

CITY COUNCIL MEETING
Tuesday, March 2, 2010 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

This meeting may be held electronically via telephone to permit one or more of the council members to participate.

NOTICE is hereby given that the City Council of the City of Cedar Hills, Utah, will hold their Regular City Council Meeting on Tuesday, March 2, 2010, beginning at 7:00 p.m.

COUNCIL MEETING

1. Call to Order, Invocation and Pledge
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (Comments limited to 3 minutes per person with a total of 30 minutes for this item).

CONSENT AGENDA

3. Minutes from the February 16, 2010, Regular City Council Meeting

SCHEDULED ITEMS

4. Review/Action on the Capital Improvements Plan
5. Review/Action on the Organization of the Parks and Trails Committee and Bylaws
6. Review/Action on Requests for Qualifications for Legal Services
7. City Manager Report and Discussion

MAYOR AND COUNCIL REPORTS

8. Board and Committee Reports

EXECUTIVE SESSION

9. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-205
* * * EXECUTIVE SESSION * * *
10. Motion to Adjourn Executive Session and Reconvene City Council Meeting

ADJOURNMENT

11. Adjourn

Posted this 25th day of February, 2010.

Kim E. Holindrake, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.



CITY OF CEDAR HILLS

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| TO: | Mayor and City Council |
| FROM: | Greg Robinson, Assistant City Manager |
| DATE: | 3/2/2010 |

City Council Agenda Item

| | |
|---|---------------------------------------|
| SUBJECT: | Capital Improvement Plan |
| APPLICANT PRESENTATION: | N/A |
| STAFF PRESENTATION: | Greg Robinson, Assistant City Manager |
| BACKGROUND AND FINDINGS: As the City moves forward to realize that many of the goals we have set for ourselves have been accomplished; it becomes necessary for us to look farther into the future to determine what the City needs to accomplish next. The Capital Improvements Plan is designed to help the City to prepare for future growth, to maintain the high standards that we want, and to work toward our full potential as a city. It does this by preparing for future expenditures and slowly and steadily accomplishing these projects. Staff has prepared this plan based on the current and future needs of the City, recognizing the priorities set by the City Council. This plan will aid the City Council and staff to budget for the future, to realize that we have planned for these items and we can move forward on them. | |
| PREVIOUS LEGISLATIVE ACTION: N/A | |
| FISCAL IMPACT: This information is contained within the document. | |
| SUPPORTING DOCUMENTS: The Capital Improvements Plan is receiving its final review on Monday and you will receive it prior to the meeting. | |
| RECOMMENDATION: Staff recommends City Council approves the Capital Improvements Plan | |
| MOTION: To approve/not approve the Capital Improvements Plan as submitted by staff. | |



CITY OF CEDAR HILLS

TO: Mayor Richardson, City Council, and Staff
FROM: Kim E. Holindrake, City Recorder
DATE: February 24, 2010

City Council Memorandum

SUBJECT: Organization of the Parks and Trails Committee and Bylaws
APPLICANT PRESENTATION: Councilmember Martinez
STAFF PRESENTATION:

BACKGROUND AND FINDINGS:

The Council has informally discussed the organization of the Parks and Trails Committee. The attached ordinance is the charter for this Committee. Councilmember Martinez will review proposed changes to the document and discuss the organization of the Committee.

PREVIOUS LEGISLATIVE ACTION:

FISCAL IMPACT:

SUPPORTING DOCUMENTS:

- Ordinance No. 12-9-2008A

RECOMMENDATION

MOTION

ORDINANCE NO. 12-9-2008A

AN ORDINANCE AMENDING THE CITY CODE, TITLE 2, CHAPTER 1, PARKS AND TRAILS ADVISORY COMMITTEE, OF THE CITY OF CEDAR HILLS, UTAH.

WHEREAS, the City Council desires to amend the Bylaws of the Parks and Trails Advisory Committee of the City of Cedar Hills, Utah.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH:

**PART I
AMENDMENTS**

Section 1. Title 2, Chapter 1, of the City Code, entitled Parks and Trails Advisory Committee, is hereby amended to read as follows:

2-1-1: COMMITTEE ESTABLISHED: The Parks and Trails Advisory Committee of the City of Cedar Hills is hereby established on February 16, 1999.

2-1-2 DUTIES AND RESPONSIBILITIES: The Committee shall act in an advisory capacity to the City Council and shall have the following duties and responsibilities:

- A. To advise the City Council on the methods and means of enhancing the beauty of the City.
- B. To assist the City Council in public relations concerning City beautification matters.
- C. To make recommendations to the City Council for programs such as Arbor Day, Clean-Up, National Trails Day, and Home Beautification projects.
- D. To encourage residents, businesses, and property owners to participate in spring clean-up and fall clean-up activities.
- E. To recognize those residents and/or businesses that have made a significant contribution to the beautification of the neighborhood or surrounding area. Such recognition may include the payment of a financial award, if appropriation therefor is made by the City Council.
- F. To solicit gifts or bequests from any person or source, on behalf of the City, for the development or improvement of civic pride or for beautification projects.

Ordinance 12-9-2008A
Parks and Trails Committee

Such gifts or bequests shall be received by the City Treasurer and shall be put in a special fund for the purpose for which the money was received.

- G. To recommend changes in City ordinances, policies, and practices to encourage and enhance the beautification of the City.
- H. To participate in the development of the Urban Forestry Program for the betterment, care, and maintenance of City and Non-City Trees.
- I. To participate in the development and periodic updating of a Street Tree Master Plan and Parks and Trails Master Plan.
- J. To make recommendations regarding park and trail expansions.
- K. To prepare and present periodic reports to the City Council on the progress and status of the Committee.
- L. To complete specific parks, trails, and beautification projects for the City Council, as assigned.

2-1-3 MEMBERSHIP: The Committee shall consist of five (5) regular members and two (2) ex officio members, which shall be a member of the City Council and a member of the Planning Commission.

2-1-4: MODE OF APPOINTMENT; REMOVAL; VACANCIES:

- A. Appointment of Ex Officio Members: One (1) ex officio member shall be appointed by the City Council from its own members and shall be the Council representative to the Committee. One (1) ex officio member shall be appointed by the Planning Commission from its own members and shall be the Planning Commission representative to the Committee. These members shall serve without authority to vote on matters coming before the Committee.
- B. Reappointment of Member: Within thirty (30) days prior to the term expiration of a regular member, the Mayor shall make a recommendation to the City Council on whether to reappoint the member to another term or not. The Mayor will send written notification to the member 30 days prior to the term expiration notifying him of the decision. The City Council will then vote on whether to reappoint the member or not. If the member is not reappointed by a vote of the City Council, then a vacancy shall be declared.
- C. Appointment of New Members: Within thirty (30) days of the declaration of a vacancy on the Committee, the Mayor shall make a recommendation to the City

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Parks and Trails Committee

Council on appointments to the Committee. If the City Council does not confirm the Mayor's recommendation within forty-five (45) days of the vacancy, then the City Council may vote to appoint a new regular member.

- D. Members shall be residents of the City.
- E. Members shall be selected without respect to political affiliation.
- F. Removal: Any regular member of the Committee may be removed from office by the Mayor, with the advice and consent of the City Council. If the City Council confirms the removal, then a vacancy shall be declared and filled in the manner set herein.
- G. Failure To Attend Meetings: Upon failure of any regular member to attend three (3) consecutive meetings, without being excused by the Committee Chair, shall be construed as grounds for resignation from the Committee by absence. The Committee Chair may recommend removal of the member to the Mayor and the removal process shall take place in the manner set herein.
- H. Vacancies:
 - 1. Vacancies shall be filled for the unexpired term of any regular member whose office becomes vacant.
 - 2. Vacancies shall be filled according to the paragraph titled, Appointment of New Members.

2-1-5: TERM OF OFFICE:

- A. The term of office of regular members shall be three (3) years and shall expire on December 31 of the final year of appointment. Each regular member shall be eligible for one (1) additional three (3) year term. Partial terms shall not be considered in determining whether a person has served two (2) consecutive terms.
- B. The terms of the ex officio members shall be as determined by action of the City Council and Planning Commission respectively.

2-1-6 ORGANIZATION OF MEETINGS:

- A. Chair: The Chair shall preside at all Committee meetings and set Committee agendas. The Chair shall be the sole spokesperson for the Committee unless this

responsibility is delegated in writing. The Chair shall serve for one (1) year and may serve consecutive terms.

- B. Monthly Meetings: The Committee shall meet at least once each month from February through October and may meet more often at the direction of the Chair.
- C. Annual Meeting Schedule: The Committee shall adopt an annual meeting schedule at the first regular meeting of the Committee.
- D. Open Public Meetings: Committee business and discussion shall be conducted in open public meetings in accordance with legal requirements and City policies.
- E. Minutes: The Committee shall keep written minutes for each of its meetings.
- F. Bylaws, Rules And Procedures: The Committee may adopt by-laws, rules, or procedures for the transaction of its business upon approval of the City Council.

2-1-7 VOTING:

- A. Number Permitted: Each regular member of the Committee shall have one (1) vote.
- B. Quorum: Three (3) members of the voting membership of the Committee shall constitute a quorum.
- C. Minimum Number Of Votes Required: The minimum number of votes required to take any action shall be a majority of those present at the meeting, provided there is a quorum, but shall never be less than three (3).

2-1-8 OFFICERS AND DUTIES:

- A. Annually, as the first item of business at the first regular meeting of the Committee, the Committee shall elect a chair and vice chair from among its regular members. The Chair shall have general supervisory and directional powers over the Committee.
- B. If the Chair becomes no longer a member of the Committee, the Vice Chair shall succeed to the office for the remainder of the term. If the Vice Chair becomes no longer a member of the Committee or succeeds to the office of Chair, a special vote shall be held to fill the vacancy of the Vice Chair. Said vote shall occur at the next regularly scheduled meeting of the Committee at which a quorum is available.

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Parks and Trails Committee

- C. If present and able, the Chair shall preside at all meetings. If the Chair is absent or unable to preside, the Vice Chair shall preside. If both are absent or unable to preside, the members present shall appoint a Temporary Chair to preside. The Temporary Chair shall abide by all rules and policies set forth herein.
- D. The Chair may delegate duties generally to the Vice Chair, or may authorize the Vice Chair to perform specific duties during his absence or in the case of his disability to perform necessary Committee functions in a timely manner.
- E. The Chair shall conduct all meetings of the Committee and exercise management of the affairs of the Committee consistent with these rules and the City of Cedar Hills.

2-1-9 STAFF ASSIGNMENTS:

- A. The City Recorder, under the direction of the Chair, shall attend to all correspondence of the Committee, send out and cause to be published all notices required, maintain all required records, schedules, minutes, files and indexes; and generally perform all clerical work of the Committee.
- B. The City Manager shall appoint appropriate staff support for the Committee. Said staff shall attend all meetings of the Committee, take and compile minutes, and submit said minutes to the City Recorder.

2-1-10 COMPENSATION:

- A. Specified: Members of the Committee shall serve without monetary compensation.
- B. Expenses: Members may be compensated for reasonable expenses incurred for official responsibilities, if approved in advance by the City Manager.

2-1-11 RECOMMENDATIONS: The Chair of the Committee shall present recommendations to the City Council that have been approved by the Committee.

**PART II
PENALTY AND ADOPTION**

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 2.

D. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 9TH DAY OF DECEMBER, 2008.

Michael C. McGee, Mayor

ATTEST:

Kim E. Holindrake, City Recorder

Ordinance 12-9-2008A
Parks and Trails Committee



CITY OF CEDAR HILLS

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| TO: | Mayor and City Council |
| FROM: | Konrad Hildebrandt, City Manager |
| DATE: | 3/2/2010 |

Konrad → City Council
Agenda Item

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| SUBJECT: | City Attorney selection |
| APPLICANT PRESENTATION: | N/A |
| STAFF PRESENTATION: | Konrad Hildebrandt, City Manager |
| BACKGROUND AND FINDINGS: The City Council has heard from all of the submitted applicants for the City Attorney position. | |
| PREVIOUS LEGISLATIVE ACTION: None | |
| FISCAL IMPACT: Based on the selection | |
| SUPPORTING DOCUMENTS: Price analysis | |
| RECOMMENDATION: Staff recommends that the City Council select a city attorney | |
| MOTION: To approve _____ as the City of Cedar Hills, Utah City Attorney | |

| City of Attorney | | | |
|------------------------------------|--|---|--|
| Price Comparisons | | | |
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| Attorney | Monthly Fee - non litigation | Hourly Fee | Other |
| Eric Johnson, Blaisdell \$ Church | \$1000 - 10 hours per month - not include litigation | \$150/hour ETJ; Associates - \$125-\$145; Paralegals - \$75-\$125 | City pays servers, court filings, regulatory fees, court reporters, mileage, travel, large copying, etc. |
| David Shaw, Kirtland @ McConkie | \$2,990 per month not include litigation | Legal at standard hourly rates | City pays all out of pocket costs |
| Rick Carlton, Carlton & Associates | \$5,500 per month - 55 hours per month - includes litigation | \$125 per hour | City pays out of pocket costs |
| Brett Rich, Nielson & Senior | \$145 per hour - unlimited | \$145 per hour, paralegals - \$75 | City pays NO out of pocket costs |