

## MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 1, 2011

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 1, 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 PRO TEM RUSHTON; AND THEREAFTER CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton  
Mike Winder (Arrived as noted)  
Russ Brooks  
Steve Buhler  
Carolynn Burt  
Don Christensen (Arrived as noted)  
Steve Vincent (Arrived as noted)

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Nicole Cottle, CED Director  
Mike Wells, Acting Police Chief  
Eric Bunderson, Acting City Attorney  
Aaron Crim, Administration  
Steve Lehman, CED Department  
Mark Nord, CED Department  
Erik Brondum, Public Works Department  
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD JANUARY 11, 2011**  
The Council read and considered Minutes of the Study Meeting held January 11, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held January 11, 2011, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

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Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

2. **APPROVAL OF MINUTES OF STUDY MEETING HELD JANUARY 18, 2011**

The Council read and considered Minutes of the Study Meeting held January 18, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held January 18, 2011, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

3. **STAFF SGT. BROCK JONES – PRESENTATION REGARDING COMMUNITY COVENANT PROGRAM**

Mayor Pro Tem Rushton introduced Staff Sgt. Brock Jones, whereupon Staff Sgt. Jones discussed and distributed written information regarding the Community Covenant Program. He informed the City Council the initiative had been created in 2008 by the United States Army and was designed to reach out to all military service members regardless of service branch. He stated the intent of the program was to encourage cities and towns across the country to formally commit their support to service members, both current and former, including their families residing within their communities. He explained the initiative in Utah had begun with a document, *Community Covenant Citation*, read on the floors of the Utah House and Senate. He also discussed other issues and goals related to the program and as outlined in the written information.

Councilmember Christensen arrived at the meeting at 4:32 P.M.

During the above presentation of information, Staff Sgt. Brock answered questions from members of the City Council.

Mayor Pro Tem Rushton expressed appreciation for the information given to the City Council and stated some good ideas could be considered. Upon inquiry by members of the City Council, Acting City Manager, Paul Isaac, stated staff would be directed to

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review the program and present ideas to the City Council for further discussion and consideration.

#### 4. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED FEBRUARY 1, 2011**

Acting City Manager, Paul Isaac, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M. He discussed an item scheduled on that agenda and agenda items for other scheduled meetings including the Redevelopment Agency, Housing Authority and Building Authority, as follows:

##### **Item No. 9.C. - RESOLUTION NO. 11-09, SELECTING WASTE MANAGEMENT OF UTAH TO PROVIDE AUTOMATED RESIDENTIAL SOLID WASTE COLLECTION AND RECYCLING**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-09 which would select Waste Management of Utah to provide automated residential solid waste collection and recycling services, and in the amount of \$2,244,319.00 annually. Mr. Isaac distributed a replacement issue paper in which a typographical error had been corrected.

The City Council will consider proposed Resolution No. 11-09 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

##### **Redevelopment Agency Meeting, Housing Authority Meeting, and Building Authority Meeting – Scheduled February 1, 2011**

Acting City Manager, Paul Isaac, discussed items on the Agendas for the Redevelopment Agency, Housing Authority, and Building Authority meetings scheduled February 1, 2011. Mr. Isaac informed he would request that Item No. 7.D. on the Redevelopment Agency Agenda be stricken because the contractor's attorney still needed to review the proposed agreement.

Acting City Manager, Paul Isaac, distributed an updated City Council Agency & Authority Officer Rotation List in preparation for the election of chairs and vice chairs of the Redevelopment Agency, Housing Authority and Building Authority organizations for the year 2011.

CED Director, Nicole Cottle, answered questions from members of the City Council regarding items scheduled on the Redevelopment Agency agenda.

Councilmember Vincent arrived at the meeting at 4:54 P.M.

Upon inquiry by Acting City Manager, Paul Isaac, there were no further questions from members of the City Council regarding items discussed above.

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5. **PUBLIC HEARINGS SCHEDULED FEBRUARY 8, 2011:**

A. **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-3-2010, FILED BY NORMA HANSON, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ‘R-1-8’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONE FOR PROPERTY LOCATED AT 3955 SOUTH 2200 WEST**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. Z-3-2010, filed by Norma Hanson, requesting a zone change from zone A (Agriculture) to R-1-8 (Residential, Single-Family Minimum Lot Size 8,000 Square Feet) zone for property located at 3955 South 2200 West. He discussed proposed Ordinance No. 11-08 and proposed Resolution No. 11-11 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

**ORDINANCE NO. 11-08, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3955 SOUTH 2200 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ‘R-1-8’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONE**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 11-08 which would amend the Zoning Map to show a change of zone for property located at 3955 South 2200 West from zone A (Agriculture) to R-1-8 (Residential, Single Family Minimum Lot Size 8,000 Square Feet) zone.

Mr. Isaac stated the proposal would allow the subject property to be subdivided and create two new single-family lots. He also stated the applicant had expressed difficulty managing the property subsequent to the death of her husband. He advised sufficient room existed to create two large flag lots with access from 2200 West.

The Acting City Manager explained that over many years, the property had been used primarily for agricultural purposes. He stated an existing single-family dwelling was located on 2200 West along with other outbuildings typically found with older agricultural properties. He further stated a large pole barn had been constructed a few years ago to house farming equipment.

Mr. Isaac reported the proposed subdivision design consisted of three lots on .92 acres. The property owner's parcel would be included within the boundaries of the subdivision, but would not be re-zoned. He indicated all frontage and area requirements of the R-1-8 zone, including the increased flag lot requirements

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recently approved by the Planning Commission and City Council, would be met as part of the future subdivision.

The Acting City Manager further explained a development agreement would be required for the re-zone. He stated Section 7-14-105(3) of the Zoning Ordinance stated, "All new subdivisions involving a re-zone of property shall participate in a development agreement that addresses housing size, quality, exterior finish materials, etc. The standards outlined in this section will be a base minimum for new dwellings." He advised however, the property owner proposed to increase the minimum dwelling size to 1,600 square feet for Lot 2 and 1,800 square feet for Lot 3. The applicant also proposed homes would be constructed of 100% masonry materials.

Mr. Isaac further advised the development agreement would also contain a provision, at the applicant's request, that no mobile or manufactured housing would be allowed. He reported a positive recommendation for approval as the increases to the housing standards along with design guidelines would provide upscale housing for this property.

### **RESOLUTION NO. 11-11, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH NORMA HANSON FOR APPROXIMATELY .92 ACRES OF PROPERTY LOCATED AT 3955 SOUTH 2200 WEST**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-11 which would authorize the City to enter into a Development Agreement with Norma Hanson for approximately .92 acres of property located at 3955 South 2200 West.

Mr. Isaac stated the agreement would establish minimum standards for two new residential lots located at 3955 South 2200 West. He also stated Section 7-14-105(3) of the Zoning Ordinance stated, "All new subdivisions involving a re-zone of property shall participate in a development agreement that addresses housing size, quality, exterior finish materials, etc."

Steve Lehman, CED Department, further reviewed the Application, proposed Ordinance and proposed Resolution. He also displayed the plat map and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. Z-3-2010 and consider proposed Ordinance No. 11-08 and proposed Resolution No. 11-11 at the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M.

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**B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-12-2009, FILED BY WOODBURY CORPORATION, REQUESTING FINAL PLAT APPROVAL FOR WILLOW WOOD SHOPPING CENTER AMENDED SUBDIVISION LOCATED AT 3450 WEST 3500 SOUTH**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-12-2009, filed by Woodbury Corporation, requesting final plat approval for Willow Wood Shopping Center Amended Subdivision located at 3450 West 3500 South. He discussed proposed Ordinance No. 11-09 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

**ORDINANCE NO. 11-09, APPROVING THE AMENDMENT OF LOTS 2, 6 AND 8 OF THE WILLOW WOOD SHOPPING CENTER SUBDIVISION**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 11-09 which would approve the amendment of Lots 2, 6 and 8 of the Willow Wood Shopping Center Subdivision located at 3450 West 3500 South.

Mr. Isaac stated that in March of 2010, Justin Thomas, representing Woodbury Corporation, requested a plat amendment for the Willow Wood Shopping Center. He also stated the amended plat created Lot 9 which was presently occupied by the Flower Patch. He informed that as Mr. Thomas began finalizing the plat for recording he learned the owners of the Flower Patch no longer wanted to be part of the subdivision. He indicated, as such, the amended plat, as approved by the City Council, would need to be modified.

The Acting City Manager reported the plat amendment had been processed with two separate plats. The first plat specific to Lot 2 had not been changed from the City Council's approval. The second plat amending Lots 6 and 8 and creating Lot 9 had changed by the elimination of Lot 9. He stated the amended plat was intended to adjust property lines due to construction along 3500 South. The amended plat would also be used as an exhibit to the Shopping Center's recently modified Declaration of Restrictions and Grant of Easements. He indicated the owners of the Center desired the new legal descriptions and right-of-way dedication to be part of the revised declaration.

Steve Lehman, CED Department, further reviewed the Application and proposed Ordinance, displayed the plat, and answered questions from members of the City Council.

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The City Council will hold a public hearing regarding Application No. S-12-2009 and consider proposed Ordinance No. 11-09 at the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M.

6. **RESOLUTION NO. 11-12, AUTHORIZE PURCHASE OF A STORAGE AREA NETWORK (SAN) FROM VALCOM FOR USE BY THE CITY'S COMPUTER SYSTEMS**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-12 which would authorize purchase of a Storage Area Network (SAN) from Valcom, in an amount not to exceed \$83,045.28, for use by the City's computer systems.

Mr. Isaac stated formal bidding was not required for this purchase because this vendor held a contract with the State of Utah. He further stated, if approved, the purchase would increase the disk storage for the City's computer network servers from 14 Terabytes to 48 Terabytes. He advised the need for additional disk space was largely due to increased volume of document, photograph images and videos stored on the SAN (Storage Area Network) and backup system. He explained the purchase included the SAN equipment along with maintenance and support for a four-year period.

He reported the purchase would be financed through the HP Lease Purchase Agreement previously approved on January 3, 2006, under Resolution No. 06-04.

Acting City Manager, Paul Isaac, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-12 at the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M.

7. **RESOLUTION NO. 11-13, APPROVE A RIGHT-OF-WAY AGREEMENT WITH SALT LAKE COUNTY FOR PROPERTY LOCATED AT 6252 WEST 6200 SOUTH, AND ACCEPT A SPECIAL WARRANTY DEED REGARDING THE 6200 SOUTH EXTENSION PROJECT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-13 which would approve a Right-of-Way Agreement with Salt Lake County for property located at 6252 West 6200 South, and accept a Special Warranty Deed regarding the 6200 South Extension Project.

Mr. Isaac stated Salt Lake County had agreed to sign the Right-of-Way Agreement and a Special Warranty Deed, which action had been scheduled for approval at their February 15, 2011, meeting.

The Acting City Manager reported Salt Lake County owned a 46.06-acre parcel of land located at 6252 West 6200 South upon which it would construct the future Lodestone Park. He stated West Valley City needed to acquire 38,369 square feet (0.881 acres) of

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said property along 6200 South to allow for the widening and extension of 6200 South Street. He indicated the City Council previously approved Resolution No. 11-01 authorizing the City to acquire the property by negotiation or condemnation.

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

The City Council will consider proposed Resolution No. 11-13 at the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M.

Mayor Winder arrived at the meeting at 5:07 P.M. and conducted the remainder of the meeting.

8. **RESOLUTION NO. 11-14, APPROVE A RIGHT-OF-WAY AGREEMENT WITH SALT LAKE COUNTY FOR PROPERTY LOCATED AT APPROXIMATELY 1200 WEST 3300 SOUTH, AND ACCEPT A SPECIAL WARRANTY DEED REGARDING THE 1200 WEST CONNECTOR ROAD PROJECT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-14 which would approve a Right-of-Way Agreement with Salt Lake County for property located at approximately 1200 West 3300 South, and accept a Special Warranty Deed regarding the 1200 West Connector Road Project.

Mr. Isaac stated Salt Lake County had agreed to sign the Right-of-Way Agreement and a Special Warranty Deed, which action had been scheduled for approval at their February 22, 2011, meeting.

The City Manager reported the 1.389-acre parcel was one of the properties to be acquired for the 1200 West Connector Road Project. He stated this road project would connect 3100 South at its current terminus at the Utah Cultural Celebration Center to the intersection of 1200 West and 3300 South. He also reported compensation for the parcel would be in the amount of \$605,000.00, which amount had been based on an appraisal report prepared by Van Drimmelen & Associates, Inc. He stated funding for the acquisition would be through the State Corridor Preservation Fund.

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

The City Council will consider proposed Resolution No. 11-14 at the Regular Council Meeting scheduled February 8, 2011, at 6:30 P.M.

9. **COMMUNICATIONS:**

A. **LEGISLATIVE UPDATE**

Mark Nord, CED Department, distributed a bill tracking sheet to members of the City Council. He discussed bills of interest to the City regarding immigration, alcohol licensing, spice ban, and other matters. He expressed appreciation to



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Councilmember Rushton for participating in a committee meeting regarding a City-sponsored bill about leaving unattended children in a vehicle. Mr. Nord and Nicole Cottle, CED Director, answered questions from members of the City Council.

### B. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: January 24 ó March 10, 2011: General Session of Utah Legislature; February 4 & 5, 2011: Strategic Planning Retreat/Workshop, UCCC; (low); February 8, 2011: Ribbon Cutting ó The Children's Place, Valley Fair Mall, 11:30 A.M.; February 8, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 21, 2011: President's Day Holiday ó City Hall closed February 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 1, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 8, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 5, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 11-13, 2011: ULCT Mid-Year Conference, St. George; April 19, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and April 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.

### 10. COUNCIL REPORTS:

#### A. COUNCILMEMBER CAROLYNN BURT – COMMUNITY EDUCATION PARTNERSHIP

Councilmember Burt reported she had been elected as chair by the Community Education Partnership (CEP) board to fill Dave Allred's unexpired term.

#### B. COUNCILMEMBER RUSS BROOKS – GROUNDBREAKING OF HILTON HOME 2 SUITES AND GRANGER-HUNTER IMPROVEMENT DISTRICT

Councilmember Brooks reported regarding a recent groundbreaking of Hilton Home2 Suites in Lake Park Corporate Center. He discussed issues of concern mentioned by hotel representatives regarding Granger-Hunter Improvement District.

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**C. COUNCILMEMBER DON CHRISTENSEN – ULCT LOCAL OFFICIALS DAY, GRANGER-HUNTER IMPROVEMENT DISTRICT, GRIZZLY HOCKEY GAME, AND ULCT LPC MEETING**

Councilmember Christensen reported also attended the Hilton Home2 Suites groundbreaking.

Councilmember Christensen advised he had attended the Utah League of Cities & Towns (ULCT) Local Officials Day at the Legislature.

Councilmember Christensen discussed various issues of concern expressed by ChamberWest and businesses regarding Granger-Hunter Improvement District.

Councilmember Christensen stated he recently attended a Grizzly hockey game. He informed it was one of the best hockey games he had ever seen; and was very well attended.

Councilmember Christensen reported regarding a recent ULCT Legislative Policy Committee meeting.

**D. MAYOR MIKE WINDER – POWER OF PREVENTION CONFERENCE, FINANCIAL FITNESS FAIR AND WASATCH FRONT REGIONAL COUNCIL MEETING**

Mayor Winder reported on and praised the Power of Prevention Conference recently held at the Utah Cultural Celebration Center (UCCC). He stated he had the opportunity of speaking at that event.

Mayor Winder reported regarding the Financial Fitness Fair held at the Family Fitness Center. He stated they exceeded the VITA organization's goal of preparing over 200 tax returns. He indicated this was a very beneficial program to many lower income residents.

Mayor Winder reported regarding a recent meeting of the Wasatch Front Regional Council and he discussed some of their long range plans regarding transportation.

**11. MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of professional competency of an individual. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes

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

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, FEBRUARY 1, 2011, WAS ADJOURNED AT 5:33 P.M., BY MAYOR WINDER.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION, ON TUESDAY, FEBRUARY 1, 2011, IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Corey Rushton  
Russ Brooks  
Steve Buhler  
Carolynn Burt  
Don Christensen  
Steve Vincent

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF FEBRUARY 1, 2011, WAS ADJOURNED BY MAYOR WINDER AT 6:00 P.M.

**SWORN STATEMENT**

As the Mayor, I presided at a closed meeting of the West Valley City Council on February 1, 2011. Pursuant to Section 52-4-7.5 Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Recorder

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting and Executive Session of the West Valley City Council held Tuesday, February 1, 2011.

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Sheri McKendrick, MMC  
City Recorder