

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-1-**

THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JUNE 14, 2011, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Steve Buhler  
Carolynn Burt  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Russ Brooks  
Don Christensen

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
Nicole Cottle, CED Director  
Layne Morris, CPD Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Mike Wells, Acting Police Chief  
Ryan Robinson, Acting City Attorney  
Nancy Day, Parks and Recreation Department  
Owen Jackson, Administration  
Jake Arslanian, Public Works Department

**1. APPROVAL OF MINUTES OF STUDY MEETING HELD MAY 24, 2011**

The Council read and considered Minutes of the Study Meeting held May 24, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held May 24, 2011, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent                      Yes

## MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011

-2-

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Winder	Yes

Unanimous.

### 2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JUNE 14, 2011**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled June 14, 2011, at 6:30 P.M.

Upon inquiry by the City Manager, there were no questions regarding items scheduled on the subject Agenda.

### 3. **ORDINANCE NO. 11-14, AMEND SECTION 5-2-107 OF TITLE 5 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD PROVISIONS FOR PRE-QUALIFICATION FOR THE PROCUREMENT OF PARTICULAR TYPES OF SUPPLIES, SERVICES AND CONSTRUCTION**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-14 which would amend Section 5-2-107 of Title 5 of the West Valley City Municipal Code to add provisions for pre-qualification for the procurement of particular types of supplies, services and construction.

Mr. Pyle stated pre-qualification of bidders was necessary for particular types of supplies, services and construction in order for the City to determine the most responsible bidder for projects. He further stated additional provisions had been added to clarify the prequalification process, including noticing requirements.

The City Manager discussed background information including that the City and Redevelopment Agency had many different active projects requiring specialty services and construction. He explained the most efficient and accurate way for the City to award certain projects was by pre-qualifying bidders such that the invitation to bid was extended only to those bidders who met certain criteria indicating responsibility and related to the particular project.

Mr. Pyle reported the pre-qualification ordinance did not address certain provisions related to the bid process. He continued it was significant the ordinance did not address how an invitation to pre-qualify was properly noticed or how the bidders, once pre-qualified, completed the process. He indicated the ordinance revisions added those provisions which clarified pre-qualification and its relationship to the bid process.

City Manager, Wayne Pyle, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-3-**

The City Council will consider proposed Ordinance No. 11-14 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

4. **RESOLUTION NO. 11-80, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR COST SHARING ON THE 2011-2016 UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) MEDIA CAMPAIGN**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-80 which would approve an Interlocal Cooperation Agreement with Salt Lake County for cost sharing on the 2011-2016 Utah Pollutant Discharge Elimination System (UPDES) Media Campaign.

Mr. Pyle stated the subject agreement provided for the City to continue participation as a member of the Salt Lake County Storm Water Coalition which would assist in compliance to the National Pollution Discharge Elimination System (NPDES) permit application rules and regulations for storm water discharges to municipal separate storm sewer systems. He indicated the proposed agreement stated the individual parties would cooperate with each other in funding a 2011-2016 multi-media campaign for the purpose of increasing public awareness about storm water pollution and educating the public about prevention of storm water pollution in the City and County. He advised the subject agreement would be for a term of five years.

The City Manager reported Salt Lake County Storm Water Coalition was a coalition of various local agencies whose purpose was to reduce the load of pollutants entering the storm drains and receiving water bodies, and enforce the appropriate regulations. He stated West Valley City was a member of that coalition and played an active role in the promotion of Coalition programs, visions and its mission. He indicated the Coalition met on a monthly basis to discuss the NPDES.

Public Works Director, Russell Willardson, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-80 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

5. **RESOLUTION NO. 11-81, APPROVE AN AGREEMENT WITH THE FERGUSON GROUP, L.L.C. FOR REPRESENTATION IN WASHINGTON, D.C. FOR THE THREE-YEAR PERIOD COMMENCING JULY 1, 2011, AND ENDING JUNE 30, 2014**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-81 which would approve an Agreement with the Ferguson Group, L.L.C. for representation in Washington, D.C. for the three year period commencing July 1, 2011, and ending June 30, 2014.

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-4-**

Mr. Pyle stated that in exchange for services to be provided by The Ferguson Group, the City would pay them \$94,000.00 per year, payable in advance in equal monthly installments of \$7,833.33 from July 1, 2011, to June 30, 2014. He also advised that in addition the City would pay up to \$6,000 per year in reimbursable expenses.

The City Manager reported that for many years the City and The Ferguson Group had entered into a contractual agreement to provide representation in Washington, D.C. Through that representation, The Ferguson Group had helped West Valley City attain numerous goals and objectives and maintain an aggressive federal agenda. He stated the most recent agreement would expire June 30, 2011, and the new proposed agreement would be for the three year period commencing July 1, 2011, and ending June 30, 2014.

City Manager, Wayne Pyle, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-81 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

**6. RESOLUTION NO. 11-82, APPROVE AN AMENDMENT TO A WIRELESS LEASE AGREEMENT WITH NEW CINGULAR WIRELESS FOR THE CELLULAR COMMUNICATIONS TOWER ON THE WEST VALLEY CITY PUBLIC SAFETY BUILDING LOCATED AT 3575 SOUTH MARKET STREET**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-82 which would approve an Amendment to a Wireless Lease Agreement with New Cingular Wireless for the cellular communications tower on the West Valley City Public Safety Building located at 3575 South Market Street.

Mr. Pyle stated in exchange for access to the above listed property, New Cingular Wireless would agree to pay West Valley City approximately \$76,457.52 in exchange for granting continual access to the cell tower located on the roof of the building. He advised this amount would be spread over five years and run from July 1, 2012, through June 30, 2017. He indicated there was no downside for the City as the property being leased was not suitable for most other purposes. He reported annual payments would be made as follows:

July 1, 2012 – June 30, 2013	\$16,416.00
July 1, 2013 – June 30, 2014	\$15,595.20
July 1, 2014 – June 30, 2015	\$14,815.44
July 1, 2015 – June 30, 2016	\$14,815.44
July 1, 2016 – June 30, 2017	\$14,815.44

City Manager, Wayne Pyle, further reviewed and discussed proposed Resolution No. 11-82 and answered questions from members of the City Council.

MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011

-5-

The City Council will consider proposed Resolution No. 11-82 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

7. **RESOLUTION NO. 11-83, APPROVE AN AMENDMENT TO A WIRELESS LEASE AGREEMENT WITH NEW CINGULAR WIRELESS FOR THE CELLULAR COMMUNICATIONS TOWER ON THE WEST VALLEY CITY FAMILY FITNESS CENTER LOCATED AT 5415 WEST 3100 SOUTH**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-83 which would approve an Amendment to a Wireless Lease Agreement with New Cingular Wireless for the cellular communications tower on the West Valley City Family Fitness Center located at 5415 West 3100 South.

Mr. Pyle stated in exchange for access to the above listed property, New Cingular Wireless would agree to pay West Valley City approximately \$76,457.52 in exchange for granting continual access to the cell tower located on the roof of the building. He advised this amount would be spread over five years and run from July 1, 2012, through June 30, 2017. He indicated there was no downside for the City as the property being leased was not suitable for most other purposes. He reported annual payments would be made as follows:

July 1, 2012 – June 30, 2013	\$16,416.00
July 1, 2013 – June 30, 2014	\$15,595.20
July 1, 2014 – June 30, 2015	\$14,815.44
July 1, 2015 – June 30, 2016	\$14,815.44
July 1, 2016 – June 30, 2017	\$14,815.44

City Manager, Wayne Pyle, further reviewed and discussed proposed Resolution No. 11-83 and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-83 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

8. **RESOLUTION NO. 11-84, APPROVE AN AMENDMENT TO A WIRELESS LEASE AGREEMENT WITH NEW CINGULAR WIRELESS FOR THE CELLULAR COMMUNICATIONS TOWER ON THE OLD ANIMAL SHELTER BUILDING LOCATED AT 4063 SOUTH 7200 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-84 which would approve an Amendment to a Wireless Lease Agreement with New Cingular Wireless for the cellular communications tower on the old Animal Shelter Building located at 4063 South 7200 West.

Mr. Pyle stated in exchange for access to the above listed property, New Cingular Wireless would agree to pay West City approximately \$76,457.52 in exchange for granting continual access to the cell tower located on the roof of the building. He advised

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-6-**

this amount would be spread over five years and run from July 1, 2012, through June 30, 2017. He indicated there was no downside for the City as the property being leased was not suitable for most other purposes. He reported annual payments would be made as follows:

July 1, 2012 – June 30, 2013	\$16,416.00
July 1, 2013 – June 30, 2014	\$15,595.20
July 1, 2014 – June 30, 2015	\$14,815.44
July 1, 2015 – June 30, 2016	\$14,815.44
July 1, 2016 – June 30, 2017	\$14,815.44

City Manager, Wayne Pyle, further reviewed and discussed proposed Resolution No. 11-84 and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-84 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

9. **RESOLUTION NO. 11-85, APPROVE AN AGREEMENT WITH ETRAK-PLUS, FOR THE PURCHASE OF WEB-BASED MEMBERSHIP SOFTWARE FOR USE AT THE WEST VALLEY CITY FAMILY FITNESS CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-85 which would approve an Agreement with ETrak-Plus for the purchase of web-based membership software for use at the West Valley City Family Fitness Center.

Mr. Pyle stated the server-based software currently used at the Family Fitness Center would no longer be supported or maintained by the vendor. He indicated requests for proposals for web-based membership services had been solicited and five proposals received as follows:

ETrak-Plus:	\$31,249.00 plus one-time start up of \$14,997.00
ActiveNet:	\$48,125.00 plus one-time start up of \$3,500.00
Vermont Systems:	\$38,000.00 plus one-time start up of \$37,840.00
Peak Software:	Did not qualify/Not web-based/Must use PC Anywhere-type Program
MindBody:	Did not meet several specifications in RFP

The City Manager reported it was necessary to secure different membership, point of sale, scheduling software. He advised web-based services were available and would allow better access for residents and on-line services to be offered. He indicated fees were based on number of credit card transactions at the Center, start up costs, transaction costs, and other. He reported staff had evaluated the companies using last years' numbers. The Fitness Center already paid credit card fees of approximately \$26,250.00 which would be used toward the annual fees.

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-7-**

Parks and Recreation Director, Kevin Astill, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-85 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

**10. CONSENT AGENDA SCHEDULED JUNE 21, 2011:**

**A. RESOLUTION NO. 11-86, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF BARBARA THOMAS TO THE PLANNING COMMISSION, TERM: JULY 1, 2011 THRU JULY 1, 2015**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-86 which would ratify his reappointment of Barbara Thomas to the Planning Commission for a four-year term commencing July 1, 2011 and ending July 1, 2015.

Mr. Pyle stated Ms. Thomas term would expire on July 1, 2011, and she had expressed a desire to be reappointed to the Planning Commission. He indicated her long time residency in West Valley City, her experience as a Commissioner and City Council member, and her involvement in the community made her a valuable member of the Planning Commission.

**B. RESOLUTION NO. 11-87, RATIFY THE CITY MANAGER'S APPOINTMENT OF STEVE LEHMAN AS CHAIR OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2011 – JULY 1, 2012**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-87 which would ratify his appointment of Steve Lehman as Chair of the License Hearing Board for the term July 1, 2011, through July 1, 2012.

Mr. Pyle stated the Chair of the License Hearing Board was appointed for a one year term. He indicated Mr. Lehman was an employee of West Valley City and willing to serve as Chair of the License Hearing Board for the stated term.

**C. RESOLUTION NO. 11-88, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MARK BALL AS A MEMBER OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2011 – JUNE 30, 2014**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-88 which would ratify his reappointment of Mark Ball as a member of the License Hearing Board for the term July 1, 2011, through June 30, 2014.

Mr. Pyle stated Mr. Ball was willing to accept the reappointment to the Board and continue to serve the City in that capacity.

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-8-**

**D. RESOLUTION NO. 11-89, RATIFY THE CITY MANAGER'S APPOINTMENT OF TERRY CHEN AS A MEMBER OF THE CULTURAL ARTS BOARD (CAB) OF WEST VALLEY CITY, TERM: APRIL 19, 2011 – DECEMBER 31, 2012**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-89 which would ratify his appointment of Terry Chen as a member of the Cultural Arts Board (CAB) of West Valley City for the term April 19, 2011, through December 31, 2012.

Mr. Pyle stated Mr. Chen would fill the unexpired term of Keith Sadler.

**E. RESOLUTION NO. 11-90, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF WILLIAM OLPIN TO THE STORM WATER ADVISORY BOARD, TERM: JULY 1, 2011- JUNE 30, 2013**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-90 which would ratify his reappointment of William Olpin to the Storm Water Advisory Board for the term July 1, 2011, through June 30, 2013.

Mr. Pyle stated Mr. Olpin had consented to serve on the Board for another two year term.

The City Council will consider proposed Resolution Nos. 11-86 through 11-90 at the Regular Council Meeting scheduled June 21, 2011, at 6:30 P.M.

**11. COMMUNICATIONS:**

**A. BUDGET UPDATE**

City Manager, Wayne Pyle, used PowerPoint and discussed information regarding budget matters, summarized as follows:

- FY 2011 and 2012 projected shortfalls, January 2011 vs. June 2011
- Recommendations and options regarding potential revenue sources
- Trend of last four months in meeting sales tax projections and update regarding national economic trends
- Proposal to make presentations regarding budget to citizens at three open house events at City Hall during June, July and August, prior to the public hearing regarding the final budget scheduled for August 9, 2011, with one or two City Council members, himself, the Finance Director, and Assistant City Manager, in attendance to answer questions from the public
- Review of needs including capital, operations, and other
- Proposed property tax increase

## MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011

-9-

During the above presentation of information, the City Manager received input and answered questions from members of the City Council.

### B. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: May 5 – June 21, 2011: Utah Women Artists Exhibition – Celebrating the Diversity of Women, UCCC; June 16, 2011: ChamberWest Business Matters Luncheon – Speaker: Jeff Thredgold, Economist for Zions Bank, Webster Community Center, 8952 West 2700 South, 11:00 A.M. – 1:00 P.M.; June 16, 2011: Mountain View Corridor Project Tour, 5680 Dannon Way (9280 S.), West Jordan, 3:00 P.M.; June 17, 2011: ChamberWest Ribbon Cutting – Memorial Mortuary, 2470 S. Redwood Road #213, 1:00 P.M.; June 21, 2011: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; June 22, 2011: ChamberWest Ribbon Cutting – Big Daddy’s Pizza, 4100 South 5600 West, 1:00 P.M.; June 23-26, 2011: WestFest, Centennial Park; June 25, 2011: WestFest Parade, 10:00 A.M.; June 28, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 30 – August 16, 2011: Face of Utah Sculpture VII Exhibit, UCCC (Opening Reception on Thursday, June 30<sup>th</sup> from 6:00 P.M. – 8:00 P.M.); July 1-15, 2011: Candidate Filing Period for 2011 Municipal Election (During regular hours (Mon. – Thurs., 7:00 A.M. – 6:00 P.M.) and not later than 5:00 P.M. on the last day / the City Recorder’s Office will be open from 8:00 A.M. to 5:00 P.M. on Friday, July 15<sup>th</sup>); July 4, 2011: Independence Day Holiday – City Hall closed; July 5, 2011: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; July 6, 2011: American Idol Live! Maverik Center, 7:00 P.M.; July 11, 2011: Utah Symphony Concert and Fireworks Display, UCCC, 8:30 P.M.; July 11-15, 2011: Challenger Sports British Soccer Camp, Fitness Center; July 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 15, 2011: Embassy Suites Hotel Groundbreaking; July 18, 2011: WorldStage! Concert Series – Mama’s Temple Choir, UCCC, 8:00 P.M.; July 18-23 & 25, 2011: Days of ’47 Rodeo, Maverik Center, 7:00 P.M.; July 19, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 25, 2011: Pioneer Day Holiday – City Hall closed; July 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 1, 2011: National Night Out Kickoff Event, UCCC, 5:30 P.M. – 8:00 P.M.; August 1, 2011: WorldStage! Concert Series – National Night Out with Hired Guns, UCCC, 8:00 P.M.; August 2, 2011: National Night Out Block Parties; August 7, 2011: UTA West Valley Light Rail Line Opens; August 8, 2011: WorldStage! Concert Series – World Travelers, UCCC, 8:00 P.M.; August 9, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 15, 2011: WorldStage! Concert Series – Red Rock Rondo, UCCC, 8:00 P.M.; August 16, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 20, 2011: Los Tigres Del Norte, Maverik Center, 7:00 P.M.; August 22, 2011: Death Cab for Cutie, Maverik Center, 7:30 P.M.; August 22, 2011:

## MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011

-10-

WorldStage! Concert Series – Islands in the Desert, UCCC, 8:00 P.M.; August 23, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 29, 2011: WorldStage! Concert Series – Partners Program Showcase, UCCC, 8:00 P.M.; September 5, 2011: Labor Day Holiday – City Hall closed; September 7, 2011: Selena Gomez, Maverik Center, 7:00 P.M.; September 13, 2011: Municipal Primary Election (Polls open from 7:00 A.M. to 8:00 P.M.); September 14-16, 2011: ULCT Annual Conference; September 19, 2011: Lake Park Golf Social, Stonebridge Golf Course, 8:00 A.M.; November 2, 2011: Celtic Thunder, Maverik Center, 7:30 P.M.; November 4, 2011: Judas Priest, Maverik Center, 6:30 P.M.; and November 8, 2011: Municipal General Election (Polls open from 7:00 A.M. to 8:00 P.M.)

### 12. **COUNCIL REPORTS:**

#### A. **COUNCILMEMBER COREY RUSHTON – INTERMOUNTAIN BOBCAT GROUNDBREAKING AND AUDIT REVIEW COMMITTEE**

Councilmember Rushton reported regarding the Intermountain Bobcat groundbreaking event.

Councilmember Rushton reported regarding a West Valley City Audit Review Committee meeting.

#### B. **COUNCILMEMBER STEVE VINCENT – NEWS ARTICLE REGARDING BAD ODOR**

Councilmember Vincent advised he had received phone calls regarding a Deseret News article about a bad smell in West Valley City possibly coming from the landfill.

Public Works Director, Russell Willardson, discussed the issue and gave possible reasons for the smell. Upon discussion, some members of the Council stated it seemed possible that due to the wet spring standing water on wetlands could cause bad smells, or winds could cause “lake effect” odor issues.

#### C. **COUNCILMEMBER CAROLYNN BURT – HISTORICAL SOCIETY**

Councilmember Burt reported regarding the Historical Society and a contest to be held during concerts at the Utah Cultural Celebration Center (UCCC) this summer. She also stated the Historical Society was in favor of an old granary belonging to the Rushton family being transferred to Fairbourne Station (formerly City Center) if the City desired to include it in the project.

City Manager, Wayne Pyle, discussed design elements of the Promenade area of Fairbourne Station, indicated a granary might not be a good fit, however, there could be another, and possibly more appropriate location in the City to display this historical building. The City Council discussed the issue and expressed a consensus for staff to review the matter and make a recommendation.

**MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2011**

**-11-**

Councilmember Burt further stated the Historical Society was working on a historical book and assistance would be provided by Mayor Winder (as a published author) with the project.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, JUNE 14, 2011, WAS ADJOURNED AT 6:28 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, June 14, 2011.

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Sheri McKendrick, MMC  
City Recorder