this Agreement be broadly construed to include all actions, undertakings and objectives permitted or contemplated by the provision of the Interlocal Cooperation Act, and any other applicable law, insofar as such provisions relate to fostering and protecting public health. The provisions of this Agreement shall be construed as broadly as necessary to accomplish the purposes and objectives set forth herein and pursuant to State law.
- 10.9 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one of the same instrument.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By: _____

James Ebert, Chair

Commissioner Gibson voted _____

Commissioner Harvey voted _____

Commissioner Ebert voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Approved as to form and compliance
with applicable law:

County Attorney

Date: _____

ROY CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

SOUTH OGDEN CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

NORTH OGDEN CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

OGDEN CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

RIVERDALE CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

PLEASANT VIEW CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

HARRISVILLE CITY

By: _____
MAYOR

ATTEST:

City Recorder

Approved as to form and compliance
with applicable law:

City Attorney

Date: _____

MORGAN COUNTY

By: _____
COUNTY COUNCIL

ATTEST:

County Recorder

Approved as to form and compliance
with applicable law:

County Attorney

Date: _____

WEBER STATE UNIVERSITY

By: _____

ACKNOWLEDGEMENT

State of Utah)
) ss:
County of Weber)

On the ____ day of _____, 2017, appeared before me _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity as a duly appointed representative and agent of Weber State University.

Notary Public

Approved as to form and compliance
with applicable law:

Attorney

Date: _____

UTAH HIGHWAY PATROL

By: _____

ACKNOWLEDGEMENT

State of Utah)
) ss:
County of Weber)

On the ____ day of _____, 2017, appeared before me _____,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he/she executed
the same in his/her capacity as a duly appointed representative and agent of Utah Highway
Patrol.

Notary Public

Approved as to form and compliance
with applicable law:

Attorney

Date: _____

UTAH ADULT PROBATION AND
PAROLE

By: _____

ACKNOWLEDGEMENT

State of Utah)
) ss:
County of Weber)

On the _____ day of _____, 2017, appeared before me _____,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he/she executed
the same in his/her capacity as a duly appointed representative and agent of Utah Adult
Probation and Parole.

Notary Public

Approved as to form and compliance
with applicable law:

Attorney

Date: _____

**RIVERDALE CITY
CITY COUNCIL AGENDA
October 3, 2017**

AGENDA ITEM: G2

SUBJECT: Consideration of Resolution 2017-24, authorization for City Staff to repair or replace the fire apparatus.

PRESENTER: Jared Sholly, Fire Chief

INFORMATION: [a. Executive Summary](#)

[b. Resolution 2017-24](#)

[BACK TO AGENDA](#)



City Council Executive Summary

For the Council meeting on:
October 3, 2017

Petitioner:
Jared Sholly, Fire Chief

Summary of Proposed Action

Asking for approval for spending no more than \$25,000 on the repair to the 1999 Pierce Fire Engine, which this includes a new transmission, and repairs to the current pump and air system.

Summary of Supporting Facts & Options

North Davis Fire District will no longer be able to sell the current fire apparatus, which we are currently using as a loaner. The engine that Riverdale City currently owns requires the replacement of a transmission, and repairs to the current pump and air system. The repair costs on this engine are not projected to exceed \$25,000. Currently, there are no other realistic purchase options for under \$60,000 used, or \$165,000 refurbished.

Legal Comments - City Attorney

Steve Brooks, Attorney

Fiscal Comments - Business Administrator/Budget Officer

Cody Cardon,
Business Administrator

Administrative Comments - City Administrator

Rodger Worthen,
City Administrator



RESOLUTION NO. 2017-24

A RESOLUTION CONCERNING THE REPAIR OR REPLACEMENT OF A FIRE TRUCK.

WHEREAS, the City of Riverdale has previously amended the budget for Fiscal Year 2017-2018 in Resolution 2017-20; and

WHEREAS, as part of said budget amendment the Council approved the purchase of a used fire truck from North Davis Fire District to replace one (1999 Pierce Fire Engine) that was in need of substantial repairs; and

WHEREAS, the option to purchase the used fire truck has now been retracted because of unforeseen circumstances; and

WHEREAS, said retraction has now forced the fire department to re-evaluate their options concerning a repair and/or replacement of the fire truck; and

WHEREAS, previous Council approval anticipated a replacement of the truck but this may no longer be a viable option and to keep the City Council apprised of the status, an agenda item has been placed on the Council's meeting agenda to further discuss and approve a differing option; and

WHEREAS, the City Council received all competent evidence concerning the fire truck status, repair and/or replacement and it appearing that an action would be in the best interest of the citizens and will promote the health, safety and general welfare of the community;

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Riverdale, Utah; that the funds previously budget for the replacement of a fire truck (not to exceed \$40,000.00) may now be used for either a replacement, if under said amount or for the repair of the fire truck for an amount not to exceed \$25,000.00.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 2nd day of October, 2017.

Norm Searle, Mayor

Attest:

Jackie Manning
City Recorder