

**MINUTES OF COUNCIL STUDY MEETING – MARCH 26, 2024**

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, MARCH 26, 2024 AT 4:30 P.M. AT WEST VALLEY CITY HALL, MULTIPURPOSE ROOM, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor  
Lars Nordfelt, Councilmember At-Large  
Don Christensen, Councilmember At-Large  
Tom Huynh, Councilmember District 1 (*arrived as noted*)  
Scott Harmon, Councilmember District 2  
William Whetstone, Councilmember District 3  
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

John Flores, Interim Assistant City Manager / HR Director  
Nichole Camac, City Recorder  
Ryan Robinson, Acting City Attorney  
Brandon Christiansen, Police Chief (*electronically*)  
John Evans, Interim City Manager/ Fire Chief  
Jim Welch, Finance Director  
Steve Pastorik, CED Director  
Layne Morris, CPD Director  
Dan Johnson, Public Works Director  
Jamie Young, Parks and Recreation Director  
Jonathan Springmeyer, RDA Director  
Sam Johnson, Strategic Communications Director  
Ken Cushing, IT

**APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 19, 2024**

The Council considered the Minutes of the Study Meeting held March 19, 2024. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Study Meeting held March 19, 2024. Councilmember Fitisemanu seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

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### **REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF MARCH 26, 2024**

Councilmember Harmon stated that he would like to further review the senior/military golf fee reduction on the proposed ordinance for Parks and Recreation fees. He stated that the proposal is for a 30-40% discount while other courses throughout the valley are closer to 10%. Councilmember Fitisemanu asked how often the senior and veteran rates are used. Jamie Young, Parks and Recreation Director, stated that she could look into this. After discussion, the Council agreed to continue this item to allow staff time to compare discounts to other courses.

Upon inquiry by Mayor Lang, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council meeting scheduled later this night.

### **PUBLIC HEARINGS SCHEDULED FOR APRIL 2, 2024**

A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-1-2024, FILED BY GUY WILLIAMS, REQUESTING A ZONE CHANGE FROM LI (LIGHT INDUSTRIAL) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 2272 AND 2296 SOUTH 5600 WEST**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding Application Z-1-2024, Filed by Guy Williams, requesting a Zone Change from LI (Light Industrial) to M (Manufacturing) for Property Located at 2272 and 2296 South 5600 West.

Proposed Ordinance 24-10 and Resolution 24-49 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ACTION: ORDINANCE NO. 24-10, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2272 AND 2296 SOUTH 5600 WEST FROM LI (LIGHT INDUSTRIAL) TO M (MANUFACTURING)**

Steve Pastorik, CED, discussed proposed Ordinance 24-10 that would amend the Zoning Map to Show a Change of Zone for Property Located at 2272 and 2296 South 5600 West from LI (Light Industrial) to M (Manufacturing).

Written documentation previously provided to the City Council included information as follows:

The applicant is proposing the zone change for three reasons. The first is to allow outside storage of new equipment/truck beds and upfitting parts.

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The LI zone prohibits outside storage while the M zone allows it. The second reason for the zone change is to allow additional auto service use which in this case is vehicle upfitting. The LI Zone includes the following provision: “Automobile Service shall only be allowed as a Use that is incidental to a Permitted or Conditional Use”. In addition to adding outside storage, the applicant is proposing to expand and remodel the larger building on the south parcel to do more vehicle upfitting. The third reason for the zone change is the LI Zone prohibits overhead doors from facing 5600 West. The plans for the building on the south parcel include overhead doors on the east side of the building.

If this rezone is approved, a conditional use permit will be required for the outside storage and because the property is located within 5600 West Overlay Zone. The ordinance requires outside storage uses to be screened from public view through fencing, landscaping, building placement, topography, berming, or other methods as determined by the Planning Commission. For high-image arterial streets like 5600 West, the ordinance was recently amended to require screening of outside storage by means of a building or a 6’ tall, precast concrete wall meeting certain specifications.

**ACTION: RESOLUTION NO. 24-49, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SIX BUGS HOLDINGS, LLC AND DCG GOAT CORRAL, LLC FOR APPROXIMATELY 3.65 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2272 AND 2296 SOUTH 5600 WEST**

Steve Pastorik, CED, discussed proposed Resolution 24-49 that would authorize the City to Enter Into a Development Agreement with Six Bugs Holdings, LLC and DCG Goat Corral, LLC for Approximately 3.65 Acres of Property Located at Approximately 2272 and 2296 South 5600 West

Written documentation previously provided to the City Council included information as follows:

Guy Williams, the civil engineer, development consultant, and authorized agent for the property owners has submitted a zone change on 3.65 acres of property at parcel at 2272 and 2296 South 5600 West from LI (Light Industrial) to M (Manufacturing). The Planning Commission recommended approval of the zone change subject to a development agreement.

The proposed development agreement addresses the following topics: use limitations, buildings to be removed, remodeling and expansion of an

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existing building, required conditional use approval, screening of outside storage areas, required improvements, and fencing.

Steve stated that Mayor Lang had asked about stacking in the previous study meeting. He noted that the Code doesn't address stacking but it can be addressed as part of a Conditional Use Application. He added that fencing can also be extended to 8 feet.

The City Council will consider Ordinance 24-10 and Resolution 24-49 at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M.

**B. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-2-2024, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR AMEND PARKING REQUIREMENTS FOR SEVERAL LAND USES**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding Application ZT-2-2024, Filed by West Valley City, Requesting a Zone Text Change to Amend Sections 7-9-104 and 7-9-105 of the West Valley City Municipal Code to Add or Amend Parking Requirements for Several Land Uses

Proposed Ordinance 24-13 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ACTION: ORDINANCE NO. 24-13, AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR CHANGE PARKING REQUIREMENTS FOR SEVERAL LAND USES**

Steve Pastorik, CED, discussed proposed Ordinance 24-13 that would amend Sections 7-9-104 and 7-9-105 of the West Valley City Municipal Code to Add or Change Parking Requirements for Several Land Uses

Written documentation previously provided to the City Council included information as follows:

The City has had minimum parking requirements since incorporation in 1980. These requirements are intended to offer residents, employees, and business patrons sufficient parking opportunities. Providing too little parking can reduce convenience, affect lifestyle, and impact adjoining uses and streets. Providing too much parking can be expensive, limit the economic potential of land, and simply be unnecessary.

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The ordinance changes proposed in this application are based on two books. The first is the 6th edition of *Parking Generation* from ITE that was published in 2023. This latest edition provides newer survey data and additional land uses. The second book is the 3rd edition of *Shared Parking* that was published in 2020 by the International Council of Shopping Centers (ICSC), the National Parking Association, and Urban Land Institute (ULI). This book provides empirical data on parking demand by time of day.

In summary, the proposed changes:

- reduce the required parking ratios for medical and dental offices, veterinarians and veterinary hospitals, day care/preschool centers and nursery schools, bowling alleys, movie theaters, automobile parts and supply stores, fast food establishments, financial institutions, professional offices, retail – intensive, and retail – less intensive;
- add a required parking ratio for private schools (K-12);
- increase the required parking ratio for restaurants;
- expand the list of uses in the shared parking table;
- update the parking demand percentages in the shared parking table for existing uses and add them for new uses; and
- divide the weekday and weekend time period in the shared parking table from 6 AM to 6 PM into two time periods – 6 AM to 12 PM (noon) and 12 PM (noon) to 6 PM.

*Councilmember Huynh arrived at 4:37 PM.*

Councilmember Harmon stated that this change could allow for more pad sites on properties. Councilmember Fitisemanu asked how West Valley City's standards compare to national ones. Steve replied that the Planning Commission felt the Code was requiring too many parking stalls for some commercial uses.

The City Council will consider Ordinance 24-13 at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M.

- C. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-1-2024, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND SECTIONS 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, AND 18-4-104 OF THE WEST VALLEY CITY MUNICIPAL CODE TO INCREASE THE CONSTRUCTION THRESHOLD THAT TRIGGERS**

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### **CERTAIN IMPROVEMENTS AND TO ALLOW THE OPTION OF PAYMENT IN LIEU OF INSTALLATION OF OFF-SITE IMPROVEMENTS**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding ZT-1-2024, Filed by West Valley City, Requesting a Zone Text Change to Amend Sections 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, and 18-4-104 of the West Valley City Municipal Code to Increase the Construction Threshold that Triggers Certain Improvements and to Allow the Option of Payment in Lieu of Installation of Off-Site Improvements.

Proposed Ordinance 24-14 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

### **ACTION: ORDINANCE NO. 24-14, AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR CHANGE PARKING REQUIREMENTS FOR SEVERAL LAND USES**

Steve Pastorik, CED, discussed proposed Ordinance 24-14 that would amend Sections 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, and 18-4-104 of the West Valley City Municipal Code to Increase the Construction Threshold that Triggers Certain Improvements and to Allow the Option of Payment in Lieu of Installation of Off-Site Improvements.

Written documentation previously provided to the City Council included information as follows:

In September of 1984, the City adopted an ordinance (Ordinance 84-38) that required 20 feet of landscaping along high-image arterials with “any substantial modification to an existing site or structure in which the estimated construction cost exceeds \$50,000”. Later, in March of 1988, the City adopted an ordinance (Ordinance 88-08) that required curb, gutter, and sidewalk improvements when “estimated construction costs exceed \$50,000 for substantial modifications to an existing site or structure”. While other improvements like streetlights and street paving have since been added to the ordinance, the \$50,000 construction threshold has remained in place since the adoption of these ordinances.

Using the CPI (Consumer Price Index) Inflation Calculator from the Bureau of Labor Statistics, \$50,000 in September of 1984 would be worth \$146,070 today. Using the same calculator, \$50,000 in March of 1988 would be worth \$131,651 today. Hence, staff is recommending an increase in this threshold from \$50,000 to \$150,000 to account for inflation.

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Staff is also recommending adding the option of payment in lieu of installation of off-site improvements. Currently, whenever off-site improvements like streetlights, street paving, curb, gutter, and sidewalk are required, the ordinance allows: 1) the installation of the improvements, 2) a bond guaranteeing the completion of the improvements, or 3) at the discretion of the City, a delay agreement. The City Council has generally chosen not to approval delay agreements over the last few years. In addition, Public Works has found that exercising delay agreements has proven to be difficult. As such, staff is proposing the addition of a payment in lieu of the installation of off-site improvements as another alternative to installation, particularly where there are no improvements on adjoining properties to connect to. The use of this new option would be at the City Engineer's sole discretion.

Councilmember Whetstone stated that this change could cause concern where a developer has paid for improvements that are not immediately built. Steve stated that this could be a potential issue since improvements may take years to install. Mayor Lang stated that she prefers the City to have the funds upfront instead of having delay agreements that are too difficult to call when the time comes. Councilmember Fitisemanu asked if this could be addressed using a Development Agreement. Steve replied that it is not very common and noted that Development Agreements can only be put in place when a zone change occurs. Councilmember Whetstone asked if funds would be kept in a separate account. Steve replied yes.

The City Council will consider Ordinance 24-14 at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M.

### D. **ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2023-2024 BUDGET**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding Re-Opening the FY 2023-2024 Budget

Proposed Ordinance 24-15 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ACTION: ORDINANCE NO. 24-15, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS**

Jim Welch, Finance Director, discussed proposed Ordinance 24-15 that would

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amend the Budget of West Valley City for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds.

Written documentation previously provided to the City Council included information as follows:

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City of West Valley to amend its budget during the year. The West Valley City holds public hearings on budget amendments on a quarterly basis each fiscal year.

A Public Notice was posted March 21, 2024, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City’s Website. Notice was given that a public hearing is to be held April 2, 2024, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah

Mayor Lang asked about the increase in the election cost. Nichole Camac, City Recorder, replied that the County provided a “best estimate” and undercalculated that actual cost of the election. She noted that they have assured that a more accurate estimate would be provided in the future.

The City Council will consider Ordinance 24-15 at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M.

**RESOLUTION 24-51: APPROVE THE PURCHASE OF STREETLIGHTS FROM MOUNTAIN STATES LIGHTING**

Dan Johnson, Public Works, presented proposed Resolution 24-51 that would approve the Purchase of Streetlights from Mountain States Lighting

Written documentation previously provided to the City Council included information as follows:

The Street Light Utility needs to order street light assemblies for miscellaneous upcoming projects as well as stocked materials for routine maintenance of the street light system.

Mountain States Lighting has supplied street lights to the City since 2006. The City normally purchases lights directly from the Mountain States and supplies them to City contractors for installation because of a significant discount given to the City.

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The budget opening is requested to order these materials now as there is a long lead time to procure these items.

The City Council will consider Resolution 24-51 at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M

### CONSENT AGENDA SCHEDULED FOR APRIL 2, 2024

A. **RESOLUTION 24-52: ACCEPT TWO CONVEYANCE AND QUIT CLAIM OF EASEMENT DOCUMENTS FROM BRIGHTON CANAL COMPANY, LLC**

Mayor Lang discussed proposed Resolution 24-52 that would accept two Conveyance and Quit Claim of Easement Documents from Brighton Canal Company, LLC

Written documentation previously provided to the City Council included information as follows:

The Brighton Canal Company, LLC owns a parcel of land located at 2383 S. Decker Lake Boulevard (15-22-151-021), along with an easement crossing multiple parcels in the Decker Lake Business Park between Redwood Road and Interstate 215 affected by the Brighton Canal Storm Drain Project; 2600 West to Redwood Road, scheduled to be constructed in 2024. This project will include construction of storm drain piping through portions of the former Brighton Canal and eliminate any open storm water ditches through the project area.

The Brighton Canal Storm Drain Project crosses portions of the Brighton Canal Company Property and also crosses portions of the Brighton Canal Easement. This project will pipe and fill the existing ditch on the north side of the JFRG CCI LLC. Although the city has existing easements across most of the area, there are two areas where construction extends outside the existing easements. Storm Drainage Easements are required across the two small areas.

The City Council will consider Resolution 24- 52 on the Consent Agenda at the Regular Council Meeting scheduled April 2, 2024 at 6:30 P.M

### COMMUNICATIONS

A. **BANGERTE HIGHWAY UPDATE**

Dan Johnson, Public Works Director, provided on update on the Bangerter Highway project. He stated that the interchange at 4700 South is now under construction and there will be a full closure from June 2024- June 2025. Councilmember Harmon noted that this will increase traffic on 4000 West and

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asked when 4000 West construction would occur. Dan replied that the design for that project will begin this summer and likely won't be ready until UDOT is done with 4700 South and Bangerter.

Dan stated that the environmental study for Bangerter Highway at 4100 South is now complete. He briefly described the plan for this area. He noted that UDOT is aware of the Council's concern regarding pedestrian tunnels but haven't provided a solution. He noted that they wanted to complete the environmental document so they have just labeled them as "pedestrian crossings" and will make a final determination later in the process. Dan stated that UDOT has heard the concerns of the residents and the Council and he is hopeful that a good resolution will occur. Councilmember Harmon stated that the City's primary concern is the pedestrian tunnels and noted that he is disappointed to see that UDOT was unable to come to a resolution at this time. The Council discussed possible solutions including removing the pedestrian crossings entirely. Councilmember Harmon stated that this may be a small part of the project for UDOT but it's a big part of the project for the residents being impacted in the area. Mayor Lang agreed. Dan assured that the City would be part of the conversation when the time comes and noted that staff would continue to vocalize the opposition to pedestrian tunnels.

The Mayor and Council had no further questions or concerns.

### **B. GENERAL PLAN UPDATE-SOUTHWEST**

Steve Pastorik, CED Director, presented a PowerPoint Presentation summarized as follows:

- Southwest- 814 acres
  - o Zoning: M, A-2
  - o Option A: 12.3 million SF of industrial
  - o Option B: 28.6K SF of commercial, 6.3 million SF of industrial, 552 single family homes
  - o Current uses: sand and gravel extraction, vacant, utilities
- Arguments for Industrial
  - o Zoning is already M north of 6200 S
  - o Hexcel prefers the largest industrial buffer possible
  - o Both MVC and SR-111 provide buffers for the residential to the east and west
  - o Generally speaking, after accounting for service costs, industrial uses would generate more revenue to the City than residential
- Arguments for Residential
  - o Residential exists south of 6200 S to the west of SR-111 and to the east of MVC.

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- Regionally, there is a need for more housing.
- The overpressure zones don't impact the area shown by the consultant for housing.

Councilmember Nordfelt stated that this is a significant portion of land in the City with a huge amount of potential. He noted that whatever is done here, it's important to be very careful to ensure an opportunity is not squandered. The Mayor and Council discussed potential options for this area including industrial and residential and agreed that this is an important location in the City and is the "west bench" of West Valley. After discussion, the Council requested that staff look into unique possibilities for a portion of land this size that may have been done in other areas across the nation. They also discussed a potential moratorium on development in the area and a field trip to look at this property more closely.

The Mayor and Council had no further questions or concerns.

### **C. COUNCIL CALENDAR**

Mayor Lang referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Members of the City Council had no further questions regarding the Council Update.

### **NEW BUSINESS**

#### **A. POTENTIAL FUTURE AGENDA ITEMS**

Councilmember Huynh asked when the new City Manager would begin. John replied April 8<sup>th</sup>.

Councilmember Fitisemanu stated that he received an email from a resident who would like the Council to consider modifying the ordinance to allow business operation in a garage space. He also requested a discussion on Ranked Choice Voting.

#### **B. COUNCIL REPORTS**

##### **COUNCILMEMBER WHETSTONE- CDBG MEETING**

Councilmember Whetstone stated that he and Councilmember Fitisemanu attended the CDBG committee meeting. He noted that it is a good experience to see some of the non-profits in the City and the services they provide. Councilmember Fitisemanu agreed and noted that the process is impressive.

COUNCILMEMBER HUYNH- DECKER LAKE

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Councilmember Huynh noted that he and his children participated in the Deckler Lake clearing program.

**MAYOR LANG- INTERFAITH MY HOMETOWN**

Mayor Lang stated that the Tongan Community Faith leaders attended the My Hometown event. She stated that she visited the Work Activity Center for their first annual gala and was impressed by what they are doing there.

**C. REVIEW AGENDA FOR REGULAR HOUSING AUTHORITY MEETING SCHEDULED APRIL 2, 2024**

**HA RESOLUTION 24-01: ADOPT A PUBLIC HOUSING AGENCY ADMINISTRATIVE PLAN**

Layne Morris, CPD, presented proposed Resolution 24-01 that would adopt a Public Housing Agency Administrative Plan

Written documentation previously provided to the City Council included information as follows:

The Public Housing Agency (PHA) Administrative Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families.

The Housing Authority will consider Resolution 24-01 at the Regular Meeting scheduled April 2, 2024 at 6:30 P.M

**MOTION TO ADJOURN**

Upon motion by Councilmember Huynh all voted in favor to adjourn.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY MARCH 26, 2024 WAS ADJOURNED AT 6:04 PM BY MAYOR LANG.**

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Special Study Meeting of the West Valley City Council held Tuesday, March 26, 2024.

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A handwritten signature in blue ink that reads "Nichole Camac". The signature is written in a cursive style with a large initial 'N'.

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Nichole Camac, CMC  
City Recorder