

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

**TO: THE HONORABLE MAYOR
AND CITY COUNCIL**

DATE: December 4, 2007

SUBJECT: Preferential Parking Area for Criminal Justice
Purposes

Report in Brief

The Yolo County District Attorney's Office and the Probation Department have submitted requests for designated parking spaces close to their offices in downtown Woodland. Staff has reviewed these requests and conducted a Public Hearing before the Traffic Commission. The Commission approved the designation and related conditions as described herein at their November 5 meeting. As required by the City Code, the designation of preferred parking must be reviewed by the City Council during a Public Hearing and approved before the action can be implemented.

Staff recommends that the City Council conduct a Public Hearing and approve the designation of a Preferential Parking Area for criminal justice purposes in the area of the Yolo County Courthouse to include the following:

- a. Designation of six (6) parking spaces in front of 301 Second Street, (Yolo County District Attorney's Office) and two (2) parking spaces in front of 275 First Street (Traffic Court) for Police Motorcycle parking (1) and prisoner transport van parking (1).
- b. Authorize the Chief of Police to designate parking spaces as they may be required due to construction of the new downtown courthouse as needed to facilitate the safe and efficient conduct of criminal justice business.
- c. Stipulate that the established preferential parking district will cease upon completion of construction of a new Yolo County Courthouse.

Background

Section 14-7-10.1 of the Code of the City of Woodland authorizes a preferential parking program which allows for the reservation of specific parking spaces for permitted vehicles. The City Code

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(see attached) was generally written to provide adequate parking for existing residents in areas where commuter traffic was taking residential spaces. The process for designating preferential parking areas protects parking resources by requiring public notice and an opportunity to be heard through the public hearing process.

The City received requests from the County of Yolo Departments to assist with specific parking in the area surrounding the court house. There are two specific requests:

- 1) The District Attorney's Office and Police Chief Carey Sullivan have requested 6 spaces in front of the District Attorney's office at 301 Second Street.
- 2) The Yolo County Probation Department has requested one space for prisoner van parking and one space for motorcycle parking on First Street between Court and North Streets.

The District Attorney's Office currently has no designated parking. Their County owned vehicles are outfitted with emergency equipment and carry specialized investigative and law enforcement equipment. These vehicles are designated as emergency vehicles and some of the staff assigned to this Office includes members of an emergency response team.

Police Motorcycles which park next to the traffic court at the corner of First and Court Streets currently have no designated parking spots. This location would allow them to have a designated space next to the traffic court. The prisoner van requested by the Probation Department needs to have a dedicated parking space close to the trailer court building in order to take prisoners to their hearings.

A preferential parking area which encompasses all on-street and off-street public parking spaces in the area bounded by First Street and Third Street and Dead Cat Alley and North Street is proposed to address these issues (see attached map). While establishing this preferential parking district for judicial purposes and anticipating the construction of the new county courthouse, it is requested that the Police Chief be authorized to designate other spaces within the district needed for official emergency vehicles. Any added spaces would be limited, and only for use by vehicles that provide essential services to the court function such as transportation and/or court security, or other criminal justice functions.

As required by City Code, a public hearing on the proposed preferential parking district was held before the Traffic Safety Commission on November 5, 2007. The Commission received a staff report and public input during the hearing. On conclusion of the public hearing the Commission approved the proposed preferential parking district with an added condition that the district cease once the courthouse construction is completed.

The City Code requires a public hearing before the City Council for final action on creating a preferential parking district.

Discussion

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Parking in general but specifically in our downtown area is a limited resource. Allocation of this resource requires thorough consideration and public input. The procedure for creating preferential parking districts is intended to ensure these processes occur.

The requests for the designated spaces is intended to maintain public safety by keeping emergency vehicles secure and in close proximity to their drivers, and provide safer ingress and egress of prisoners into the court facility complex.

The parking demand on First Street where parking for the prisoner van parking and the motorcycle parking is proposed is not as high as other locations downtown. All of the spaces designated for permit parking will be posted, and authorized vehicles excluding police motorcycles will be required to display a permit issued by the Police Department.

Construction of the new courthouse will likely require that the location of these spaces will need to be adjusted in order to maintain the safety and efficiency of the court operation. To facilitate safe operation of the courts during the construction period the proposed action includes authority for the Police Chief to designate other spaces as needed for these official emergency vehicles. Any of these added spaces would be limited, and only for use by vehicles that provide essential services to the court function such as transportation, court security or other criminal justice functions. This authority would allow for prompt designation of spaces in response to changing construction impacts.

Though not all possibilities can be anticipated, it is believed that this broader authority would not involve more than a few additional spaces and likely be for limited time periods. A condition of designating spaces under this provision would be that the Police Chief and/or other appropriate staff must provide periodic updates to downtown businesses and report changes in the designation of parking spaces to the Traffic Safety Commission and the City Council at their next respective meetings. This condition will ensure notification and public comment.

The City Code requires that a study be performed to show that the areas are adversely affected by commuter vehicles. While this situation does not apply exactly to the City Code, it is reasonable that the existing building residents (the DA's office) could make the justification that the parking in front of their building is impacted by the general demand for downtown parking. While the City would not consider this type of request for other downtown property owners, staff believes there is a public safety impact associated with this request. Currently, these vehicles are parked in two hour stalls close to their office. Because the vehicles from the DA's are already parked downtown, the designation of specific spaces should have an insignificant impact on the availability of downtown parking spaces. Any future parking spaces utilized within this preferential parking area would likely have a similar justification.

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Fiscal Impact

If this request is approved, Yolo County has committed to reimbursing the City for the cost of the signs required to implement the designated parking. Therefore, there will be no impact on the City General Fund.

Public Contact

Prior to the Traffic Safety Commission meeting, the attached letter was distributed to property owners and/or residents for all addresses in the preferential parking area plus one additional block beyond the boundary. In addition, a press release and a public hearing notice were sent out in anticipation of the November 5, 2007 Traffic Safety Commission meeting. Prior to the City Council meeting, a public hearing notice was sent out and the Council Agenda was posted.

Commission Recommendation

At their meeting on November 5, 2007, the Traffic Safety Commission approved the recommended actions as described herein.

Alternative Courses of Action

1. Conduct a Public Hearing and approve the establishment of a Designation of a Preferential Parking Area for criminal justice purposes in the area of the Yolo County Courthouse to include the following:
 - a. Designation of six (6) parking spaces in front of 301 Second Street, (Yolo County District Attorney's office) and two (2) parking spaces in front of 275 First Street (Traffic Court) for Police Motorcycle parking (1) and prisoner transport van parking (1).
 - b. Authorize the Chief of Police to designate parking spaces as they may be required due to construction of the new downtown courthouse as needed to facilitate the safe and efficient conduct of criminal justice business.
 - c. Stipulate that the established preferential parking district will cease upon completion of construction of a new Yolo County Courthouse.
2. Not approve the establishment of a preferential parking district for judicial purposes.

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Recommendation for Action

Staff recommends that the City Council approve Alternative No. 1.

Prepared By: Brent Meyer
City Traffic Engineer

Reviewed by: Carey Sullivan
Police Chief

Mark G. Deven
City Manager

Attachments: Map of preferential parking area
City code excerpts (section 14-7-10)
Letter to business owners/occupants
List of conditions
Resolution

PREFERENTIAL PARKING AREA FOR CRIMINAL JUSTICE PURPOSES

10/07

Legend



— Preferential Parking Boundary

- (A) District Attorney Parking (6 Spaces)
- (B) Prisoner Van Parking (1 Space)
Police Motorcycle Parking (1 Space)

Note:

Preferential Parking Area includes On-Street & Off-Street Parking



the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles, and entirely within the limits of such allotted space, with the front wheel nearest the curb within six inches of such curb. The provisions of this section shall not apply when such vehicle is actually engaged in the process of loading or unloading passengers, freight or goods, in which case such vehicle may be backed up to the curb, provided that such vehicle does not extend beyond the centerline of the street and does not block traffic thereby. (Ord. No. 938, § 1.)

Sec. 14-7-6. Repealed by Ordinance No. 1111, § 7.

Sec. 14-7-7. Parking space markings.

The traffic engineer is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted. When such parking space markings are placed on the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible. (Ord. No. 938, § 1.)

Sec. 14-7-8. Parking parallel on one-way streets.

Subject to other and more restrictive limitations, a vehicle may be stopped or parked within eighteen inches of the left-hand curb facing in the direction of traffic movement upon any one-way street unless official signs or official markings are in place prohibiting such stopping or standing. In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless official signs or official markings are in place permitting such standing or parking. (Ord. No. 938, § 1.)

Sec. 14-7-9. All-night parking prohibited.

No person shall stop, stand or park a vehicle on Main Street between East Street and Cottonwood

Street, or in any city-owned or operated off-street parking facility, between the hours of 3:00 A.M. and 5:00 A.M. on any day when appropriate signage, approved by the chief of police or city engineer, has been erected. (Ord. No. 1111, § 8.)

**Sec. 14-7-10. Preferential parking—
Definitions.**

“Commuter vehicle” means a motor vehicle parked in a preferential parking area by a person not a resident thereof.

“Customer vehicle” means a motor vehicle parked for a period of less than two consecutive hours in a preferential parking area by a customer of a commercial establishment located therein.

“Dwelling unit” means a house, apartment or other residence with an assigned address as used by the U.S. Postal Service or as listed in the city directory.

“Lease” means that a person pays rent or other remuneration for use of a parcel of real property at his residence or place of business.

“Nonresident permit” means a permit issued by the police chief for use on a commuter vehicle in those preferential parking areas where the city council has, by resolution, authorized the use of such permits.

“Owns” means that a person has at least one-quarter of the fee interest in parcel of real property within a preferential parking area.

“Permit-issuing agent” means the individual or entity approved by the police department to issue parking permits.

“Police chief” means the chief of police of the city, his authorized representative or authorized agent.

“Preferential parking area” means an area designated as herein provided wherein motor vehicles displaying a valid permit as described herein shall be exempt from the time limit parking regulations which would otherwise be applicable.

“Resident” means a person who dwells in the preferential parking area on a permanent basis.

“Resident permit” means a permit issued by the police chief for use on a resident vehicle while parked in a preferential parking area. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.1. Designation of preferential parking areas.

The city council, in accordance with the requirements of Sections 14-7-10.2 through 14-7-10.12, may designate as a preferential parking area any area which satisfies the criteria established in Section 14-7-10.2. Such areas shall be designated by resolution. Upon designation as a preferential parking area, motor vehicles displaying a valid parking permit may stand or be parked without limitation by parking time zone and regulations except as specifically set forth in the resolution designating preferential parking areas. Such resolution shall also state the applicable fees to be charged for permit issuance. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.2. Criteria for designation of preferential parking areas.

(a) An area shall be deemed eligible for consideration as a preferential parking area if: surveys and studies prepared at the direction of the city traffic engineer and objective criteria establish that the area is adversely affected by commuter vehicles for any extended period during the day or night, on weekends, or during holidays. Additionally, the police department shall be given the opportunity to comment on any observed problems in the area and the

comments shall be incorporated into the study report.

(b) In determining whether an area identified as eligible for preferential permit parking may be designated as a preferential parking area, the traffic engineer and the city council shall take into account factors which include, but are not limited to, the following:

(1) The extent of the desire and need of the residents for preferential permit parking;

(2) The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking regulations;

(3) The extent to which motor vehicles parking in the area during the period proposed for parking regulations are commuter vehicles rather than resident vehicles or customer vehicles; and

(4) The extent to which customer vehicles and motor vehicles registered to residents cannot be accommodated by the number of available off-street parking spaces. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.3. Designation process of preferential parking areas.

The study of feasibility for establishment of a preferential parking area may be initiated by the city council, traffic safety commission or traffic engineer based upon their own motion or based upon petition of interested persons. However, prior to initiation of a feasibility study, a permit-issuing agent, who would typically be located within or adjacent to the proposed district, shall be proposed by those requesting the preferential parking area. After initiation of such a study, the process for establishment of a preferential parking area is as follows:

(a) The traffic engineer shall undertake or cause to be undertaken such surveys or studies as are deemed necessary to determine whether the area is eligible to be a preferential parking area using the criteria set forth in Section 14-7-10.2.

(b) Following the completion of surveys or studies to determine whether designation criteria are met, the traffic engineer shall notice as herein provided a public hearing or hearings before the city's traffic safety commission on the subject of the eligi-

bility of the area under consideration for designation as a preferential parking area. The hearing or hearings shall also be conducted for the purpose of ascertaining boundaries for the proposed preferential parking area as well as the appropriate regulations.

(c) Following the hearing provided for in subsection (b) above, the traffic safety commission shall recommend to the city council for or against the designation of the area under study as a preferential parking area. Such recommendation may also include a list of recommended conditions and regulations applicable to any area proposed for designation as a preferential parking area.

(d) Upon receipt of the traffic safety commission recommendation, the city council shall conduct a noticed public hearing. If the city council determines that the area in question should be designated a preferential parking area, it shall adopt a resolution establishing the program for the area in question including the boundaries, parking regulations, fees, if any, and other appropriate conditions. Thereafter, the program shall be implemented as hereinafter provided.

(e) Notice of the public hearing or hearings provided for herein shall be published in a newspaper published and circulated within the city at least ten days before the hearing date. The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed preferential parking area and, if applicable, the approximate permit fee to be charged therefor. During such hearing or hearings, any interested person shall be entitled to appear and be heard.

(f) Majority protest by the residents of the proposed preferential parking area will require a two-thirds vote of the council to override the protest and create the preferential parking area. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.4. Issuance of permits.

(a) Parking permits shall be issued under the direction of the police department. The police department shall have the authority to designate a permit-issuing agent. All permits issued by the permit-issuing agent shall follow the guidelines set

by the police department and the requirements hereby set forth.

Each such permit shall be designed to state or reflect thereon the particular preferential parking area as well as permit number. The basic form of each permit shall be identical. No more than one parking permit shall be issued to each motor vehicle.

(b) Parking permits may be issued for motor vehicles only upon application of the following persons:

(1) A resident of a dwelling unit in the preferential parking area;

(2) A person who owns or leases commercial property and actively engages in business activity within a preferential parking area where the city council has authorized the issuance of such permits by resolution;

(3) A nonresident person who pays the nonresident fee in those areas where the city council has authorized the usage of nonresidential permits by resolution. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.5. Visitor parking permits.

The permit-issuing agent is authorized upon application to issue visitor parking permits to residents of preferential parking area for use of bona fide transient visitors therein. Such a visitor permit shall bestow all the rights and privileges of a regular permit. A temporary visitor permit shall be valid for no more than fourteen days from the date of issuance. An annual visitor permit shall be valid for one year from the date of issuance. No resident of a preferential parking area shall be issued more than the number of visitor permits authorized any one time. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.6. Posting of preferential parking areas.

Upon the adoption by the city council of a resolution designating a preferential parking area, the traffic engineer shall cause appropriate signs, markings and/or meters to be erected in the preferential parking area, indicating prominently applicable

parking regulations and conditions. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.7. Display of permits.

Permits shall be displayed in a manner determined by the police chief. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.8. Permit parking exemptions.

(a) A resident motor vehicle displaying a valid parking permit as provided for herein shall be permitted to stand or be parked in the preferential parking area for which the permit has been issued without being limited by time limit parking regulations.

(b) Motor vehicles exempted by the provisions of Division 11 of the California Vehicle Code.

(c) A preferential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the preferential parking area. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.9. Application for and duration of permit.

Parking permits shall be valid for exactly one calendar year from the date of issuance. Permits may be renewed annually upon reapplication in the manner required by the police chief. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a preferential parking area, and the license number of the motor vehicle for which application is made and such other information that may be deemed relevant by the police chief. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.10. Permit fees.

The fee for preferential parking permits shall be established by resolution of the city council. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.11. Penalty provisions.

(a) It shall be a violation of Sections 14-7-10.1

through 14-7-10.10, unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle contrary to the parking regulations established pursuant hereto. Such violation shall be punishable as an infraction by a fine as established by the judicial council of the municipal court.

(b) It shall be a violation of Sections 14-7-10.1 through 14-7-10.10 for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor to the police chief.

(c) It shall be a violation of Sections 14-7-10.1 through 14-7-10.10 for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this article both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued.

(d) It is unlawful and a violation of Sections 14-7-10.1 through 14-7-10.10 for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking regulations applicable in a preferential parking area. Upon conviction of subsections (b), (c), or (d) of this section, a person shall be punishable by a fine not exceeding one thousand dollars or be imprisoned for period not exceeding six months, or both. (Ord. No. 1221, § 6 (part).)

Sec. 14-7-10.12. Revocation of permits.

(a) The police chief shall have the authority to revoke the residential parking permit of any person found to be in violation of Sections 14-7-10.1 through 14-7-10.10, and upon receipt of written notification of such revocation, the person shall surrender such permit to the police chief. Failure, when so requested, to surrender a preferential parking permit so revoked shall be a violation of Sections 14-7-10.1 through 14-7-10.10 and shall be punishable as an infraction.

(b) In the event the police chief has good cause to believe that any resident is abusing the visitor

permit system described in Sections 14-7-10.1 through 14-7-10.10, he may deny further application for a visitor permit by such person abusing the system.

(c) Prior to revocation of any parking permit or denial of a permit application, the permit-issuing agent shall perform an investigation and report the findings of the investigation to the permit holder or applicant and the police department. All disputes with the findings of the investigation shall be presented to the permit-issuing agent within ten days from the notification of the proposed revocation or denial. Upon hearing any disputes, the permit-issuing agent shall either rescind the proposed action or recommend that the police chief enforce the proposed action. Based on the facts presented, the police chief shall have the right to enforce or rescind the proposed revocation or denial. Any person aggrieved by an action made by the police chief shall have the right to appeal to the city manager in a timely manner. (Ord. No. 1221, § 6 (part).)

Article VIII. Restricted Use of Certain Streets.

Sec. 14-8-1. Certain vehicles prohibited in central traffic district.

Except when authorized by a written permit from the traffic engineer, no person shall operate the following vehicles in the central traffic district between the hours of 9:00 A.M. and 6:00 P.M. of any day:

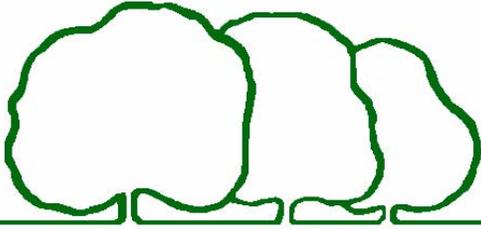
(1) A freight vehicle more than eight and one-half feet in width, with load, or so loaded that any part of its load extends more than twenty feet to the front or rear of said vehicle;

(2) A vehicle carrying building material that has not been loaded or is not to be unloaded at some point within the central traffic district;

(3) A vehicle conveying refuse, garbage, wet garbage, or dirt. (Ord. No. 938, § 1.)

Sec. 14-8-2. Vehicles equipped with sound-amplifying equipment.

No person shall operate or drive upon any street or alley at any time within the central traffic district a vehicle equipped with a sound-amplifying device or a



City of Woodland

Public Works Department 300 First Street Woodland, CA 95695 (530) 661-5961 (530) 661-5844 Fax

October 26, 2007

SUBJECT: Request for Preferential Parking for Criminal Justice Purposes

Dear Owner/Tenant,

The Traffic Safety Commission will be considering a request for a preferential parking district at their next meeting on Monday, November 5 at 6:30 pm in the City Hall Council Chambers, 300 First Street.

The Specific item that will be heard is as follows:

That the Traffic Safety Commission recommend the creation of a preferential parking area and approve the list of conditions for affected parking spaces from 1st to 3rd streets and North Street to Dead Cat Alley for the specific criminal justice purposes:

- 1) Six spaces in front of 301 Second St (DA's office) and one space for both motorcycle parking and prisoner van parking on First Street,
- 2) Designated spaces as may be required due to construction of the new downtown court house and needed to facilitate the safe and efficient conduct of criminal justice business.

Though not all possibilities can be anticipated, it is believed that this broader authority (item #2 above) would not involve more than a few additional spaces and likely be for limited time periods. A condition of designating spaces under this provision would be that the Police Chief must report the designation to the Traffic Safety Commission at their next meeting.

If you would like to comment on this issue, please arrive a few minutes early to fill out a comment card. If you cannot attend and would like to voice your opinion, you may also write a letter to the commission at the above address.

If you have any question please feel free to contact Police Chief Carey Sullivan at (530) 661-7834 or e-mail him at carey.sullivan@cityofwoodland.org.

Attachments: Draft Traffic Safety Commission staff report
Map of preferential parking area

List of conditions for the preferential parking area from 1st to 3rd Streets and North Street to Dead Cat Alley:

- The Police Department will be the permit issuing agent
- Parking permits will be issued under the direction of the Police Chief
- Permits shall be displayed in a manner determined by the Police Chief
- There will be no fee for these permits
- The time limit for the parking spaces is 7 am to 6 pm, except Saturdays, Sundays and holidays
- Permits are valid for one year.
- The specific spaces will be designated by the Police Chief
- The Public Works Department will display applicable signage in coordination with the Police Department

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
PROVIDING A PREFERENTIAL/RESERVED AREA
FOR THE YOLO COUNTY DISTRICT ATTORNEY'S OFFICE AND
THE YOLO COUNTY PROBATION DEPARTMENT**

WHEREAS, the City of Woodland has been requested by the Yolo County District Attorney's Office and the Yolo County Probation Department to provide for designated preferential parking areas in specific locations to facilitate safety issues for the vehicles and contents and the safe transport of prisoners to the Court House facility; and,

WHEREAS, City Municipal Code Section 14-7-10-1 sets forth the parameters for designation of such preferential parking areas; and,

WHEREAS, all appropriate noticing requirements have been achieved and the proposed areas to be designated have been approved by the Traffic Safety Commission; and,

NOW, THEREFORE, the City Council of the City of Woodland does hereby (1) designate six (6) parking spaces in front of 301 Second Street (Yolo County District Attorney's Office) and two (2) parking spaces in front of 275 First Street (Traffic Court) for Police Motorcycle parking (1) and prisoner transport van parking (1); and, (2) authorizes the Chief of Police to so designate parking spaces as they may be required due to construction of the new downtown Court House as needed to facilitate the safe and efficient conduct of criminal justice business; and, (3) stipulates that the established preferential parking district will cease upon completion of construction of the new Yolo County Court House.

IT IS FURTHER RESOLVED that the City Council of the City of Woodland does hereby approve this Resolution to so establish this preferential parking area as allowed by current Municipal Code.

PASSED AND ADOPTED this 4th day of December, 2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

David M. Flory, Mayor

APPROVED AS TO FORM:

ATTEST:

Ann M. Siprelle, City Attorney

Sue Vannucci, Director of
Administrative Services/City Clerk