

**PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH
WORK SESSION
TUESDAY, NOVEMBER 1, 2005**

The City Council of Salt Lake City, Utah, met in a Work Session on Tuesday, November 1, 2005, at 5:30 p.m. in Room 326, City Council Office, City County Building, 451 South State Street.

In Attendance: Council Members Carlton Christensen, Eric Jergensen, Van Turner, Nancy Saxton, Jill Remington Love, Dave Buhler and Dale Lambert.

Also in Attendance: Gary Mumford, Council Deputy Director/Senior Legislative Auditor; Rocky Fluhart, Chief Administrative Officer; Sam Guevara, Mayor's Chief of Staff; Ed Rutan, City Attorney; Lynn Pace, Deputy City Attorney; Sylvia Jones, Council Research & Policy Analyst/Constituent Liaison Janice Jardine, Council Land Use Policy Analyst; Russell Weeks, Council Policy Analyst; Vicki Pacheco, Council Staff Assistant; Laurie Donnell, Budget Analyst; Jeff Niermeyer, Public Utilities Deputy Director; Gordon Hoskins, Chief Financial Officer; LuAnn Clark, Housing and Neighborhood Development; Director Louis Zunguze, Director of Community Development; Brent Wilde, Deputy Director of Community Development; Alexander Ikefuna, Director of Planning; Doug Wheelwright, Deputy Director of Planning; Joel Paterson, Senior Planner, Preservation & Urban Design; Janice Lew, Principal Planner; Orion Goff, Building Official; Cheri Coffey, Deputy Director Zoning and Chris Meeker, Chief Deputy City Recorder.

Council Chair Lambert presided at and conducted the meeting.

The meeting was called to order at 5:___ p.m.

#1. INTERVIEW BILL NIGHSWONGER PRIOR TO CONSIDERATION OF HIS APPOINTMENT TO THE HOUSING ADVISORY BOARD.

Councilmember Lambert said

#2. RECEIVE A BRIEFING REGARDING AN ORDINANCE AMENDING THE ANNUAL REVIEW OF MAXIMUM RATES FOR TAXICABS (UNFINISHED BUSINESS ITEM F-1)

#3. RECEIVE A BRIEFING REGARDING AN ORDINANCE TO WAIVE PARKING METER FEES FROM THANKSGIVING DAY, NOVEMBER 24, 2005 THROUGH MONDAY, JANUARY 2, 2006, AND ALLOW TWO-HOUR FREE PARKING (UNFINISHED BUSINESS ITEM F2).

#4. RECEIVE A BRIEFING REGARDING A PARKING ORDINANCE REVISION TO RESTRICT PARKING NEAR MAILBOXES.

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#5. CONSIDER A MOTION TO ENTER INTO EXECUTIVE SESSION, FOR THE PURPOSE OF STRATEGY SESSIONS TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION; PURSUANT TO UTAH CODE Ann. §§ 54-4-4, 54-4-5(1)(a)(iii) 52-4-5(1)(a)(iv) AND ATTORNEY-CLIENT MATTERS THAT ARE PRIVILEGED, PURSUANT TO UTAH CODE ANN. §78-24-8.

#6. REPORT OF THE EXECUTIVE DIRECTOR, INCLUDING REVIEW OF COUNCIL INFORMATION ITEMS AND ANNOUNCEMENTS.

See file M 05-5 for announcements.

The meeting adjourned at 8:__p.m.

COUNCIL CHAIR

CHIEF DEPUTY RECORDER

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This document along with the digital recording constitutes the official minutes for the City Council Work Session meeting held November 1, 2005.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, NOVEMBER 15, 2005

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, November 15, 2005 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Jill Remington Love
Eric Jergensen	Dave Buhler
Nancy Saxton	Dale Lambert

The following Councilmember was absent:

Van Turner

Cindy Gust-Jenson, Executive Council Director; Mayor Ross C. "Rocky" Anderson; Edwin Rutan, City Attorney; and Beverly Jones, Deputy City Recorder, were present.

Councilmember Lambert presided at and conducted the meeting.

#1. The Council led the Pledge of Allegiance

PUBLIC HEARING

#1. RE: Accept public comment and hear protests concerning the proposed **creation of the Salt Lake City, Utah Sidewalk Replacement Special Improvement District 2004-05 Fiscal Year, Job No. 102119** (the "District"), to construct improvements within the City consisting of the installation of concrete sidewalks, driveway aprons, curb, gutter and asphalt tie-ins, appurtenances and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; to pay the acquisition and installation costs and expenses by special assessments to be levied against the property benefited by such improvements; to provide notice of intention to authorize such improvements and to fix a time and place for protests against such improvements, assessments or the

creation of the District; to declare its official intent to reimburse itself for expenditures paid by it prior to the sale of bonds; and to authorize advertisement of construction bids and related matters.

Max Peterson, City Engineer, said out of 692 property owners, seven had protested. He said that was approximately a .54% protest rate.

Councilmember Buhler moved and Councilmember Love seconded to **close the public hearing and refer to Engineering for tabulation**, which motion carried, all members present voted aye.

(Q 05-9)

#2. RE: Accept public comment and consider adopting an ordinance **rezoning properties located within the general area of 405 West 2300 North on the Lake Bonneville Bench area east of Beck Street** from an

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Open Space Zoning District to a Natural Open Space District pursuant to Petition No. 400-05-20.

The following people spoke or submitted hearing cards in opposition to the rezoning: **Lynn Ballard**, North Salt Lake City Councilmember; **Kathy Sorenson**, PTA President at Orchard Elementary; **Leonard Arave**, and **Bill Wright**.

The following people did not wish to speak but submitted hearing cards in favor of the rezoning: **Martin McGregor** and **Charles Bohn**.

Councilmember Saxton moved and Councilmember Love seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Jergensen moved and Councilmember Love seconded to adopt **Ordinance 74 of 2005 1) zoning the North Salt Lake and Salt Lake City-owned properties, (Parcels C and D) on the map and as identified in the ordinance from Open Space to Natural Open Space, and 2) the Council table the matter of the Staker/Hunter/Bates property identified as Parcel E.**

Councilmember Jergensen said a lot of time had been spent trying to come to an amicable solution and unfortunately that did not happen. He said he felt the best thing for all residents was to rezone the property as proposed.

Councilmember Christensen

said this was a unique piece of ground. He said the proposed zoning was an appropriate way to preserve the area.

Councilmember Lambert said the land was important and he wanted to identify other properties within City boundaries where natural open space designation would be appropriate.

Councilmember Lambert called for the question, which motion carried, all members present voted aye.

(O 05-25)

#3. RE: Accept public comment and consider adopting an ordinance amending Section 21A.62.040 of the Salt Lake City Code **pertaining to the zoning ordinance definition of "automobile"** so that sale of motor scooters and motorized bicycles would be allowed in zoning districts that otherwise prohibit the sale of automobiles pursuant to Petition No. 400-05-12.

Councilmember Jergensen moved and Councilmember Christensen seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Love asked if the scooters needed to be licensed. **Kevin Lopiccolo**, Manager/Zoning Administrator/Planning Programs Supervisor, Preservation and Urban Design/Zoning Administrator, said yes. He said the vehicles were licensed through the State Department of Motor Vehicles.

Councilmember Love moved and Councilmember Buhler seconded to

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adopt **Ordinance 77 of 2005.**

Councilmember Saxton said these vehicles were loud. She said at some point where the scooters and bikes were allowed to operate and the hours of operation would need to be considered.

Councilmember Lambert called for the question, which motion carried, all members present voted aye.

(O 05-24)

#4. RE: Accept public comment and consider adopting an ordinance **closing and abandoning a portion of Navajo Street (1335 West) at approximately 83 South** pursuant to Petition No. 400-05-01. (Richard Lether)

Richard Lether, Petitioner, said he was present to answer any questions the Council had.

Councilmember Jergensen moved and Councilmember Love seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Christensen moved and Councilmember Saxton seconded to adopt **Ordinance 78 of 2005**, which motion carried, all members present voted aye.

(P 05-21)

#5. RE: Accept public comment and consider adopting an ordinance amending Table 21A.46.120(E)(5), Salt Lake City Code, **pertaining to sign regulations for the Open Space (OS) District** and an ordinance amending Section 21A.46.020, Salt Lake City Code,

pertaining to sign code definitions pursuant to Petition No. 400-05-11.

Councilmember Saxton moved and Councilmember Christensen seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Jergensen seconded to adopt **Ordinance 79 of 2005** pertaining to Sign Code Definitions and **Ordinance 80 of 2005** pertaining to Sign Regulations for the Open Space District.

Councilmember Love said this addressed directional signs in many of the larger parks. She said some neighbors around Liberty Park felt there were too many visual aids. She said she had received calls from people who supported directional signs in the park.

Councilmember Lambert called for the question, which motion carried, all members present voted aye.

(O 05-26)

COMMENTS TO THE CITY COUNCIL

Daniel Siraj spoke concerning the transportation ordinance that would not allow him to run his business. Councilmember Lambert referred Mr. Siraj to Sam Guevara, Mayor's Chief of Staff.

Steve Proper, Comcast, said the Council should have received Comcast's initial comments about the Qwest franchise. He said

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there had not been much of a public process on the franchise agreement. He asked that as the Council moved forward with this issue they allowed for future public comment.

George Sturzenberger said signs needed to be installed to show people the right direction to Ensign Peak. He said Ensign Peak could not be reached through Columbus Street.

UNFINISHED BUSINESS

#1. RE: The Mayor and City Council will convene as the Board of Canvassers at their regular meeting place to consider adopting a motion **accepting the City Recorder's statement from the abstract of the votes constituting the canvass of the Salt Lake City Municipal Election** held November 8, 2005 for Council Members of Council Districts 1, 3, 5 and 7.

Councilmember Saxton moved and Councilmember Christensen seconded to **recess as the City Council and convene with the Mayor as the Board of Canvassers**, which motion carried, all members present voted aye.

Councilmember Buhler moved and Councilmember Saxton seconded to **adopt the canvass as presented to the Council by the City Recorder**, which motion carried, all members present voted aye.

Councilmember Saxton moved and Councilmember Jergensen seconded to **adjourn as the Board of Canvassers and reconvene as the City Council**, which motion

carried, all members present voted aye.

(U 05-2)

#2. RE: Adopting an ordinance confirming the modified and equalized assessment rolls and levying an assessment against certain properties in the **Salt Lake City, Rose Park Special Improvement District (the "District")**, for the purpose of paying the costs of installing decorative street lighting poles, and removing existing wooden street lighting poles; and other miscellaneous work which is necessary to complete the above improvements (collectively, the "Improvements"); establishing the effective date of the ordinance; and related matters.

Councilmember Christensen moved and Councilmember Jergensen seconded to adopt **Ordinance 75 of 2005 confirming the modified and equalized assessment rolls and levying an assessment against certain properties in the Salt Lake City, Utah Rose Park Special Improvement District** for the purpose of paying the costs of installing decorative street lighting poles and removing existing wooden street lighting poles; and other miscellaneous work which is necessary to complete the improvements; establishing the effective date of this ordinance, and related matters.

Councilmember Christensen said this project had been well received. He said both the City's and the residents' investments would be returned through the

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years.

Councilmember Lambert called for the question, which motion carried, all members present voted aye.

(Q 04-3)

#3. RE: Authorizing the approval of an interlocal agreement between Metropolitan Water District of Salt Lake and Sandy, Salt Lake City Corporation and Sandy City regarding **the acquisition of new water sources from the Utah Lake System (ULS).**

Councilmember Jergensen moved and Councilmember Buhler seconded to adopt **Resolution 64 of 2005**, which motion carried, all members present voted aye.

(C 05-763)

#4. RE: Adopting a franchise ordinance with **Qwest Broadband Services, Inc.**

Not discussed.

(O 05-29)

CONSENT AGENDA

Councilmember Buhler moved and Councilmember Saxton seconded to **approve the Consent Agenda with the exception of Items 1, 6, 7 and 8**, which motion carried, all members present voted aye.

#1. RE: Setting the date of **December 6, 2005 at 7:00 p.m.** to accept public comment and consider adopting an **ordinance adopting the Solid Waste Management Facility budget**, as prepared and submitted by the Salt Lake Valley Solid Waste Management Council for

calendar year 2006, subject to specific policy directives.

(B 05-6)

#2. RE: Setting the date of **December 6, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending Section 18.20.090, Salt Lake City Code, pertaining to **penalties for starting work without a permit** and amending Chapter 21A of the Salt Lake City Zoning Code pursuant to Petition No. 400-05-25.

(O 05-16)

#3. RE: Setting the date of **December 8, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending Section 12.56.440 of the Salt Lake City Code relating to **stopping or parking prohibited in certain areas. (Mailboxes)**

(O 05-28)

#4. RE: Setting the date of **December 13, 2005 at 7:00 p.m.** to accept public comment and consider adopting a resolution **adopting the Capital Improvement Program allocations for fiscal year 2005-06 and Impact Fees.**

(B 05-1)

#5. RE: Setting the date of **December 13, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending **the Sugar House Community Zoning Map and Master Plan**, rezoning properties generally located in the Sugar House area, and making other amendments of the Salt Lake City Zoning Code pursuant to Petition Nos. 400-01-32 and 400-02-08.

(P 03-12)

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The meeting adjourned at 7:42
p.m.

#6. RE: Setting the date of
December 8, 2005 at 7:00 p.m. to
accept public comment and consider
adopting the **Housing Policy
Statements.**
(R 05-18)

Council Chair

#7. RE: Setting the date of
December 13, 2005 at 7:00 p.m. to
accept public comment and consider
adopting an ordinance amending and
enacting specified Sections of
Chapters 5.71, 5.72 and 16.60 of
the Salt Lake City Code,
pertaining to **ground
transportation.**
(O 05-2)

Chief Deputy City Recorder

bj

#8. RE: Setting the date of
December 13, 2005 at 7:00 p.m. to
accept public comment and consider
adopting a resolution **regarding
taxicab service in Salt Lake City
that gives the City Council notice
of its intent to change the
taxicab regulatory system** within
Salt Lake City from a certificate
of public convenience and
necessity to a contract form of
regulation.
(O 05-2)

#9. RE: Approving the
appointment of **Bill Nighswonger** to
the **Housing Advisory and Appeals
Board** for a term extending through
December 31, 2008.
(I 05-6)

#10. RE: Approving the
appointment of **Robert Earl Forbis**
to the **Planning Commission** for a
term extending through July 1,
2006.
(I 05-20)

**PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH
WORK SESSION
THURSDAY, NOVEMBER 17, 2005**

The City Council of Salt Lake City, Utah met in Work Session on Thursday, November 17, 2005, at 5:30 p.m. in Room 326, Committee Room, City County Building, 451 South State Street.

In Attendance: Council Members Carlton Christensen, Van Turner, Eric Jergensen, Nancy Saxton, Jill Remington Love, Dave Buhler and Dale Lambert.

Also In Attendance: Cindy Gust-Jenson, Executive Council Director; Rocky Fluhart, Management Services Chief Administrative Officer; Gary Mumford, Deputy Council Director/Senior Legislative Auditor; Lehua Weaver, Council Constituent Liaison; Edwin Rutan, City Attorney; Chris Bramhall, Senior City Attorney; Larry Spendlove, Senior City Attorney; Russell Weeks, Council Policy Analyst; Brent Wilde, Community Development Administration Deputy Director; Janice Jardine, Council Land Use Policy Analyst; Joel Paterson, Senior Planner, Preservation and Urban Design; Alexander Ikefuna, Planning Administration Director; Laurie Donnell, Budget Analyst; Tim Campbell, Director of Airports; Jodi Howick, Assistant City Attorney; Timothy Harpst, Transportation Director; Cheri Coffey, Deputy Director Zoning Administration Preservation and Urban Design/Housing and Zoning Enforcement; Lex Traughber, Preservation and Urban Design; Steve Whittaker, Information Management Services Technology Consultant; Beverly Miller, Clean Cities Coordinator; Dan Bergenthal, Transportation Engineer; Steve Proper, Comcast Government Affairs Director; Scott Tenney, Comcast Utah General Manager; Jerry Fenn, Qwest President; Jim Campbell, Qwest Outside Legal Counsel; Ted Knowlton, Envision Utah; Chuck Chappel, Wasatch Front Regional Council Executive Director; Ann Robinson, Renovation Design Group; and Scott Crandall, Deputy Recorder.

Councilmember Lambert presided at and conducted the meeting.

The meeting was called to order at 5:38 p.m.

AGENDA ITEMS

#1. 5:38:09 PM RECEIVE A FOLLOW-UP BRIEFING ON THE PROPOSED AMENDMENTS TO SALT LAKE CITY'S GROUND TRANSPORTATION ORDINANCES. [View Attachments](#)

Larry Spendlove, Russell Weeks, and Jodi Howick briefed the Council with the attached handouts. Mr. Weeks said on Page 4 of the staff report, the expiration date mentioned in Paragraph 5, needed to be changed from January, 2007 to January, 2006. Councilmember Lambert asked about the public hearing. Mr. Weeks said the hearing was scheduled for December 8, 2005.

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#2. [5:50:36 PM](#) RECEIVE A BRIEFING REGARDING AN ORDINANCE FOR GRANTING FREE METERED PARKING TO ALTERNATIVE FUEL, CLEAN AIR AND FUEL EFFICIENT VEHICLES. [View Attachments](#)

Larry Spendlove, Russell Weeks, Beverly Miller, and Dan Bergenthal briefed the Council with the attached handouts. Councilmember Christensen said there might be a large number of fuel efficient vehicles in five years and suggested putting a sunset provision in the ordinance. Councilmember Turner suggested including a provision in the ordinance which separated commercial from residential. The majority of the Council was in favor of the proposal.

#3. [6:03:24 PM](#) RECEIVE A PRESENTATION FROM ENVISION UTAH REGARDING THE "GROWTH PRINCIPLES AND OBJECTIVES FOR TRANSPORTATION PLANNING." (20/40 PLAN) [View Attachments](#)

Chuck Chappel, Ted Knowlton and Russell Weeks briefed the Council with the attached handouts. Councilmember Christensen said the Council and Planning staffs could work together to review issues and identify any policy conflicts. He said Council staff could prepare a report which identified areas requiring more emphasis. He said the Planning Commission could also be requested to look at the issues. He said the Council could adopt the concepts by resolution.

Discussion was held on the proposed legislation which would remove zoning authority from local cities. Councilmember Christensen suggested submitting a letter to the Chair expressing the Councils' concerns and hold a follow-up discussion.

Councilmember Saxton said this was a complex issue which was important to the Council. She said the information could be divided into smaller portions and discussed over several meetings.

#4. [7:04:33 PM](#) RECEIVE A FOLLOW-UP BRIEFING TO REVIEW THE PROPOSED COMPATIBLE RESIDENTIAL INFILL ZONING REGULATIONS. (PETITION NO. 400-05-25) [View Attachments](#)

Joel Paterson, Cheri Coffey, Alex Ikefuna, Brent Wilde, and Ann Robinson briefed the Council with the attached handouts. Discussion was held on the recommendations submitted by the Renovation Design Group. Mr. Ikefuna said Planning wanted to review the proposal and provide a response.

Councilmember Love said additional input from the community was needed before the public hearing. The Council was in favor of holding a fact-finding session and wanted to invite specific organizations to present information/input to the Council. Some organizations included the American Institute of Architects, Landmark Commission, Utah Heritage Foundation and real estate industry representatives.

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Councilmember Buhler said the Council needed to discuss whether the proposal should be implemented City-wide or in specific areas. Councilmember Jergensen said he thought implementation should be done in specific zoning districts.

Ms. Gust-Jenson said the public hearing was scheduled for December 6, 2005.

#5. [7:59:10 PM](#) RECEIVE A FOLLOW-UP BRIEFING REGARDING A REQUEST TO CREATE TRANSIT ORIENTED ZONING DISTRICTS (TC-50 AND TC-75) AND REZONE THE 400 SOUTH COMMERCIAL CORRIDOR FROM APPROXIMATELY 200 EAST TO 925 EAST. (PETITION NOS. 400-01-48 AND 400-01-12) [View Attachments](#)

Cheri Coffey, Alex Ikefuna and Janice Jardine briefed the Council with the attached handouts. Councilmember Christensen said he did not support the ordinance as proposed. He said the height issue was the main concern. He said the subcommittee would prepare additional options for Council consideration prior to the hearing. Ms. Coffey said the public hearing was scheduled for December 6, 2005.

#6. [8:20:05 PM](#) RECEIVE A BRIEFING REGARDING AN ORDINANCE AMENDING THE SUGAR HOUSE BUSINESS DISTRICT ZONING REGULATIONS, REZONING PROPERTY IN THE SUGAR HOUSE BUSINESS DISTRICT AND AMENDING PORTIONS OF THE SUGAR HOUSE COMMUNITY MASTER PLAN. (PETITION NOS. 400-01-32 AND 400-02-08) [View Attachments](#)

Cheri Coffey, Lex Traughber, Alex Ikefuna and Janice Jardine briefed the Council with the attached handouts. Mr. Jardine asked if Councilmember Lambert wanted to initiate a legislative action to rezone property located east of Irving School. Councilmember Lambert said yes. Councilmember Lambert said the proposal would be advanced.

#7. [9:53:02 PM](#) CONSIDER A MOTION TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF STRATEGY SESSIONS TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY WHEN PUBLIC DISCUSSION OF THE TRANSACTION WOULD DISCLOSE THE APPRAISAL OR ESTIMATED VALUE OF THE PROPERTY UNDER CONSIDERATION OR PREVENT THE PUBLIC BODY FROM COMPLETING THE TRANSACTION ON THE BEST POSSIBLE TERMS, AND TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION; PURSUANT TO UTAH CODE ANN. § § 52-4-4, 52-4-5(1)(a)(iv), AND 52-4-5(1)(a)(iv), AND ATTORNEY-CLIENT MATTERS THAT ARE PRIVILEGED, PURSUANT TO UTAH CODE ANN. § 78-24-8.

Councilmember Christensen moved and Councilmember Turner seconded to enter into Executive Session, which motion carried, all members voted aye. See file M 05-2 for Sworn Statement and tape.

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#8. REPORT OF THE EXECUTIVE DIRECTOR, INCLUDING A REVIEW OF
COUNCIL INFORMATION ITEMS AND ANNOUNCEMENTS.

No report or announcements were discussed.

The meeting adjourned at 10:27 p.m.

COUNCIL CHAIR

CHIEF DEPUTY CITY RECORDER

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