

**Pleasant Grove City Council Special Meeting Minutes  
October 29, 2015**

The Council and Staff met in the Council Chambers at 86 East 100 South Pleasant Grove Utah, for a special meeting to consider awarding a contract to Curtis Miner Architecture to provide professional services regarding the proposed Public Safety Building. The meeting began at 8:30 a.m.

**PRESENT:**

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Cindy Boyd  
Eric Jensen  
Cyd LeMone joined the meeting at 8:37 a.m.  
Ben Stanley

Staff Present: Scott Darrington, City Administrator  
Tina Petersen, City Attorney  
David Larson, Assistant to the City Administrator  
Dave Thomas, Fire Chief  
Kathy Kresser, City Recorder

Mayor Daniels called the meeting to order and noted that Council Members Andersen, Boyd, Jensen and Stanley were present and Council Member LeMone will be joining the meeting shortly.

The Mayor reported that the purpose of the meeting today is to discuss awarding a professional services contract to Curtis Miner Architecture regarding the public safety building proposals. He then turned the time over to Administrator Darrington.

Administrator Darrington remarked that as the Public Safety Building Committee met last week they talked about engaging an architect to take a look at the MOCA and VCBO numbers regarding the square footage of the fire station and police station buildings and look at the different options that the Committee came up with in regards to location and build or remodel. To get the cost of the proposed options it will require hiring an architect.

The name of Curtis Miner came up in the discussion of hiring an architect because he is a local architect and served on the Blue Ribbon Committee last year. Currently he is working with Lindon on their public safety building, and he has also worked with Mapleton and Heber and has an understanding of public safety buildings.

After discussion a concern was brought up with hiring Mr. Miner through a professional service contract rather than going through the RFP process.

Administrator Darrington explained the difference between a professional service contract and an RFP. Mayor Daniels then explained that he had asked the Committee if they would rather go through the RFP process or hire Mr. Miner through a professional service contract. The Committee voted by the raise of hands and 2 people that said in the interest of transparency they would rather

go to an RFP. The Mayor wanted unanimity with the Committee and after further discussion ultimately the Committee agreed to go ahead and hire an architect through a professional service contract.

Mayor Daniels described the scope of work that they will be asking the architect to do. The architect will be looking at the square foot numbers and the programing numbers that we already have from the MOCA study and determine the costs of building downtown or at the pipe plant. This is where we get into the 6 different options. Option 1 would be to look at constructing a new fire station facility at this location where we are at now. Option 2 is to build a new fire station at the pipe plant location. Option 3 is to look at the costs of remodeling and expansion of the police and courts building at the current location. Option 3 is building a new police and courts building at the pipe plant. Option 4 is to build a new combined facility (fire, police and courts) in the downtown area. Option 5 is to build a new combined facility in the downtown area. Option 6 is to build a new combined facility at the pipe plant.

Mayor Daniels said that this exercise will narrow down the options and which will make sense to pursue which answers the question which the public asked last time "Did you look at anything else besides one building with all three functions in it on this piece of property in the downtown area. For that reason the Committee agreed that this makes sense and to go ahead with a professional service agreement with Curtis Miner. The Mayor noted that the cost of hiring an architect will be less by ½ or less than what we paid MOCA and VCBO.

Council Member Jensen asked for clarification as to what Mr. Miner would be doing, will he be looking at all 6 options and the cost is that correct? Administrator Darrington answered in the affirmative.

Mayor Daniels noted that Mr. Miner will come back to the PSBC on November 18<sup>th</sup> and present his findings to the Committee the it will be up to the Committee to decipher and discuss the 6 options then come to the Council with recommendations on what step to take next.

Administrator Darrington remarked that he and the Mayor have met with Mr. Miner and explained the scope of work and asked Mr. Miner if he could give an estimate in terms of either a fixed fee or an hourly rate for time and materials by Tuesday night. Mr. Miner agreed that he could do that. Mr. Miner got back in touch with him with numbers as to how much it would cost for him to do the work which was a range of \$15,000 to \$25,000.

Council Member Andersen asked what will determine the range for him. Administrator Darrington replied that that will depend on how much he gets into it. Attorney Petersen remarked that the range should include a premium for the rush job. Administrator Darrington then said that the one option that we don't have much data on is the remodel of City Hall, we haven't done a study on the square footage of City Hall. Council Member Andersen asked for clarification on the remodel of City Hall. Administrator Darrington answered that we could remodel City Hall for the police and courts to take over the whole building. She then asked where would we put Administrative Services? Administrator Darrington replied that after we get the numbers back and what option(s) the Committee agreed on, then we can go from there.

Council Member LeMone questioned why we are rushing the process? She said that she wanted to go with an RFP instead of the professional service agreement. There are members of the Committee that criticized the City last time for not doing an RFP for the previous 2 years. She

wants to be completely open and transparent with the public. With an RFP we might find out that hiring a different architect might be cheaper than what Mr. Miner is charging. We are not in a rush why would we pay extra money to rush through the process.

Council Member Jensen asked Attorney Petersen to explain the process between an RFP and a professional services contract. Attorney Petersen explained that the State law does not require the City to go through a formal bid process for professional services. Local municipalities through their purchasing policy can set limits on the amount that can be spent before going through the bid process.

Council Member LeMone reiterated that she didn't feel that there is a need to rush the process and that we need to do an RFP for transparency.

Council Member Andersen asked if Mr. Miner would be able to do work for the City after professional service agreement. Administrator Darrington answered in the affirmative but he would have to do through the RFP process when it comes to that point.

Council Member Stanley shared a few of his thoughts. He said that he thought the RFP process isn't more transparent or open, it is more likely to be less unbiased. If you have the 9 committee member's unanimously agreeing that they want to use this architect then we should move forward. He noted that this has been delayed because the RFP for the pro and cons analysis from Bowen and Collins, he didn't feel that we are in a rush but he didn't want to delay unnecessarily. He then said that Mr. Miner has done a great job for Lindon and he would do a great job for us.

Council Member Boyd responded that she didn't think that using Mr. Miner is the issue, the issue is more towards what Council Member LeMone is addressing we have to answer to more than just the 9 Committee members, and we have to answer to 35,000 people. She then said that even though this is a public meeting she didn't think the majority of the public knows that we are meeting to discuss this and to be open and transparent then we need to go through the RFP process. Council Member Jensen remarked that he just went through an RFP with Orem City and it didn't take 2 -3 months it only took 2 weeks so it can be done, however he would like to go through the RFP process because we are dealing with the citizens tax money.

Council Member Stanley said that the 9 citizens of the Committee represent a variety of perspectives and he thinks that going with Mr. Miner is transparent and open. We are having this open meeting today and the citizens know what we are doing and he doesn't think that an RFP is transparent. Council Member LeMone argued that it is, we don't know for sure what the amount to do the services will be, another architect may be less money or they may be more, we just don't know. The citizens want us to go line by line and you are not willing to look at other options. Council Member Stanley replied that if we can save \$1,000 by doing an RFP but we take 2 months of staff time to format it, conduct interviews and explain the RFP where they have already done that with Mr. Miner then we are losing valuable time. Council Member LeMone asked again why are we rushing the project, we have heard for 2 years from the citizens that they want us to be open and transparent and do it right and take our time and spent tax payer money wisely.

Administrator Darrington explained that an RFP can be done a couple of ways, it could be as in depth as what we did with Bowen and Collins or we could streamline the process by handpicking 3 - 5 architects, write the proposal up and send it to them specifically and tell them that they have

a week to respond, then they can come and give a proposal to the Committee. What will take the most time in the process is to decide who will be selected.

At this point Mark Atwood, Public Works Department, came into the meeting the Mayor asked him the price of the truck that Public Works just purchased. Mr. Atwood replied that it was \$31,000. Mayor Daniels said that there was a truck that was in the budget for \$150,000 and he signed off on it, the Council signed off on it because it was in the budget. He wanted to make sure that with this discussion that we are taking into consideration 2 different subjects. One is the political criticism that we have received and the other is the practical nature of the size of what we are doing and what it is going to cost. Council Member LeMone explained that she is specifically speaking to the political criticism.

Mayor Daniels noted that Council Member Andersen left the meeting at 8:57 a.m.

Continuing on Council Member LeMone stated that she is trying to listen to the public and what they say, they say that they want open, they want transparent and the Council was criticized by members of the PSBC for not getting an RFP before and for rushing, why would the Council turn around and do the same thing, why not do it right? She said she is willing to take a little extra time and do it right, open and transparent.

Mayor Daniels summarized what Council Member LeMone was saying so he could understand what she is saying. He said that Council Member LeMone is addressing the political nature of this particular subject that we are discussing today and because there has been so much heat around every activity that has taken place with budgeting in general and then on this subject and you feel that on this subject it would be best to go with an RFP. Council Member LeMone agreed.

Council Member Boyd commented that she didn't think that it is just this subject, it is any subject that the Council will face in the future, and there is a questionable attitude in the City from the citizens. To her it is going to be with every subject that comes before the Council.

Council Member Stanley noted that the criticisms and concerns that he heard had to do more with MOCA, about them being truly independent or unbiased. To him the Council is being transparent and open by holding this public meeting today. He didn't think that there is a problem with Mr. Miner because we have 9 citizens that represent a broad spectrum of the City that are saying let's use Mr. Miner, let's get this done and move on.

Council Member Jensen remarked when he went through the RFP process with Orem City it enlightened his thinking because he thought that he was going to go with one vendor because he had seen their work and they have done work for him before. Going through the RFP process it opened a lot of other doors of other things that could happen and other possibilities that were brought up by other vendors and it increased the cost. To him when spending \$25,000 we need to look at all aspects that are out there. This isn't political to him it has more to do with transparency.

Mayor Daniels asked the practicality of issuing an RFP and getting responses for the size of the RFP that we are looking at. What is the reality of getting response from architects? Administrator Darrington replied that he was not sure, we have the frame work in place and all we did with Mr. Miner is go over the 6 options and that is what we will have to articulate in writing so we can send it out as an RFP and have an understanding of what they are bidding on. The question that he wasn't sure of is how long will it take for other architects to get us a bid. Mr. Miner turned it around in 2 days and that was because that was the request. If we put it on BidSync or call

individual architects and let them know about the proposal which may take 2 – 3 weeks having it out there, then we will need another week to write up the proposal then there will be another week for interviews. Mayor Daniels wondered how many architects would be willing to bid on a project of this size. Council Member LeMone said that she would be fine if we only get one architect at least we gave others the opportunity to bid on it.

Mayor Daniels said that if called for a vote right now it would be a vote of 3 – 1 for an RFP. Administrator Darrington remarked that he will get with the Chiefs to create the RFP. Mayor Daniels asked the Council if they would like to review the RFP before it goes out on BidSync. The Council agreed.

Mayor Daniels asked if there were any further discussion, being none he called for a motion.

**ACTION:** Council Member Boyd moved to instruct Staff to organize an RFP to hire an architect to evaluate the 6 options for the public safety building. Council Member LeMone seconded. Council Members Boyd, LeMone and Jensen voted “Aye” Council Member Stanley voted “Nay.” Council Member Stanley stated his reason for the record. He said that an RFP process is likely to cost more in terms of Staff time, it does not respect the unanimous request of the Public Safety Building Committee to go straight to a specific professional for this minor project.

Council Member LeMone wanted to go on record by saying that she is voting yes because she wants to be open and transparent to the entire City of Pleasant Grove based on the last 2 years requests from the citizens that we be open and transparent about the public safety building.

Mayor Daniels then called for a motion to adjourn.

**ACTION:** At 9:08 a.m. Council Member Stanley moved to adjourn. Council Member Jensen seconded. The motion passed with the unanimous consent of the Council.

Minutes of October 29, 2015 were approved by the City Council on November 17, 2015.

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Kathy T. Kresser, City Recorder, MMC