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MINUTES TO BE APPROVED

MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING

Wednesday, August 10, 2016
6:00 p.m.
Council Chambers
8000 South Redwood Road
West Jordan, Utah 84088

COUNCIL: Mayor Kim V. Rolfe, and Council Members Dirk Burton, Zach Jacob, Chad Nichols, and Sophie Rice. Council Member Jeff Haaga and Chris McConnehey were excused.

STAFF: Mark Palesh, City Manager; Duncan Murray, Deputy City Attorney; Melanie Briggs, City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Bill Pyper, Acting Finance Director; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Kim Wells, Public Information Officer; Paul Coates, Economic Development/ODA Manager; Jeremy Olsen, Economic Development/ODA Supervisor; Chris Kinzel, Fire Captain; Richard Davis, Deputy Police Chief, and Jim Riding, CIP/Facilities Project Manager.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 6:28 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Santos Caden Marquez, Troop 1998.

III. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS
STAFF COMMENTS/REPORTS

Duncan Murray –

- Tana Shepherd and Shaylene Mayer received the City Star Award for their work on converting paperwork to the E-file digital system
- West Jordan is one of the first Justice Courts in Utah to be completing the conversion (E-file) process
- New Assistant City Prosecutor, Samantha Smith

Samantha Smith said she was excited to be a part of West Jordan City.

Brian Clegg –

- Last Soccer Tournament of the season – August 17-20, 2016 with 384 teams participating

Doug Diamond –

- New Citizens Police Academy starts Thursday, August 11, 2016

CITY COUNCIL COMMENTS/REPORTS

Councilmember Jacob –

- Welcomed the Boys Scouts from Troop 1597

Councilmember Nichols –

- Reminded everyone to continue to conserve on water

Councilmember Burton –

- Welcomed the boy scouts in the audience
- Welcomed Samantha Smith to the City as the new Assistant City Prosecutor

Mayor Rolfe –

- Read the following statement:

"On July 19th, the West Jordan Police Department responded to the report of an accident in the parking lot of the Black Sheep Bar and Grill. Allegedly a patron got in his car, backed out of his parking stall, and hit another car. After our officers arrived on scene and determined that it might be council member Jeff Haaga, they contacted West Jordan Police Chief Doug Diamond, who then contacted South Jordan Police Department and asked them to investigate so that there was no conflict of interest.

South Jordan Police conducted the investigation and cited Jeff Haaga for failure to remain at the scene of an accident, a Class "C" Misdemeanor.

I have had people contact me and ask that councilman Haaga be "fired" or put on "administrative leave." Councilman Haaga is an elected official and not a city employee. Utah state law, not local city law, governs the election and removal of locally elected officials in Utah.

Utah law only allows for one procedure to involuntarily remove a city council member from office. That one procedure is titled "Removal by Judicial Proceedings." This Utah law says that if an accusation is brought for "high crimes and misdemeanors or malfeasance in office," then a district court judge would review the accusation. The accused party would have full due process rights in order to defend himself.

State law prohibits cities from using a personnel policy to remove a city council member from office. And state law prohibits cities from adopting or implementing any other procedure to remove or significantly discipline a city council member.

Also, as a City Council, we cannot interfere with the Justice Court's jurisdiction over adjudicating the criminal charges. I would ask for your patience as we allow this incident to move through the court process regarding the criminal charges."

IV. CITIZEN COMMENTS

Kathy Hilton, West Jordan resident, said she served the City in various capacities (Council Member, Planning Commissioner, Committee Member, etc.). She felt the alleged actions by Jeff Haaga reflected poorly on the City, those who serve, and had served on the City Council. She felt that the City Council should be held to a higher standard, honesty and integrity, when representing the City.

Judy Hansen, West Jordan resident representing her neighborhood, asked for the immediate resignation of Councilmember Haaga due to the embarrassment caused to family, friends, neighbors, constituents, and this Council. She said during his taped video he proclaimed that he was protected due to his elected position. No person is protected from disobeying the law. She commented on his prior threats. She felt Councilmember Haaga did not meet the criteria regarding the health, safety, and general welfare of the citizens.

She said if this Council did nothing and allowed this Councilmember to continue to act in this manner, then she would lose respect for each of them that fears him.

JayLynn Thomas, West Jordan resident, addressed the event on July 19, 2016. She felt his comments should not have been made. Regardless of whether he steps down or not the City will survive. The lynch mob mentality is wrong. The assumption that she finds drinking and driving acceptable was an extremely flawed assumption. She commented on a story where friends of hers were in an accident where drinking and driving was involved. She does not believe drinking and driving was acceptable.

Alexandra Eframo, West Jordan resident, asked for a moment to reflect upon the common goals of the business of the City Council meeting.
She commented on the following items:

- She reported that she was still waiting for an apology since April 29, 2015, from one specific Councilmember to the Mayor, City Council, and West Jordan residents.
- She felt sorry for Councilmember Haaga. She said no one knows what might have caused his actions on July 19, 2016. No one was without sins.

Lance Allen, West Jordan resident, Employee for Waste Management of Utah, commented on the Request for Quotes for Solid Waste Collection back in 2012. He said Waste Management responded to the request, which included a recyclable material rebate. He provided the information as to what happened to their request. He reported that later in the year the City issued a 'Request for Proposal for Solid Waste Collection.' He commented on the recycle rebate and what the City used as a deciding factor in their selection. He said after reviewing the ACE Disposal documents, and the letter provided in the Council's agenda packet, the City would be owed what he believed would be over

$145,000 from ACE disposal. As a resident, the City should hold the vendors accountable for holding up their side of agreements.

Jamie Bevilhymer, West Jordan resident, supported the letter read by Mayor Rolfe regarding Councilmember Haaga. She agreed the Judicial System should be allowed to do their job.

She expressed her appreciation to Mayor Rolfe for the job he has done. She asked the Council to support each other.

Dennis Randall, West Jordan resident, read the following letter:
"Dear Mayor Rolfe and members of the City Council:

As you know I am a former Mayor of West Jordan City, in fact I think I am the senior former Mayor. That fact is of little importance it simply means I've been around a lot. As a citizen of West Jordan and as one of its former Mayor's I have a serious concern it is one that I believe is shared by many of our citizens. I like each of you took an oath on the very first day of my term of office that oath bound me to uphold the Constitutions of both the United States and the State of Utah. It bound me as well to uphold and obey the law. A violation of that oath is a serious breach of honor and trust. It grieves me that an act of that nature seems to have recently occurred. During the time I was Mayor, before that time, and since that time, we have experienced loud debates, anger, frustration, and everything else that accompanies life in a representative democracy. But to my knowledge we've never had an incident that rose to the level of an elected official being to being found in violation of his or her oath of office. Elected officials must strive to protect their honor but they must with equal vigilance protect the honor of the community they serve. In light of recent events portrayed in the news media, I respectfully suggest that Councilmember Haaga resign his seat on the City Council. Certainly he has the right to defend himself in a court of law; however, the suggestion of impropriety is so strong that to protect the honor of the City Council and this City itself, he should resign. This suggestion is not given lightly it is not based on any negative feelings that I have towards Councilmember Haaga. It is based on a strong conviction that the honor and integrity of the City must be protected."

He said the issue of sanction was not DUI, alcohol, leaving the scene of an accident; it was dealing with an oath to uphold the laws of the City, and the Constitution of the State of Utah.

Steve Jones, West Jordan resident, commented on the 30-years of flooding that had occurred on his and his neighbor's property and was not addressed until recently.

Regarding Councilmember Haaga, he believed in innocent until proved guilty. This matter should be handled through the justice system. However, that being said he did not believe special privilege or treatment should be giving to Council Members. He felt the censure being considered later in the meeting was valid, thus letting the Council know this type of conduct was not acceptable.

He also believed that West Jordan should offer an apology to the South Jordan Police Department for the position they were placed in.

Craig Pierce, West Jordan resident, commented on the laws that were put in place to protect us and help us become better. He said Councilmember Haaga became an entity to himself once he stated he was above the law. He gave the definition of a coward, which he believed Councilmember Haaga was. He felt it was time to stand up to people who believe they were above the law. Councilmember Haaga should be held accountable and asked to leave.

Michelle Foote, West Jordan resident, commented on the proposed censure of Councilmember Haaga. She did not believe that Councilmember Haaga represented the community in a good light. She felt he had not held up his Oath of Office. She asked for his resignation.

There was no one else who desired to speak.

V. CONSENT ITEMS

a. **Approve the minutes of July 27, 2016 as presented**

b. **Approve Resolution 16-126, authorizing the Mayor to execute two General Service Contracts, Work Order Numbers 6198965 & 6198978, with Rocky Mountain Power to provide electric service for sprinkler timers located at 4980 Sunset Cove Park and 9250 Colter Bay Circle in an amount not-to-exceed $5,367.00**

c. **Approve Resolution 16-127, authorizing the Mayor to execute Amendment No. 2 to the Agreement with Bowen Collins & Associates for additional work on the Cemetery Sexton Building Project, in an amount not-to-exceed $1,026.00**

d. **Approve the update to the West Jordan Engineering Standards regarding water meter specifications**

e. **Approve Resolution 16-128, authorizing the Mayor to execute Contracts with RRJ Consulting to provide lobbying services for the 2017 legislative session**

f. **Approve Resolution 16-129, authorizing the Mayor to execute an Agreement for Services with Stirrin' Dirt Racing LLC for the production of the 2016 West Jordan Demolition Derby, in an amount of $45,000.00**

g. Approve Resolution 16-130, authorizing the Mayor to execute a Deferral Agreement for the Larsen Meadows Subdivision located at 7953 South 2700 West

Consent Item 5.d was continued to the next City Council meeting.

MOTION: Councilmember Nichols moved to approve all Consent Items except 5.d, which was continued to the next City Council meeting. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 5-0.

VI. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL RESOLUTION 16-131, REGARDING THE WEST JORDAN POLICE DEPARTMENT'S APPLICATION FOR AN "EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT" FOR 2016 IN AN AMOUNT OF $30,785.00

Doug Diamond said the West Jordan Police Department was applying for the Edward Byrne Memorial Justice Assistance Grant (JAG) from the U.S. Department of Justice in the amount of $30,785.00.

If awarded, West Jordan would use the funds allocated by the 2016 JAG grant to purchase a mobile camera trailer. Additional costs for the equipment in excess of the funds from this grant would be paid for by the City of West Jordan. The grant funds for this project would be used to enhance our law enforcement presence and response in large gatherings and investigations, in an effort to deter gun violence and other crimes. The evidence gathered from these cameras would be used as evidence in the prosecution of any crimes that are caught on these cameras. The cameras would add a level of technology the City does not currently have and aid us in the deterrence of gun violence and crimes involving gun theft.

West Jordan Police had received for quotes for mobile camera trailers from two different companies and was working on obtaining other quotes. West Jordan had not decided

which company we would go with at this time. The quotes received were outlined in the program narrative. West Jordan Police Department would evaluate these quotes and any other that come in for quality of product and price points.

Requirements of this grant include making a copy of the grant application available to the governing body, or organization designated by that body, not less than thirty days before the Bureau of Justice Assistance accepts the application, and holding a public hearing allowing the general public to comment on the recommendations.

A posted copy of the application was made available to the governing body and for public review on July 5, 2016, in the City Clerk's Office, and also on the City's website. In addition, on July 5, 2016, a notice of public hearing to be held August 10, 2016, was advertised in local newspapers.

The funds from this grant would purchase a portable camera trailer.

Staff concluded that the request was appropriate and recommended approval of the grant application and to accept the proposed grant funding and put into the appropriate budget lines of the police department.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, approved of the proposed grant. She felt all drugs should be legal and five-cents per pound. People using drugs have low self-esteem and need to be helped.

There was no one else who desired to speak. Mayor Rolfe closed the public hearing.

MOTION: **Councilmember Nichols moved to approve the Edward Byrne Memorial Justice Assistance Grant (JAG) application as outlined in the Program Narrative, and to accept the proposed grant funding and put into the appropriate budget lines of the police department, as recommended by the staff. The motion was seconded by Councilmember Rice.**

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 5-0.

VII. BUSINESS ITEM
DISCUSSION AND POSSIBLE ACTION REGARDING ACE RECYCLING & DISPOSAL CONTRACT

Wendell Rigby reported that this item had been brought before the City Council back in May and June of 2016.

- May 25, 2016 – Council moved to table to provide additional time for Council's review.
- June 8, 2016 – Presentation by Ace Disposal – Council continued the item to August 10, 2016.

On August 4, 2016, a letter was submitted to the City Clerk changing the previous letter dated April 29, 2016.

Matt Stalsberg, Ace Disposal General Manager, reported that they had met with members of the Council. He reviewed the reasons that this issue was before the City Council. Ace Disposal was asking West Jordan City to relieve them of their obligation to pay the $12.00 per ton rebate and the $12,000.00 grant from January 2015 to the present, and eliminate the rebate per ton and annual grant going forward. Ace would pay the City the recycle proceeds of $49,616.00 as stated in the contract, for the months of March 2014 through December 2014 (this was when payment to Ace stopped) and the Recycle Education Grant in the amount of $12,000.00. The total payment would be $61,616.00.

Councilmember Jacob restated some of the questions he asked earlier when they met:

- Is there a contract with their recycling provider?

Matt Stalsberg stated he had something in writing from the recycling provider. He said that City's contract dates were referenced; however, there was no formal recycling provider contract.

The Council asked clarifying questions:

- Original date of contract (March 2013)
- Price for fuel/ Natural Gas (prices vary)
- Bid reduction amount (approximately 5 to 6 percent)
- Is there a way to separate the recycling rebate?

The Council voiced their concerns:

- Altering the contract could be setting a precedent
- Changes are inevitable

Councilmember Jacobs indicated he was in favor of leaving the contract the same for the duration of the contract.

Councilmember Nichols agreed with the concerns. He commented on how previously, he was against going back out to rebid because he thought it was the wrong thing to do. He felt this company was put in a bind, and the City helped to place them in that bind. He could see both sides of this issue, including that companies should adhere to their contracts. He felt he was not willing to forgive the debt to this point, the City had expected and budgeted for it; however, moving forward he might be willing to renegotiated for the remainder of the bid. He did not believe it was appropriate to go out to bid.

Councilmember Jacob agreed with not forgiving the debt up to this point. He also provided other suggestions.

Mayor Rolfe said he had never seen anyone offer to increase a contract unless there was a change of conditions, which he felt had happened with this contract. He felt past payments should be made immediately. He would be willing to change the contract for the portion regarding the rebate going forward, where it would not affect the residents. He was not willing to support any other changes.

Councilmember Rice agreed with Mayor Rolfe.

MOTION: **Mayor Rolfe moved to direct legal staff to prepare a change to the current contract to reflect the change of conditions that have occurred; immediately demand all back payments that are due from the date that they quit paying to the time the new contract amendments would be adopted. The amendments would only be on the rebate portion. Also, allow for a legal opinion prior to a contract being amended. The motion was seconded by Councilmember Rice.**

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-100, AMENDING THE UNIFORM FEE SCHEDULE FOR FISCAL YEAR 2016-2017

Every year, the City council reviews the fees and changes for services provided by the City. Staff members evaluate the fees to ensure that they fairly represent the costs of

providing the service. These costs may include overhead, supplies, man-hours, and equipment needed to provide the service. Suggestions were made to the City Council to update charges if the cost to provide the service had changed. A summary page of the proposed changes were provided in the Council's agenda packet.

Fiscal and/or asset impact:
Amending the Uniform Schedule of Fees and Service Changes would help to recover the cost of services rendered. These changes would increase City revenue based on the usage of each fee over the year.

Staff recommended that it was the intent of the proposed changes to the Uniform Schedule of Fees and Service Changes to recover reasonable costs for services rendered. Reasonable costs may consist of, but were not limited to, direct costs, indirect costs, and fixed asset recovery expenses, general and departmental overhead expenses.

Mark Palesh said a few months ago the 2017 budget was passed; however, the fee schedule was not passed; therefore, the City was still charging the old fees. This only reflected on the Enterprise funds. He said previously the Council was waiting for full Council participation before taking action.

He said staff was concerned that the increases would have to do with the company the City was currently negotiating with. He did not want the company surprised in the future.

Councilmember Jacob voiced his concerns regarding the amount of money coming out of the Enterprise Funds and going into the Building Authority Fund for the public works building.

The Council agreed to direct staff to continue this item until the next City Council meeting.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-132, CONFIRMING THE APPOINTMENT OF MEMBERS TO SERVE ON THE EMPLOYEE DISCHARGE APPEAL BOARD

Melanie Briggs said State Statue, Section 10-3-1106, Utah Code Annotated, required the establishment of an Employee Discharge Appeal Board to consider appeals of employee discharges. The 2009 West Jordan Municipal Code, Section 1-12-1, established the Board and provided (consistent with State Statute) the process for membership on the Board.

There would not be a fiscal impact.

Staff recommended approval of the Resolution confirming the appointments of members to serve on the Employee Discharge Appeal Board for two-year terms.

The Council agreed that Councilmember Jacob would serve on the Employee Discharge Appeal Board, with Councilmember Nichols as the alternate.

MOTION: Councilmember Nichols moved to approve Resolution 16-132, confirming the appointments of five (5) members; Councilmember Jacob, Bill Pyper, Marc McElreath, Paul Brockbank, and Clint Hutchings to serve on the Employee Discharge Appeal Board for two-year terms. Councilmember Nichols would serve as the Alternate Councilmember. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY REGARDING TOURISM, RECREATION, CULTURAL, CONVENTION, AND AIRPORT FACILITIES TAX ACT "TRCC FUNDS" TO HELP PLAN FOR CONSTRUCTION OF A CULTURAL ARTS FACILITY IN WEST JORDAN AS DESCRIBED IN THE CULTURAL FACILITIES SUPPORT PROGRAM APPLICATION

Mark Palesh reported that Councilmember McConnehey had taken the lead on this item; however, he was not in attendance for this meeting.

He stated that this was a matching grant and was placed in last year's budget, but was not carried forward into this budget.

It was determined that all of the TRCC funds must be expended by December 31, 2016 in accordance with the proposed agreement.

No action was taken by the City Council.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-133, FORMAL CENSURE FOR MALCONDUCT OF COUNCILMEMBER JEFF HAAGA

This item called for a public censure of Councilmember Haaga. The sponsors of the censure resolution were alleging that Councilmember Haaga had violated the City Council's Rules. The sponsoring Council Members allege that Councilmember Haaga

violated the Rules by requesting that police officers give him preferential treatment based on being a Council Member.

Mayor Rolfe read the following statement prior to any discussion:
"I believe as Elected Officials were are and should be held to a higher standard. Our entire Council was advised by our City Attorney to allow the matter to move through the legal process before commenting"

Mayor Rolfe said he would have no further comments.

Councilmember Nichols said this matter was not taken lightly. This item was being brought forward because of the citizens.

He said as Council Members we agreed to abide by a set of rules, policies, procedures, and the Employee Handbook. The Council also agreed to abide to a modified version of the Roberts Rules of Order. He said any issues that arise in the conduct arena, the only formal process for us as a Council to address it was through the Roberts Rules of Order, which included censure.

He provided the reasons he felt censure was appropriate.

- Solemn Oath
- Conduct
- Political motivation
- Due process

The public demands action now. Regardless of whether you support the proposed resolution or not, how it would be perceived in the public is whether you condone the behavior or whether you don't agree with the behavior.

He stated:
"Upon advice of the City Attorney's Office it was recommended the Council not address criminal charges; therefore, this censure does not address criminal charges. Criminal charges are reserved for the Criminal Justice system to which the Council has no jurisdiction; however, the Council unequivocally jurisdiction over Council rules and it is within that jurisdiction this censure belongs. Lastly Council listen carefully please, upon review by our City Attorney staff there's confidence the resolution presented tonight is "completely, legally, defensible, because it only deals with the City Council finding that a Council Member has failed to adhere to Council rules.""

The purpose of censure was for correction. This was not a penalty. This was a verbal reprimand that will not tolerate the idea that we were above the law.

Duncan Murray said the initial characterization of the Attorney's Office concerns were addressed accurately. Criminal charges would go through the Justice Court System. The proposed resolution presented showed that the Council was not looking at the criminal or

court process. Utah Code Section 10-3-606 shows that the City Council had the duty to adopt rules and then to enforce them. The opinion of the City Attorney's Office was that there were no legal concerns regarding the proposed resolution.

Councilmember Burton said if one elected official did something inappropriate, it did not mean that all elected official were acting in the same manner. He said he would continue to honor the Oath that he took regardless of what other do. Due to the lack of information/contact with Councilmember Haaga regarding his actions, he would be abstaining from voting on this issue.

Councilmember Jacob said this was a sad situation and it bothered him. He felt remaining silent was not an option for him. All people were responsible for their actions under the influence (drugs, alcohol, etc.) which could cause harm. Taking the Oath of Office was important. This action is the only means the Council had to take action.

MOTION: Councilmember Nichols moved to approve Resolution 16-133, formal censure for Malconduct of Councilmember Jeff Haaga. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

Councilmember Burton	**Abstain**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Abstain**

The motion failed 3-2.

Councilmember Jacob explained that abstaining was a 'no' vote. Also a seven-member Council required four votes to pass an item.

VIII. REMARKS

There were no remarks.

IX. CLOSED SESSION

DISCUSSION OF THE CHARACTER PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, AND STRATEGY SESSION TO DISCUSS THE

PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES

COUNCIL: Mayor Kim V. Rolfe and Council Members Dirk Burton, Zach Jacob, Chad Nichols, and Sophie Rice. Council Member Jeff Haaga and Chris McConnehey were excused.

STAFF: Mark R. Palesh, City Manager, and Duncan Murray, Deputy City Attorney.

MOTION: **Councilmember Rice moved to go into a closed session to discuss the character professional competence, or physical or mental health of an individual; Strategy Session to discuss pending or reasonably imminent litigation, and a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, and adjourn from there. The motion was seconded by Councilmember Nichols.**

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Absent**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Absent**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 5-0.

The Council recessed at 8:05 p.m. and convened the Closed Session at 8:06 p.m.

X. ADJOURN

The meeting adjourned at 8:55 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

KIM V ROLFE
Mayor

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this day of , 2016

DRAFT