

# PS&T COMMITTEE AGENDA

July 6, 2017 - North Conference Room

21630 11<sup>th</sup> Avenue South – Des Moines WA 98198

5:30P – 6:50PM

1. Approval of the minutes from the meeting of June 1, 2017.
  
2. CIP Project Update (Informational Item – 20 min)  
*Staff will provide a brief CIP Project Summary with a focus on 24<sup>th</sup> Avenue South – Midway Elementary Sidewalks.*
  
3. Nuisance Property Update – (Informational Item - 15 min)  
*Staff will provide an update on nuisance properties and code enforcement actions.*
  
4. Police Department FAQ Document – (Discussion Item – 20 min)  
*Staff will provide the Committee a final draft copy of the Police Department's frequent asked questions document for discussion and feedback.*
  
5. Overgrown Vegetation Ordinance - (Discussion Item – 15 min)  
*Staff will introduce a draft ordinance to address overgrown vegetation on nuisance properties.*

## **DRAFT Des Moines City Council PS&T Committee Minutes – 6/1/2017**

Meeting called to order: 5:30 PM on June 1, 2017, in North Conference Room @ 21630 11<sup>th</sup> Avenue S, Des Moines WA 98198.

### **Council Members**

Luisa Bangs – Chair  
Dave Kaplan (Excused)  
Vic Pennington

### **Other City Staff**

Dan Brewer – Chief Operations Officer  
Brandon Carver – Public Works Director  
Andrew Merges – Transportation Manager  
Matt Hutchins – Asst City Attorney  
George Delgado – Police Chief  
Bob Bohl – Assistant Police Chief  
Dunyele Mason – Finance Director  
Peggy Volin – Administrative Asst II

### **AGENDA:**

1. Approval of the minutes from the meetings of April 6, and May 18, 2017
2. Police Deployment of Personnel Update
3. Draft Transportation Improvement Plan (TIP)
4. 2018-2023 CIP Plan (Transportation Projects)
5. Sound Transit Update
6. King County Regional Transportation System Initiative (RTSI) Plan

### **MEETING:**

1. Approval of the minutes from the meetings of April 6, and May 18, 2017: unanimously approved.
2. Police Deployment of Personnel Update: PD Chief George Delgado briefed the Committee on the crime rate in the Pacific Ridge area of our City and the changes being made within the PD Department to address those issues. There are some staffing changes within the department that include Commander Bob Bohl being promoted to Assistant Chief; Mike Graddon being promoted to Commander upon Barry Sellers retirement from the position in June; and Doug Jenkins being promoted to fill Bob Bohl's vacated Commander position in July.
3. Draft Transportation Improvement Plan (TIP): Transportation Manager Andrew Merges provided a brief review of the Draft TIP and the proposed changes to the plan which included removing the items that will be completed in 2017; re-prioritizing some projects due to obtaining grant funding and/or need to ultimately help fund other proposed projects; add two new projects; and completely remove and replace one multimodal project due to the implementation of paid parking on the Marina floor. The TIP will be

brought forward to the full Council on June 22 for a Public Hearing. The July 31 TIP deadline will be met per RCW 35.77.010.

4. 2018-2023 CIP Plan (Transportation Projects) - Transportation Manager Andrew Merges and Finance Director Dunyele Mason reviewed the 2018-2023 CIP Plan (Transportation Projects) with the Committee. The Committee felt the plan is flowing smoothly and had no recommendations to change anything at this time.
5. Sound Transit Update: COO Dan Brewer and Consultant Grant Fredricks briefed the Committee on the latest design elements on the FWLE project and noted that Sound Transit has been doing a good job on their community outreach to the public throughout this process. Dan also noted that the Council approved the Service Agreement and Task Order with Sound Transit that will allow the City to bill Sound Transit for employee time spent on this project. Staff also provided a discussion on a number of potential modifications related to the landscape code and buffers, and non-conformance codes. The Committee was generally supportive of the proposed modifications and asked that staff discuss the issues with the Finance and Economic Development Committee
6. King County Regional Transportation System Initiative (RTSI): Transportation Manager Andrew Merges updated the Committee on this initiative to form the RTSI. It was started by King County in partnership with Sound Cities Association and the Puget Sound Regional Council to address issues with aging infrastructure, declining revenues and expanding economy in conjunction with local jurisdictions ability to support the transportation network. Monthly meetings are being held in 2017 with technical experts to define the regional roads network and its long-term needs. The first RTSI elected officials meeting is scheduled for June 13 at the King Street Center in Seattle.

Adjourned at 6:50 pm

Minutes respectfully submitted by: Peggy Volin



## 24<sup>TH</sup> AVENUE SOUTH SIDEWALK PROJECT JULY 6, 2017 PS&T COMMITTEE MEETING

### Project Overview

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The project would provide improvements along the east side of 24<sup>th</sup> Avenue South between South 224<sup>th</sup> Street and South 227<sup>th</sup> Place. Significant improvements within the project are as follows:

- Two way center left turn lane between South 224<sup>th</sup> Street and South 226<sup>th</sup> Street
- High visibility overhead school crosswalk (similar to existing 16<sup>th</sup> Ave crossing at Woodmont)
- Bike lane, curb, gutter, sidewalk and landscape strip from South 224<sup>th</sup> Street to South 226<sup>th</sup> Street
- Joint Utility Trench and new illumination system
- New storm drainage system from South 224<sup>th</sup> Street to South 227<sup>th</sup> Place

### Current Status

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A consultant has been retained to provide design services for the 24<sup>th</sup> Avenue South Sidewalk Project. The consultant has provided the City with a preliminary design and estimate. The estimate has been broken into the following schedules:

- Schedule A – Roadway Improvements - \$550k
- Schedule B – Storm Improvements - \$470k
- Schedule C – Joint Utility Trench - \$375k
- Total Project cost - \$1.4 million

### Next Steps

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City staff will continue to work with the consultant to develop final Plans, Specifications, and Estimate. Due to construction project costs associated with a joint utility trench the current CIP does not identify sufficient funds to move the project forward to construction at this time. DMMC 12.25.120 allows for the City Council, when ordering the improvement of a street, to determine whether the relocation of electrical and communication systems underground is required. City staff will look for direction from Council to proceed with including undergrounding of utilities or not on the project.

### Cost Saving Measures

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- If Council wishes to proceed with no undergrounding of utilities the project cost could be reduced to \$930k.
- Staff will explore the possibility of partnering with Highline Water District to reduce overall costs. Highline Water District will be relocating facilities along 24<sup>th</sup> Avenue.

PS&amp;T 7/6/17

**Transportation CIP Updates - Active or Completed Projects for 2017****Completed CIP Projects in 2017****Status/Comment**

S 216th Street Segment 1A	Reached Substantial Completion 2016
Redondo Boardwalk	Reached Substantial Completion 2016
South 268th Street Sidewalks (SRTS)	Final Paving Completed Spring 2017

**Current Active or Planned CIP Projects in 2017****Status/Comment**

South 216th Street - Segment 3 Improvements	Plans, Specifications, and Estimate (100%) 2017; RW 2018; CN 2019 Open House 6/6/17 w/14 participants - overall support. Roadway Section will mirror Seg 4 with intermittent landscape and medians
Barnes Creek Trail	85% Plans, Specifications, and Estimate & NEPA Approval 2017
24th Ave South - Midway Elementary Sidewalks	Plans, Specifications, and Estimate(Bid Docs) 2017; CN 2018 Franchise Utility Coordination - Highline Conflicts
South 223rd Street - Pavement Rehabilitation Project	Plans, Specifications, and Estimate(Bid Docs) 2017; CN 2018 Travel Lane paving, limited shoulder paving
MVD/South 240th Street Roundabout	10% Plans and Estimate for Roundabout Mid-July 2017
Annual Sidewalk Program 2017	Continued Sidewalk ADA Deficiency Mitigation
Arterial Traffic Calming	Perform Select Traffic/Speed Studies - Finalizing Street Selection
South Twin Bridge Joint Repair	Scheduled full roadway closure August 18 -21, 2017 performed by WSDOT

**Projects Not Started****Status/Comment**

South 224th Street Improvements	Anticipated 2018
Downtown Alley Improvement	
16th Avenue South Improvements - Segment 5A	Anticipated 2018
Redondo Paid Parking	Anticipated 2018

**Projects staff will be applying for grant funding in 2017:****Status/Comment**

Barnes Creek Trail	FHWA CMAQ
TBD	TIB Urban Programs and Complete Streets

## Des Moines Police Department - FAQs

**Department Vision:** To be recognized as a progressive law enforcement agency striving for a safer community and a better quality of life.

**Department Mission:** We, the members of the Des Moines Police Department are committed to provide quality, professional law enforcement services. We encourage problem solving, community policing philosophy and seek to work together with the community as well as other departments to effectively improve the quality of life in our neighborhoods.

**Department Values:** Professionalism, Pride, Teamwork, Excellence, Quality Service, Commitment

### Organization

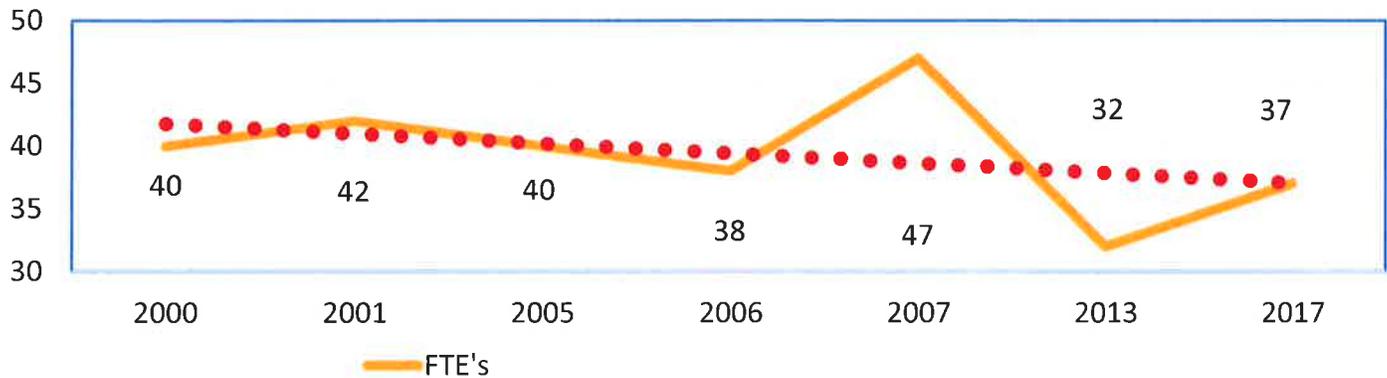
See attached Organization Chart

Each patrol team works 12 hour shifts with 3 days on and 3 days off

On duty patrol staffing is a total of four officers and a sergeant on duty per shift. This is considered full staffing. Due to vacations, training or sick leave we typically run with 3 officers and a sergeant. We have been authorized to hire three additional officers in 2017. This will bring each team up to one sergeant and five officers. Once the hiring and training of our new officers is complete we will increase minimum patrol staffing to a total of five officers on duty per shift.

### Historic Officer Staffing Levels

#### Officers



In 2017 Council authorized the hiring of three additional officer positions, and later an additional one position for the Violent Crime Task Force. They also approved making the Evidence Technician a full time position and created a limited duration Assistant Chief Position.

### Crime Trends

City	Population	Violent crime	Murder and nonnegligent manslaughter	Rape	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft	Arson
Des Moines (2015)	31,335	112	1	18	53	38	963	167	614	182	1
Des Moines (2014)	30,926	121	1	9	59	52	1,153	235	672	246	7
Increase/Decrease	1.32%	-7.44%	0.00%	100.00%	-10.17%	-26.92%	-16.48%	-28.94%	-8.63%	-26.02%	-85.71%

2016 UCR/NIBRS statistics have not yet been published. The listed crime categories are set by the FBI and can be located at <https://ucr.fbi.gov/ucr-publications>.

## **2017 Areas of Emphasis**

DMPD is always analyzing community needs and attempting to implement programs and efficiencies to keep officers in the field.

DMPD is attempting to improve efficiencies through technology. We are implementing or have implemented the following programs this year:

- Red light photo enforcement-this helps relieve some duties of the patrol officers while enforcing hazardous red light running laws
- Command Central Analytic software-analyze calls for service and crime throughout the city to determine where crime trends are occurring.
- Evidence Based Policing-along with the analytics software allows us to deploy resources to areas showing crime increases
- Des Moines Police Community Video Partner- partnership between community members and police to register private cameras and allowing PD personnel to contact should they believe registrant may have captured video evidence on their system
- PowerDMS document management system- software program that will assist with internal document management, consolidation and management of training request and records, and help streamline and manage the accreditation process
- IA Pro Software- program to allow PD to better track and categorize citizen complaints and internal investigations. It will also provide an early intervention by track officer's use of force and determine additional training needs.

## **Resources assigned to the Support Services Division**

- School Resource Officer
- Community Service Unit
- Code Enforcement
- Animal Control
- Admin/Training Sergeant (In-service Training, Equipment, Policy Updates)
- Professional Standards Sergeant (IA/Complaint/Use of Force Investigations, Internal Audits, Background Investigations)

## **DMPD has strong regional partnerships with the following agencies:**

Neighboring Police Departments: Kent, Federal Way, Renton, Auburn, Normandy Park, Burien, Seatac, Metro, Port of Seattle, on occasion numerous other police agencies from throughout the state and country when requested.

Federal Agencies: FBI, ATF, DEA, US Marshals Service, US Postal Inspection Service, and others.

Courts: Most of our interaction is with Des Moines Municipal Court and prosecutor for misdemeanor crimes. We work with the King County Courts and Prosecutors when case is a felony.

Detention Facilities: Most of our interaction is with SCORE (South Correctional Entity Jail) in which we are a participating owner. On occasion we will use the Regional Justice Center (RJC) in Kent or downtown King County Jail. We pay a set amount for the development of SCORE and then additional for our average daily population of prisoners booked by police or sentenced by Des Moines Municipal Court

Hospitals and mental health: This is typically with St. Francis, Highline Medical Center, Valley Medical Center, and Harborview.

Police/Community partnership programs:

- Block Watch- approximately 30 active block watch groups throughout the city
- Business Watch
- Volunteer Program
- PD Citizen Advisory Board
- Police Foundation
- Variety of other unnamed and/or scheduled events that we are invited to speak or attend and answer questions

### **Dealing with an Incident**

**Who to Call:**

- Emergency incident-immediately call 911
- Non-emergency incident needing an officer call (206)878-2121
  - We have dispatch services through Valley Communications Center and handle approximately 18,000 calls each year.
  - Both the 911 call and the non-emergency number will be answered by a call receiver at our Dispatch Center-Valley Communications.

When calling 911 or the non-emergency line you will be asked the nature of your emergency and location of the emergency. Callers should remain calm and answer all questions by the call receiver. Some questions may seem redundant or useless but the information is all transmitted to officers on their in-car computer or via radio. You may also feel as though they are asking too many questions and not sending officers but in an emergency they immediately send the nature of emergency and location to the dispatcher and officers will be dispatched based on priority of calls in the que.

**Stay Calm and answer all questions to the best of your ability.**

- If you want contact by an officer be certain to tell the call receiver. Some calls don't automatically necessitate officer contact and the caller won't be contacted unless they request it.
- All significant calls or information is included in a patrol shift log so oncoming personnel are aware of specific activity or officer safety issues.
- Be a good witness if it's a crime in progress but don't put yourself in danger. As a witness to a crime it's helpful if you note a suspect's gender, race, approximate height and weight, hair color, clothing color and any other distinguishable characteristics. If there is a vehicle involved attempt to get a license plate number and state, vehicle make, model, and color. If the suspect(s) flees the scene provide a direction of travel to assist the responding officers.

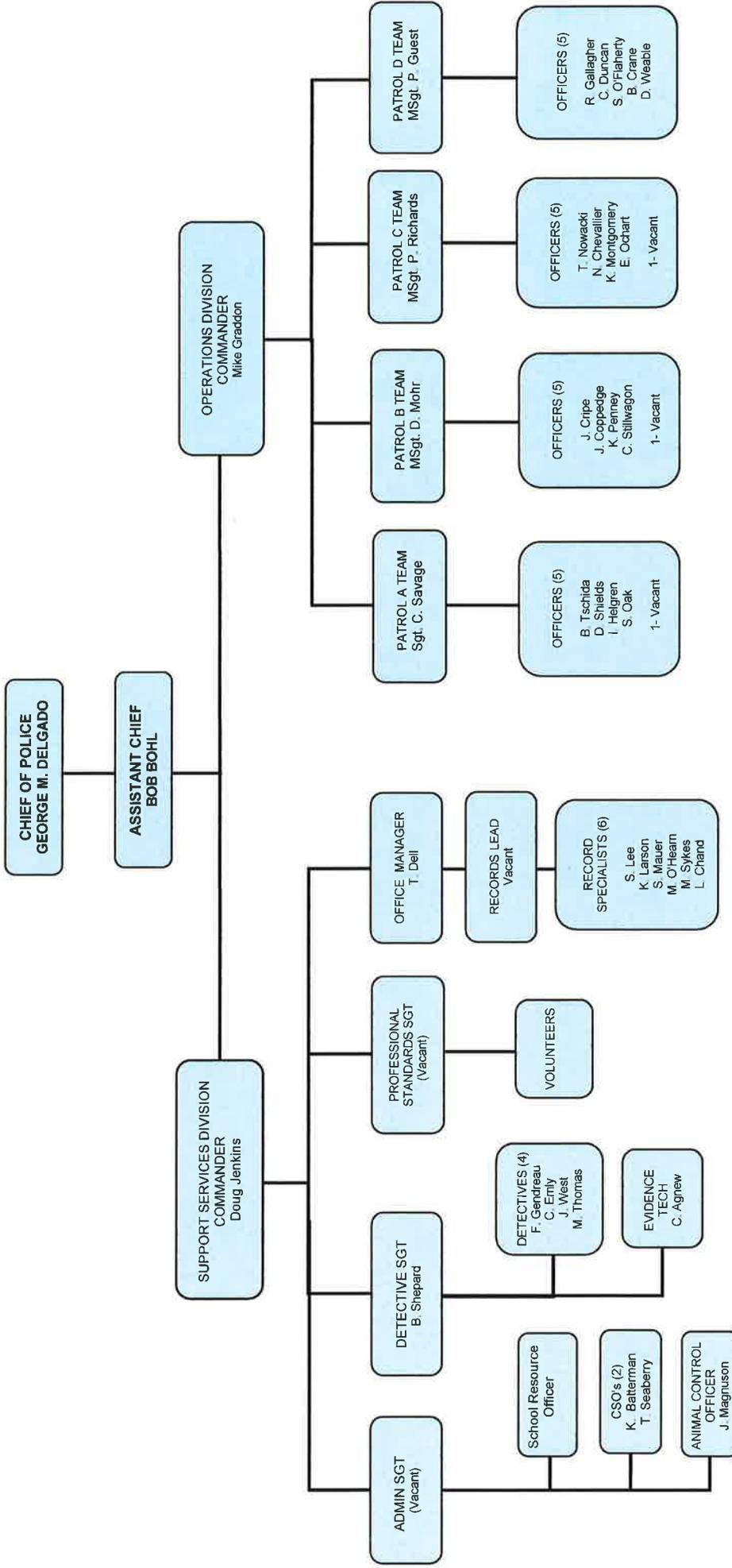
All other police business or inquiries not needing officer dispatch such as dog license, alarm permit, parking question call the Police Department's Business line (206) 878-3301.

For your convenience, the Des Moines Police Department allows certain crimes to be reported on-line where a report is needed merely more for insurance purposes or for police department information to identify issues within your neighborhood. These reports include: Crime/Drug Tips, Abandoned Cars/Parking, Animal Complaints, Vandalism, Harassing Phone Calls, Hit & Run, Identity Theft, Mail Theft, Shoplifting, Theft, Theft from Auto and Loss Property. Online Reporting - <http://www.desmoineswa.gov/363/Online-Crime-Reporting>

More information about the police services can be found online at <http://www.desmoineswa.gov/189/Police>

CITY OF DES MOINES  
LAW ENFORCEMENT

**Organizational Chart**



**Timothy A. George, City Attorney**  
**21630 11th Avenue So., Suite C**  
**Des Moines, WA 98198**  
**206.870.6553**  
**Fax: 206.870.6872**

# Memo

Date: July 6, 2017  
To: Public Safety and Transportation Committee  
From: Tim George, City Attorney  
Re: Overgrown Vegetation Ordinance

Recent history has shown that property owners allowing vegetation to grow wild and unabated on property located in the City can become more than a minor annoyance or an eyesore to the neighborhood. In extreme cases, such as the vacant lot on 216<sup>th</sup> in Pacific Ridge, overgrown lots can become a haven for criminal activity and a serious threat to the health and safety of the community. These properties can also constitute a fire hazard and harborage for rats and other vermin.

The underlying cause of these neglected properties frequently makes these properties difficult for the City to address using conventional code enforcement tools – negligent and/or absentee owners. Owners may not respond to outreach by code enforcement officers. Citations can be ignored and defaulted, where they are unsuccessfully sent to collections. In some cases, it may not be possible to locate owners at all.

Other possible remedies beyond code enforcement currently available to the City (i.e., warrant of abatement through Superior Court) suffer from one or more of the following issues:

- length of the process to begin abatement,
- the expense to the City, and
- the City's inability to recoup its expenses in reasonable time, if at all.

The proposed ordinance, as authorized by RCW 35.21.310, would provide a process for the City to require an owner to abate the nuisance vegetation on his or her property, and if the owner fails to complete the work in the time allowed, the City would be authorized to enter the property and abate the condition. The City's expenses would be charged against the property owner personally and as a lien against the property, which can be enforced and foreclosed upon as a mechanic's

lien. The entire process can be completed within a few weeks, as opposed to several months or more.

The process under the proposed ordinance would occur as follows:

1. The City Manager or the City Manager's designee serves written notice to the property owner personally or by certified mail to the mailing address listed on the property tax roll. This notice informs the property owner of the condition to be abated, requires the property owner to abate the condition within a certain time, and advises the property owner that the City Council will consider a resolution as described in #2 below.
2. If the condition is not remedied within the required time, the City Council may consider a resolution finding the property in violation of the ordinance and ordering the violation to be abated within a specific time. The resolution may only be passed after five days' notice to the property owner and an opportunity for the owner to be heard.
3. Should the resolution pass and the property owner fail to abate the condition within the time required by the resolution, the City may enter the property and abate the condition.
4. The City can bill the property owner personally for the costs of abatement, file a mechanic's lien against the property, or both. An action to foreclose upon the lien must be commenced within eight months of recording.

In addition to abating overgrown nuisance vegetation on private property, the proposed ordinance gives the City the ability to recover its costs for abating vegetation that grows from private property into public rights-of-way when appropriate using the same procedure.

CITY ATTORNEY'S FIRST DRAFT 10/20/04

DRAFT ORDINANCE NO. 17-072

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to removal and destruction of nuisance vegetation and debris; and adding and codifying a new chapter to Title 7 DMMC entitled "*Overhanging, Obstructing, and Nuisance Vegetation*".

**WHEREAS**, promoting safe and unimpeded passage on public roads and sidewalks and protecting the health, safety, and welfare of its citizens are priorities for the City of Des Moines, and

**WHEREAS**, the duty and responsibility to prevent vegetation from growing on private property in a manner that obstructs public roadways or sidewalks or in a manner that constitutes a danger to public health, safety, or welfare should lie with the owner or occupier of that property, and

**WHEREAS**, when code enforcement efforts fail to obtain abatement of overgrown and nuisance vegetation through existing means due to absentee or unwilling property owners, the City may have no speedy and adequate remedy, and

**WHEREAS**, if a remedy exists, the City may not recover its costs of abatement for a significant period of time, if at all, and

**WHEREAS**, RCW 35.21.310 authorizes cities to adopt local ordinances requiring property owners to remove or destroy obstructing or nuisance vegetation on their property, providing that the City may cause such removal or destruction upon the property owner's failure to timely comply with a resolution of the City Council requiring such removal or destruction with adequate notice, and assessing the City's expenses as costs against the owner and a lien on the property, and

**WHEREAS**, the City council finds that adopting this ordinance under the authority granted by RCW 35.21.310 is appropriate and necessary to promote safe and unimpeded passage on public roads and sidewalks and protect the public health, safety, and welfare; now therefore,

**THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:**

A new chapter shall be added to Title 7 DMMC to read as follows in sections 1 through 11 of this Ordinance:

**OVERHANGING, OBSTRUCTING, AND NUISANCE VEGETATION**

**Sec. 1. Title.** This chapter shall be entitled "Overhanging, Obstructing, and Nuisance Vegetation".

**Sec. 2. Application.** This chapter shall apply to real property located in the City of Des Moines and the owners of real property located in the City of Des Moines.

**Sec. 3. Purpose.** These regulations are adopted to promote the public health, safety and general welfare of the citizens of Des Moines and to provide for enforcement, abatement, and recovery of City costs for abatement, requiring property owners to remove vegetation that obstructs the free use of the sidewalk or public street and vegetation on the owner's property which is a fire hazard or a menace to public safety, health, or welfare; providing a procedure for the City Council to order removal of nuisance vegetation by resolution after notice of the condition to the property owner; allowing the City to cause the removal of nuisance vegetation following passage of the resolution should the property owner fail to remove the nuisance vegetation; and providing that the City's costs in removing the nuisance vegetation shall become a charge against the property owner and a lien against the property.

**Sec. 4. Authority.** This chapter is adopted pursuant to the authority set forth in RCW 35.21.310.

**Sec. 5. Removal of overhanging or obstructing vegetation.** The owner or occupant or other person in control of real property within the City shall remove or destroy all trees, plants, shrubs or vegetation, or any parts thereof, which overhang any sidewalk or which are situated on the property or on the portion of the street or sidewalk abutting thereon in such manner as to obstruct or impair the free and full use of the sidewalk or street, including the interruption or interference with the clear vision of pedestrians or persons operating vehicles thereon, or interfering with sidewalks, streets, poles, wires, pipes, fixtures or any other part of any public utility situated in the street.

**Sec. 6. Removal of nuisance vegetation and debris.** The owner or occupant or other person in control of real property within the City shall remove or destroy all grass, weeds, shrubs, bushes, trees or vegetation growing or which has grown and died, and to remove or destroy all debris, upon property owned or occupied by them and which are a fire hazard or a menace to public health, safety or welfare.

**Sec. 7. Nuisance declared.** It is unlawful and a nuisance for the owner or occupant or other person in control of any real property in the City to maintain or allow the property in violation of this chapter.

**Sec. 8. Notice.**

(1) If real property within the City is allowed or maintained in violation of this chapter, the City Manager or the City Manager's designee may serve notice upon the property owner identifying the property involved; describing the condition to be corrected; requiring the owner to correct the condition within the time specified in the notice; and notifying the owner that if the condition is not corrected within the time specified, that after the termination of such period of time and on a date specified in the notice, a resolution will be presented to the City Council to provide for the removal or destruction of the grass, weeds, shrubs, bushes, trees, vegetation, and/or debris, and the cost of that removal or destruction become a charge against the owner and a lien against the property.

(2) Notice under this section shall be served on the property owner personally or by certified mail, with a five-day return receipt requested, sent to the property address and the owner's address on file with the King County Treasury. Notice by certified mail will be effective on the fifth day after mailing.

**Sec. 9. Resolution.** The City Council may adopt by resolution a declaration that real property within the City is in violation of this chapter; identifying the specific property and the specific grass, weeds, shrubs, bushes, trees, vegetation and/or debris to be removed or destroyed; and requiring the property owner to remove or destroy the grass, weeds, shrubs, bushes, trees, vegetation, and/or debris within a specific time. The resolution shall be passed after not less than five days' notice to the owner as described in Section 8 of this ordinance and an opportunity for the owner to be heard and show cause why

the grass, weeds, shrubs, bushes, trees, vegetation and/or debris should not be removed or destroyed.

**Sec. 10. Removal by City.** If a property owner fails to remove or destroy the grass, weeds, shrubs, bushes, trees, vegetation, and/or debris as required by a resolution of the City Council authorized by this chapter in the time specified in the resolution, the City shall cause the removal or destruction of the grass, weeds, shrubs, bushes, trees, vegetation, and/or debris.

**Sec. 11. Cost of removal.** The cost to the City of removing grass, weeds, shrubs, bushes, trees, vegetation, and/or debris as authorized by this chapter shall become a charge against the owner of the property and a lien against the property. Notice of the lien shall be in substantially the same form and enforced and foreclosed as is provided by law for liens for labor and materials.

**Sec. 12. Codification.** Sections 1 through 11 of this Ordinance shall be codified as a new chapter in Title 10 DMMC.

**Sec. 13. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

**Sec. 14. Effective date.** This Ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Ordinance No. \_\_\_\_\_  
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\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_