

MINUTES OF COUNCIL STUDY MEETING – MARCH 23, 2010

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THE WEST VALLEY CITY COUNCIL MET IN AN ELECTRONIC STUDY SESSION ON TUESDAY, MARCH 23, 2010, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR PRO TEM RUSHTON CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Russ Brooks
Steve Buhler
Don Christensen
Steve Vincent
Mike Winder (Participated via telephone)

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Carolynn Burt

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Nicole Cottle, CED Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
Richard Catten, City Attorney
Craig Black, Acting Police Chief
Brent Garlick, CED Department
Mark Nord, CED Department
Steve Lehman, CED Department
Steve Pastorik, CED Department
Rick Westphal, Administration
Aaron Crim, Administration
Phil Markham, Public Works Department
Dan Johnson, Public Works Department
Jake Arslanian, Public Works Department

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1. APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 9, 2010

The Council read and considered the Minutes of the Study Meeting held March 9, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Study Meeting held March 9, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Winder	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

2. BOB MURRI, ASCENT CONSTRUCTION – JORDAN RIVER MARKETPLACE UPDATE

Mayor Pro Tem Rushton introduced Bob Murri and Brad Knowlton of Ascent Construction, in attendance to provide the Council with updated information regarding the Jordan River Marketplace project.

Mr. Murri and Mr. Knowlton distributed written information to members of the City Council and expressed appreciation for the opportunity to discuss the Jordan River Marketplace project. Mr. Murri noted representatives of NAI Utah, the marketer and promoter of the project, were also in attendance at the meeting.

Mr. Murri reviewed information included in the written materials, summarized as follows:

- Project update
- Updated site map including input from NAI Utah
- Proposed tower for plaza
- Chinese Market exterior/interior concept and floor plan
- Letters of intent and interested tenants
- Target market retail categories
- NAI Utah marketing process
- Outstanding issues impeding project progress

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During the presentation of information, Mr. Murri and Mr. Knowlton answered questions from members of the City Council. Mr. Murri further expressed excitement about the project including the desire to move forward.

NAI Utah representatives, Brett Palmer and Tracy Doong, discussed the targeted marketing process and the approach for “this unique project.” They also answered questions from members of the City Council.

Members of the Council thanked the above participants for the updated information and for all ideas presented.

City Manager, Wayne Pyle, expressed the need for direction and/or approval by the Council regarding the increased square footage of the proposed Asian Market (as it did not meet requirements in exhibit G of the ADL), funding of design of the tower icon, and transfer of property. Upon discussion, the Council expressed the need to move forward with the property transfer, but take more time to discuss the proposed tower icon and other issues regarding the proposal. The City Manager related opinions, concerns and recommendations of staff regarding the proposal. He summarized that it appeared most members of the City Council seemed to like the overall proposal as presented and discussed.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MARCH 23, 2010**

City Manager, Wayne Pyle, stated new items had been added to the Agenda for the Regular Meeting scheduled March 23, 2010. He discussed the new items and others as follows:

Item No. 9.C. – RESOLUTION NO. 10-36, APPROVE AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE UTAH TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY (UTOPIA) (*RESCHEDULED FROM REGULAR MEETING HELD MARCH 9, 2010*)

City Manager, Wayne Pyle, discussed proposed Resolution No, 10-36 which would approve an Interlocal Cooperative Agreement with the Utah Telecommunication Open Infrastructure Agency (UTOPIA).

Mr. Pyle stated the proposed agreement would facilitate the City’s participation in UTOPIA’s attempts to resolve a dispute related to certain financial transactions undertaken by UTOPIA.

The City Manager reported West Valley City was a member of UTOPIA, a cooperative association of local governments formed to extend telecommunication infrastructure to its members. As a member of UTOPIA, the City had entered into pledge and loan agreements with UTOPIA. He indicated that in conducting its business, UTOPIA entered into certain financial transactions backed by the pledge and loan agreements of the City. He also reported some of those transactions had become the subject of a dispute and the

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proposed agreement would allow the City to support UTOPIA's efforts to settle that dispute.

Mr. Pyle stated this item had been considered by the Council, a motion was made for approval but received no second, and therefore the matter had been rescheduled from the Regular Meeting held March 9, 2010.

The City Council will consider proposed Resolution No. 10-36 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

Item No. 9. D. – RESOLUTION NO. 10-39, AWARD A CONTRACT TO RYDALCH ELECTRIC, INC. TO PERFORM LIGHTING AND LIGHTING CONTROLS RETROFIT FOR CITY FACILITIES

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-39 which would award a contract to Rydalch Electric, Inc., in the amount of \$336,200.00, to perform lighting and lighting controls retrofit for City facilities.

The City Manager indicated funding for the work would be derived from the Federal American Reinvestment and Recovery Act (ARRA), Energy Efficiency and Conservation Block Grant Program (EECBG).

City Manager, Wayne Pyle, reported a total of five proposals had been received as follows:

Tasco Engineering	\$278,260.00
RC Hunt Electric	\$288,000.00
Rydalch Electric	\$336,200.00
CR Lighting	\$456,371.00
Cutler Electric	\$903,832.00

Mr. Pyle stated Rydalch Electric, Inc. had submitted the lowest proposal which met the City's objectives to reduce energy costs and greenhouse gas emission.

The City Manager reported the retrofit would include replacement of indoor T-12 fluorescent lights with premium T-8 lamps, (\geq 3100 initial lumens or \leq 30 watts; with an electronic ballast factor of .80 or less). He stated motion sensors would be added throughout and parking lot and outdoor lights would be replaced with either induction or HID lighting. He further advised the retrofit would take several months to complete and be under the supervision of the Administrative and Facilities Support Services Manager.

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

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The City Council will consider proposed Resolution No. 10-39 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

Item No. 9.E. – RESOLUTION NO. 10-40, APPROVE AN AGREEMENT WITH OMNETIC INC. FOR HOSTED GOOGLE APPS E-MAIL SERVICES

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-40 which would approve an agreement with Omnetic Inc., in the amount of \$44,100.00, the first 15 months and \$44,100.00 annually thereafter, for hosted Google Apps Premier E-Mail services.

Mr. Pyle stated conversion to Google e-mail and collaboration services would provide e-mail and calendaring services for the City at a substantial savings when compared with the current hosted Outlook/Exchange solution. He also stated Information Technology had been reviewing cost savings opportunities for the City. He indicated that, while Microsoft Outlook/Exchange was the industry standard for e-mail and calendaring services and had provided a cost effective e-mail solution, Google was now providing similar robust collaboration and e-mail service that would save the City \$60,000 annually. He explained in addition to standard e-mail and calendaring, Google provided a low-end word processor, spreadsheet and presentation package called “Google Docs,” a website application to create coding-free web pages for intranets and team managed sites called “Google Sites” and space for private, secure hosted video sharing.

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

The City Council will consider proposed Resolution No. 10-40 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

Item No. 9.F. – RESOLUTION NO. 10-41, APPROVE AN AGREEMENT WITH GOOGLE FOR WEB SECURITY

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-41 which would approve an agreement with Google, in the amount of \$25,200.00 for the first 14 months and \$25,200.00 annually thereafter, for web security.

Mr. Pyle stated the City was currently using a web security appliance to provide these services, but the appliance was at the end of its life and needed to be replaced. He also stated the cost for replacement would be approximately \$100,000 plus an annual maintenance contract. He indicated Google provided a superior product for less money and all web services would be provided by a single vendor, the leader in the industry.

The City Manager reported Google Web Security for Enterprise, powered by Postini, would protect West Valley City against web malware attacks and enable safe, productive use of the web without incurring hardware costs. He indicated it would protect all users whether connected directly to the City’s network, working remotely in public safety

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vehicles, or at home. He also reported, in addition, Google Web Security for Enterprise would enable the City to control how employees used the Internet, providing easy to use tools to create, enforce, and monitor the right web policy for City employees.

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

The City Council will consider proposed Resolution No. 10-41 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

Item No. 10.A. – APPLICATION NO. PUD-1-2009, FILED BY HOLMES HOMES, REQUESTING FINAL PLAT APPROVAL FOR HARKER’S LANDING PUD – PHASE 1 LOCATED AT 2560 SOUTH ANNA CAROLINE DRIVE

City Manager, Wayne Pyle, discussed Application No. PUD-1-2009, filed by Holmes Homes, requesting final plat approval for Marker’s Landing PUD – Phase 1, located at 2560 South Anna Caroline Drive.

City Manager, Wayne Pyle, advised that the developer, Russ Holladay, was in attendance and could discuss the fence and raised sidewalks issues brought up by members of the Council at the previous Study Meeting.

Mr. Holladay, developer, indicated that regarding the fence they desired to stay with vinyl for cost and other reasons. He also discussed the raised sidewalk issue and stated there were six different crosswalks in the plan for pedestrian safety.

Upon inquiry by the City Manager, there were no further questions from members of the City Council regarding items scheduled on the subject Agenda.

Mike Winder was excused from the meeting and the telephone was disconnected at 5:23 P.M.

4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED APRIL 6, 2010:

A. EMPLOYEE OF THE MONTH, MARCH, 2010 - ZACH HATCH, FIRE DEPARTMENT

City Manager, Wayne Pyle, stated Councilmember Brooks would read the nomination of Zach Hatch, Fire Department, for the Employee of the Month award for March 2010, at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M. He informed Mr. Hatch had been nominated for saving many lives in the line of his duty, for his extraordinary abilities in scene control and working with the citizenry, and for his efforts in establishing a search dog team for the Metro Urban Search and Rescue Task Force.

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B. EAC QUARTERLY DIVISION AWARD – WEST VALLEY FIRE/METRO URBAN SEARCH AND RESCUE TASK FORCE 2 MEMBERS: CAPTAIN BRENT HOBBS; CAPTAIN/PARAMEDIC LEE MONSEN; ENGINEER/PARAMEDIC CHUCK CRUZ; ENGINEER CURTIS HARPER; AND FIREFIGHTER JAMES SIMMONS

City Manager, Wayne Pyle, stated Councilmember Christensen would read a narrative for the EAC Quarterly Division Award recommending the West Valley Fire/Metro Urban Search and Rescue Task Force 2 members, Captain Brent Hobbs, Captain/Paramedic Lee Monsen, Engineer/Paramedic Chuck Cruz, Engineer Curtis Harper, and Firefighter James Simmons be recognized for their selfless service. In particular, the individuals were being recognized for their response to rescue John Jones who had been trapped for several hours in the Nutty Putty Cave west of Utah Lake. Upon their arrival they had been faced with a tragic and stressful situation as the victim was approximately 125 feet underground and 400 feet horizontal from the cave entrance. The only access was to crawl for one hour through a maze of tunnels and crevices. The rescuers had attempted every way possible to free the victim, but because of the confines of the cave and limitations on bringing any type of equipment into the cave, the victim could not be freed. The award recognized the high level of training and selfless efforts of the employees.

C. PROCLAMATION RECOGNIZING APRIL 2010, AS CHILD ABUSE PREVENTION MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Councilmember Vincent would read a Proclamation recognizing April 2010, as Child Abuse Prevention Month in West Valley City, at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

D. PROCLAMATION DECLARING APRIL 2010, AS FAIR HOUSING MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Councilmember Buhler would read a Proclamation declaring April 2010, as Fair Housing Month in West Valley City, at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

E. PROCLAMATION DESIGNATING THE WEEK OF APRIL 4 – 10, 2010, AS COMMUNITY DEVELOPMENT BLOCK GRANT WEEK IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Mayor Winder would read a Proclamation designating the week of April 4 – 10, 2010, as Community Development Block Grant Week in West Valley City, at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

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5. ORDINANCE NO. 10-10, AMEND SECTION 1-2-104, OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING LEVY OF A USER FEE FOR ONLINE PAYMENT OF CIVIL PENALTIES ASSESSED BY WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-10 which would amend Section 1-2-104 of Title 1 of the West Valley City Municipal Code regarding levy of a user fee for online payment of civil penalties assessed by West Valley City.

Mr. Pyle stated the City recognized the need for and convenience of making payments of fees, fines, and other financial obligations via the Internet. He also stated online payments were administered by CORIS, a state-run software program and website. He indicated in order for West Valley City to participate in online payments through the State website, the City was required to establish an additional bankcard merchant relationship in order to provide such service. He explained additional costs were incurred in acceptance of online electronic payments. In an effort to provide greater convenience for court payments and to recover some of the increased cost of processing the payments, a recommended fee of \$2.00 per transaction had been recommended.

The City Manager further discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 10-10 at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

6. RESOLUTION NO. 10-42, APPROVE AGREEMENT WITH SPECIALTY VEHICLE CONCEPTS, INC. FOR INSTALLATION OF NEW EQUIPMENT ON THE POLICE DEPARTMENT'S MINI MOBILE COMMAND VEHICLE

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-42 which would approve an agreement with Specialty Vehicle Concepts, Inc., in an amount not to exceed \$100,000.00, for installation of new equipment on the Police Department's mini mobile command vehicle.

Mr. Pyle stated the Police Department had acquired funding from the 2009 JAG Grant and desired to purchase equipment and up-fit the command vehicle. He indicated the City had contracted with Specialty Vehicle Concepts, Inc. had been selected due to the proprietary equipment involved and specialized skills necessary to install that new equipment.

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

The City Council will consider proposed Resolution No. 10-42 at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

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7. RESOLUTION NO. 10-43, AUTHORIZE PURCHASE OF A 1994 OIL TANK TRAILER FROM KRAFT TANK CO. FOR USE IN THE PUBLIC WORKS DEPARTMENT

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-43 which would authorize purchase of a 1994 oil tank trailer from Kraft Tank Co., in an amount not to exceed \$38,025.00, for use by the Public Works Department.

Mr. Pyle stated Kraft Tank Co. of Kansas City, Mo., had a used Brenner Stainless Steel Asphalt tank needed by the City to haul oil for the slurry seal operation. He advised that the Public Works Department had a 1978 oil tank trailer that had been purchased used when the City first started its slurry program in 1997. He stated the tank had been used every day during slurry seal operations and was now beyond its serviceable years and could require extensive repairs to pass safety standards. He further advised the Brenner tank would fit the operation and would last the City for many years. He further stated a new tank would cost about \$90,000.00.

The City Manager explained the tank was being sold “as-is” without warranty. He also advised the delivery costs were included in the price of the tank.

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

The City Council will consider proposed Resolution No. 10-43 at the Regular Council Meeting scheduled April 6, 2010, at 6:30 P.M.

8. COMMUNICATIONS:

A. LEGISLATIVE UPDATE

Upon direction of the City Manager, Nicole Cottle, CED Director, Mark Nord, CED Department, and lobbyist Dave Stewart provided a “wrap up” of business conducted in the legislative session that ended March 11, 2010.

Using PowerPoint the following bills and/or issues were respectively discussed and summarized as follows:

Nicole Cottle discussed State road funding in which West Valley City received funding for three projects:

- Frontage road off I-215
- Bangerter and 3100 South CFI (4100 South funded by CMAC)
- Bangerter and 2100 South (2400 South) intersection improvements

Ms. Cottle also discussed other bills of benefit or interest to West Valley City:

SB240 – URMMA Retirement issue

SB217 – Increase in surcharge on courts

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HB121 – Emergency medical services act transport amendments

Mark Nord discussed the following bills:

HB185 – Euthanasia standards (did not pass)

HB173 – 911 amendments

HB205 – Impact fee amendments

HB220 – Disproportionate rental fee amendments

HB227 – Licensing eligibility

HB131 – B&C road funds modifications

Dave Stewart provided an overview of the session including highlights and his observations. He also suggested the Council acknowledge and express appreciation to Representative Ron Bigelow and others for their assistance and support of West Valley City during the session. He answered questions from members of the City Council. Mr. Stewart recommended the Council and City staff begin to look ahead to next year's session and consider partnering with municipalities with similar issues and/or challenges. He concluded by expressing appreciation to Council members and City staff for their involvement and efforts in contacting legislators.

Mayor Pro Tem Rushton expressed appreciation on behalf of the City Council to all those involved and the many hours spent on behalf of the City during the recent legislative session.

City Manager, Wayne Pyle, advised it would be hard to overstate the value and importance of the efforts of City staff and the lobbyist during the session, and he cited several examples. He praised all those involved in the legislative process and thanked them for their efforts on behalf of West Valley City.

B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: March 23 – April 29, 2010: Egg Carving Exhibit, UCCC; March 26, 2010: Employee Bowling Tournament Sponsored by EAC, Delton Bowling Lanes, 11:30 A.M.; March 29, 2010: Grizzlies Awards Banquet, E-Center, 6:00 P.M.; March 31, 2010: Michael Buble' "Crazy Love Tour" Concert, E-Center, 8:00 P.M.; April 5, 2010: Muse Concert, E-Center, 7:30 P.M.; April 6, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 7, 2010: Chief Chat (Resident opportunity to interface with Police & Fire Chiefs), UCCC, 6:30 P.M. – 8:30 P.M.; April 7-9, 2010, ULCT Mid-Year Conference, Dixie Center, St. George; April 8, 2010: Chief Chat (Resident opportunity to interface with Police & Fire Chiefs), Community Preservation Building, 6:30 P.M. – 8:30 P.M.; April 10, 2010: Fire Ops 101, Fire Station #73, 2834 South 2700 West, 7:30 A.M. – 2:00 P.M.; April 13, 2010: Council Study Meeting, 4:30 P.M., Regular Council

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Meeting, 6:30 P.M.; April 20, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 21, 2010: Town Hall Meeting, Granger High School, 7:00 P.M.; April 22, 2010: Daughtry Concert, E-Center; April 26, 2010: Book Fair Sponsored by EAC, City Hall Lobby, 10:00 A.M. – 3:00 P.M.; April 27, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 28, 2010: Mayor’s Religious Summit, 8:00 A.M. – 11:00 A.M.; April 28, 2010: Town Hall Meeting, Hunter High School, 7:00 P.M.; May 4, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 6, 2010: UDOT’s Annual Meeting with Salt Lake County and Municipalities, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 7, 2010: Sugarland Concert, E-Center; May 10, 2010: Paramore with Relient K and Fun Concert, E-Center; May 11, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 14, 2020: ChamberWest Golf Tournament, West Ridge Golf Course; May 18, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 19-23, 2010: Cirque du Soleil Alegria Concert, E-Center; May 25, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 26, 2010: Smucker’s Stars on Ice, E-Center; May 31, 2010: Memorial Day Holiday – City Hall closed; June 24-26, 2010: WestFest, Centennial Park; July 5, 2010: Independence Day Holiday – City Hall closed; and July 15, 2010: Employee Summer Barbecue Sponsored by EAC, City Park.

C. **ECONOMIC DEVELOPMENT MASTER PLAN UPDATE**

Upon direction of City Manager, Wayne Pyle, the CED Director, Nicole Cottle, introduced an update regarding the Economic Development Master Plan. Ms. Cottle stated the City’s Economic Development Master Plan was the “gold standard” in the State of Utah as no other city had such a guiding document.

Brent Garlick, CED Department, used PowerPoint and discussed information summarized as follows:

- Economic Development Strategic Plan process – prioritize, measure, report and improve
- Guiding principles
- Economic conditions in 2004 (first five year cycle)
- Progress report 2007-2008
- Five year progress report
- Current/future conditions
- Opportunity areas
- Course of action/strategies for next five years

During the above presentation of information, Mr. Garlick answered questions from members of the City Council.

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9. COUNCIL REPORTS:

A. COUNCILMEMBER COREY RUSHTON – NLC CONFERENCE

Councilmember Rushton stated he had previously distributed a written report regarding the National League of Cities and Towns conference that he had recently attended.

B. COUNCILMEMBER RUSS BROOKS – NEIGHBORHOOD ISSUES

Councilmember Brooks discussed various neighborhood issues and passed along that information to the City Manager.

C. COUNCILMEMBER STEVE BUHLER – IMMIGRATION ISSUES

Councilmember Buhler requested discussion regarding the subject of immigration issues be placed on the Study Meeting scheduled April 6, 2010.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 23, 2010, WAS ADJOURNED AT 6:30 P.M., BY MAYOR PRO TEM RUSHTON.

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, March 23, 2010.

Sheri McKendrick, MMC
City Recorder