Agenda Item No. 5.B.1
Meeting of 5/14/2013

City *of* Tigard
Tigard City Council Meeting Minutes
March 19, 2013

1. BUSINESS/WORKSHOP MEETING –

A. At 6:36 p.m. Mayor Cook called the meeting of the Tigard City Council to order.

B. Deputy City Recorder Krager called the roll.

	Present	Absent
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	

C. Pledge of Allegiance:

D. Council Communications & Liaison Reports: Councilor Buehner said she would give a report. Councilor Woodard will report on his Washington DC trip at the next meeting.

E. Call to Council and Staff for Non-Agenda Items – Mayor Cook said he would discuss a non-agenda item at the end of the meeting.

2. PROCLAMATION – APRIL 1-6, 2013, COMMUNITY DEVELOPMENT WEEK

Mayor Cook proclaimed April 1-6, 2013 as Community Development Week.

3. PROCLAMATION – MARCH 21, 2013, BRAVE (Breast Restoration Advocacy Victory Education) Day

Mayor Cook proclaimed March 21, 2013 as BRAVE Day.

4. CONSENT AGENDA:

A. CONSIDER WAIVING SIGN PERMIT FEES FOR TIGARD YOUTH FOOTBALL:

Councilor Buehner made a motion to approve the consent agenda and Councilor Snider seconded the motion. The motion passed unanimously.

	Yes	No
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	

5. CONSIDER A RESOLUTION GRANTING EXEMPTION FROM PROPERTY TAXES UNDER TMC 3.50 FOR FIVE NON-PROFIT LOW-INCOME HOUSING PROJECTS

Confidential Executive Assistant Lutz introduced this item. Councilor Buehner said this exemption is a routine item that is considered by council annually. She suggested what is most critical is to ask staff if there are any differences with the proposals this year and then moving ahead with consideration and approval. Councilor Buehner moved for approval of the resolution and Councilor Snider seconded the motion. Mayor Cook asked if there was any discussion.

Councilor Woodard commented that this is a great program but noted that Greenburg Oaks has more resources going towards youth programming, computer systems and recreation. He asked about a difference in the Village at Washington Square applications. He said the applications indicate an average median income of less than 60 percent but there is no follow up. He said it negates the Tigard Municipal Code on that aspect. He asked how many residents are above the 60 percent.

City Manager Wine said staff will look into his questions and respond.

In response to a question from Councilor Woodard about certification of income levels, Councilor Buehner said they are required to provide an audit. Assistant City Manager Newton said all applications are reviewed by Community Development staff.

Councilor Woodard said he sees differences in the standards and would like the housing projects that are receiving this tax abatement place more emphasis and dollars on schooling and youth programs at these properties next year. He asked if this could be better defined and City Manager Wine said she will pursue that. Councilor Woodard requested a discussion next year on percentages dedicated to these activities. He asked if Council had the flexibility to award less than 100 percent of the tax abatement amount and City Manager Wine replied that they did.

A vote was taken and the motion to approve Resolution No. 13-11 passed unanimously.

RESOLUTION NO. 13-11 - A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR FIVE NON-PROFIT LOW-INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING (CPAH) AND HAWTHORNE URBAN DEVELOPMENT LLC

	Yes	No
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	

At 6:51 p.m. Mayor Cook announced that the City Council would enter the Workshop portion of the meeting.

6. REVIEW THE ANNUAL SOLID WASTE AGGREGATE FINANCIAL REPORT AND DISCUSS SOLID WASTE RATE AND FRANCHISE FEE INCREASE

Public Works Director Koellermeier introduced this item and the team: Public Works Business Manager Michelle Wright, Consultant Chris Bell from Bell & Associates, and Pam Beery from Beery Elsner, the city's franchise attorney firm.

Public Works Director Koellermeier said Tigard has two franchised solid waste haulers to cover the entire city, Pride Disposal and Waste Management. He said representatives were present from both companies. He said the city's municipal code requires haulers to provide a financial statement to the city each March. These are consolidated and staff reviews them for a targeted profit of 10 percent annually. If the numbers don't fall between 8 and 12 percent, a decision is made to raise or lower rates. An additional complicating factor this year is that the Budget Committee made a decision last year to increase the solid waste franchise fees. This increase is embedded in the rates. These two issues triggered the numerical system leading to the rate change. He noted that Tigard has not had a rate change since 2006, a testament that the two franchisees manage their businesses very well. He said the previous councils guided staff to do a cost-of-service-based-rate approach wherein each line of service (residential, commercial, drop boxes) is evaluated on its own and they do not subsidize each other.

Public Works Business Manager Wright said staff followed the Tigard Municipal Code direction in preparing the financial report. She thanked the haulers for assembling their financial information this year. She distributed to council a document entitled, *City of Tigard Solid Waste and Recycling Rate Comparison.* A copy has been added to the packet for this meeting.

Consultant Bell said every year the haulers submit a detailed cost report showing line item costs, as well as a report on customer accounts and activities associated with collecting garbage in Tigard. He takes the two reports and consolidates them into a composite report. He said Tigard is one of the few jurisdictions in the Metro area that has not changed rates on a regular basis, owing to the efficiency of the two haulers and their operations. He discussed factors affecting the cost of collecting garbage including trucks moving from the use of diesel to compressed natural gas (CNG), wages, health insurance, and solid waste disposal costs, which Metro increased from $74 to over $90. Capital costs are front loaded into the rates. While costly now, the benefit of switching trucks and infrastructure to CNG will be future decreased fuel costs.

Consultant Bell said he runs a comparison with nearby jurisdictions so Council can see what neighboring cities are paying. He said Tigard residents receive a greater level of service than those in Hillsboro or Washington County, where recycling pickup is every other week. He said there is an 8 percent increase in commercial rates and drop boxes have a substantial increase of 28 percent. Consultant Bell said there is a substantial increase in drop box rates, which are based on the time the pickup drivers spend in traffic. Night-time drop box pickups for regular customers help lower this cost.

Attorney Beery said it is a straightforward process unless there is interest from the city or the haulers to alter the franchise agreements themselves. She said the TMC provides that Council adjusts rates by resolution. In addition, because the Budget Committee recommended a franchise fee increase last year, another resolution would approve amending the master fees and charges fee schedule. She said holding a public hearing is optional although allowing an opportunity for public comment on a new fee is required. Attorney Beery said it is Council's call whether or not to hold a hearing.

Mayor Cook asked if the costs for different sized drop boxes are the same. Consultant Bell said the disposal cost would be higher for the larger drop box but it would amount to the same time in traffic for pickup.

Councilor Buehner said she understands the cost of service modality, but asked about the possibility of making an adjustment for small users, especially senior citizens. Public Works Director Koellermeier replied that most often the solution is to move the household to a monthly or on-call system.

Council President Henderson asked for an explanation of the rate charges and why Tigard's commercial rates are higher than other jurisdictions. Consultant Bell said some jurisdictions subsidize smaller generators by adding a higher margin to their larger container users. He said when Tigard set the rates in 2002, each rate was calculated separately and the smaller container rates are more comparable to the other cities.

Council President Henderson asked if these rates are sustainable for a few years. Consultant Bell said they were because he projected future disposal costs, wages and equipment purchases. In response to a question from Council President Henderson on whether more garbage is being created, Consultant Bell said there is less waste generated and that is why the Metro tip fee

increases every year. There is more diversion into recycling. Businesses generate a lot more recycling and some receive pickup of recyclables five times a week. Consultant Bell said another consideration is the cyclical nature of the recyclable materials collector commodities. The ebb and flow in the materials markets is beyond the control of the haulers. Consultant Bell said recycling pickup is built into the garbage rates. Council President Henderson asked if recycling pays for itself. Consultant Bell said residential recycling pickup cost $800,000 last year but revenue generated from those materials was only $92,000.

Councilor Snider commented that the drop box services in the last year had a negative operating margin and said Councilor Wilson raised the question last year about whether we should still be regulating this. He said he was concerned about the rate increases and the fact that the percent in rate increases falls disproportionately on residential customers. He said if this is based on cost of service, Council should at least be discussing this, especially if other cities are doing this differently. He asked how water is charged to residential and commercial customers. Public Works Director Koellermeier responded that the unit cost is the same but it is charged differently depending upon the meter size. Councilor Snider also expressed interest in evaluating having less frequent recycling in exchange for a rate decrease.

Consultant Bell said an issue with reduction in collection frequency is that Metro's plan requires jurisdictions to collect weekly. Hillsboro, Washington County and Sherwood do this but had to go through Metro to get approval to implement what is called a "less than compliant program." Councilor Snider asked what the rate increase would be for going to every-other-week recycling pickup. Consultant Bell said he examined this a year ago for Beaverton and found it would probably result in a $1.20 savings per month.

Consultant Bell said if rates were set at true cost, the 60- and 90- gallon customers would see a rate decrease and there would be an 80-cent increase for the delivery of service to smaller container users.

Councilor Buehner asked for an estimate of the number of bi-weekly or even monthly pickup customers. Consultant Bell said he recalled that 320 customers in Tigard have on-call or monthly service, a small number.

Councilor Woodard asked about fixed and variable costs and asked what had changed. Consultant Bell said fixed costs include the facility, trucks and containers, and though containers depreciate over a seven-year lifespan, there is routine maintenance and replacement associated with them. He said most costs are variable and include disposal costs (40 percent), labor, fuel, administration and customer service. He noted that the value of commodities substantially decreased.

City Manager Wine said the policy question Councilor Snider raised about the operating margin policy in the ordinance speaks to the question of where Council wishes the burden of potential rate increases to fall. She said if a different approach is wanted council would be looking at changing the philosophy in the ordinance.

In response to a question from Councilor Snider about the rationale for regulating drop boxes, Public Works Director Koellermeier said the rationale is the same for the other two parts of the

franchises and that is, "How many haulers do we want driving around our community as compared to knowing we have two here and we can set rates?" He asked, "How do we manage complaints?" He said the bulk of drop box complaints are related to unregulated haulers. Attorney Beery suggested that input be sought from the haulers if this is under consideration because it has a significant impact on their businesses. Public Works Director Koellermeier said the bulk of complaints are related to unregulated drop box haulers. Someone finds a company out of the phone book and they have an out of state corporate management, yet the first number that is called when something is wrong is the city's. He said he was unsure what effect an unregulated market would have on costs.

Mayor Cook said it may be too late this year to have these discussions. City Attorney Beery said the city is currently on a cycle that is laid out in the TMC and said it would have to be done as soon as this year's adjustments are concluded. Mayor Cook said the downside is that the city would have two changes in two years. Councilor Snider said he didn't like that and wished council could have held this discussion a few months ago. He asked if there was a path to change the ordinance for equity distribution or the method before action is taken this year.

City Attorney Beery responded that staff would need time to prepare options for council, explain in more detail the current protocol, look at best practices, and hold a policy discussion in a workshop meeting. The change in policy would then need to be implemented for the next year. She said she did not see how it could be done this year, in fairness to the customers and the franchised haulers, who have already turned in their financial reports. City Manager Wine read the wording from the resolution. Public Works Director Koellermeier said the cost of service approach has been used by previous councils but it is not in the ordinance. He said if this council wants a model where one customer class subsidizes another it could be done without changing the ordinance, if the 10 percent aggregate is reached. He said council could change this but procedurally the timeline is extremely tight to get this done by July. The hauler needs time to advertise and communicate about rate adjustments with their customers.

Councilor Buehner asked if Hillsboro, Beaverton and Washington County are looking at increases. Consultant Bell said Beaverton is looking at a $2 and up increase and Hillsboro is considering a rate increase this year also. Councilor Buehner referred to the list of comparable rates which do not show potential increases. She asked for accurate specifics prior to the next discussion.

Councilor Snider asked for a copy of a proposal that mirrors Beaverton's cost of service model for discussion. He suggested that staff return with the current proposal and the Beaverton model for council to discuss and make a decision. Mayor Cook said an issue is the different rates and asked if he could see the increase flattened out across the board. Councilor Buehner said, "Then the bigger residential customers will be subsidizing the smaller residential customers."

Councilor Buehner raised a concern about commercial customers subsidizing residential customers because of an uproar among businesses a few years ago when it was suggested that commercial properties subsidize residential street maintenance fees. Councilor Snider said what he and Mayor Cook are talking about are inequitable percentage increases and what that tells him is that the cost of service has disproportionately changed. He asked about general customer counts. Consultant Bell said 85 percent of the customer base has the 32- and 20- gallon cans. He said he

can provide the costs of providing the service for yard debris and recycling. The former practice was to penalize the heavier waste generators and drive them to smaller cans and it was successful.

Public Works Director Koellermeier summarized that council wants to see more information and smoothing of some rates. Staff will generate that material in time for council review before the next discussion on April 23. He asked if council wanted to hold a public hearing and they did not feel it was necessary. Councilor Buehner asked Consultant Bell to estimate how many of the 32-gallon users would go to 20-gallon cans and how many 20-gallon users might go to on-call or monthly pickup, because this may be a result of increased rates.

7. DISCUSSION ON SOCIAL GAMING

Senior Management Analyst Wyatt introduced this item. He referred to an email received from Oregon's Attorney General about social gaming which said it is strictly defined as disallowed until the city allows it. He said Portland, Gresham, Fairview and Hillsboro allow social gaming. This issue is before Council because the city received a request from a restaurant owner to consider it. Reasons given were increased revenue and a potential increase in jobs for restaurants and bars. He said social gaming is defined as a game other than the lottery, and includes games like Black Jack or Texas Hold 'em. There is no house bank or odds and no house income such as cover charges or inflated food charges. A memo from Tigard's Police Commercial Crimes Unit is included in the packet for this meeting and it describes outreach to local businesses that are currently conducting social gaming activities or may be interested in doing so in the future.

Two draft ordinances were presented for discussion. One allows social gaming in Tigard, requiring a license or permit and placing conditions such as the percentage of space allowed for the activity and that participants must 21 years of age or older. The other ordinance would disallow social gaming in Tigard.

Tigard Police Chief Orr said Assistant Chief de Sully solicited reports through an email to the Oregon Chief of Police Association website from any jurisdiction with social gaming experience. None reported major impacts on crime rates, although that is not to say there are no regular calls for service to bars and taverns. He said the ORS specifies what owners must do to run a social game. He noted that the police are aware that there are establishments currently running social gaming in Tigard. There was a request from the Portland Poker Players Association to allow tournaments in Tigard. He said the Police Department does not expect problems if social gaming is allowed by ordinance.

Councilor Buehner said she conducted some informal research in Beaverton and several business owners said business was subsidizing the social gaming and questioned the long-term interest. She said the most telling thing was that the majority of those she surveyed said they do not have social gaming or had eliminated it because they lost money. She said, "It doesn't seem like a good idea in the long run."

Councilor Snider said he is an avid poker player and has played in social gaming establishments in Portland. He said reading the Attorney General's opinion created conflict in that he is unsure some Portland establishments are following their city code or even state law. He said there are many establishments in Portland where this is their main business and they all charge a cover, or a "door" fee, which according to the Attorney General's opinion is illegal.

Mayor Cook said his opinion is that it should be the business' choice on how they try to get customers. I don't think we oppose this. We have the Police Department opinion that it will not increase crime. He questioned whether the city should regulate business and keep them from trying something that might be successful and desired by the citizens.

Councilor Buehner said allowing 25 percent of floor space is too much and recommended ten percent, or 15 percent at the most. Councilor Snider said 25 percent should be the minimum and only allowing social gaming one day a week is too restrictive. Mayor Cook said smaller bars would have trouble fitting players into 15 percent of their space.

Councilor Snider noted that a representative from the Portland Poker Players Association was present and asked Mayor Cook if he could be allowed to provide input. Myron Robinson, President of the Portland Poker Players Association said the door fees go towards monitors, software, computers, tables and playing cards, restaurant equipment and tournament director's salaries. Councilor Snider asked if the ordinance allowing social gaming in Tigard meets his requirements. Mr. Robinson said he was representing Mr. Louie, a restaurant owner in Tigard who would like to use his banquet room, which is not generating enough money, for social gaming. He has parking, highway access and a restaurant on the other side of the building. Councilor Snider said there was no one else present to testify and he would like to know before he considers the ordinance whether or not it meets the needs of the business owners.

Police Chief Orr said the city can establish fines and they want to encourage people to do this legally with a business license. The proposed annual fee is $100. Assistant Chief de Sully said police response would be on a complaint basis. A business would be given a timeframe in which to achieve compliance and the police would perform spot checks to ensure compliance. Council President Henderson asked how costly that would be and Assistant Captain de Sully said he didn't expect increased costs. He said the Commercial Crimes Unit has already developed relationships with these businesses. Other cities report no special costs when social gaming is allowed. He said, "We are waiting to hear Council's decision. If we do nothing we are left with a vague state law but if you disallow it we have some teeth. If it is allowed, we will also have some guidelines and limitations spelled out." Senior Management Analyst Wyatt said an ordinance can always be reviewed and changed in the future if the situation changes.

Mayor Cook said he was inclined to think that allowing social gaming one night a week was not enough. He said he would like to hear from businesses on this aspect.

Councilor Buehner said, "I will be a no vote and will not participate further in the discussion."

Councilor Snider said he wanted to study the issue in more detail and then provide his input. He asked Councilor Buehner if there are things that would make her more comfortable with this.

Councilor Buehner replied that she is very concerned about the amount of gambling in Oregon and while social gaming is technically not defined as gambling, it can contribute to people participating in that behavior at casinos. She said she works with groups that deal with gambling addictions and felt this is the wrong way to go.

Councilor Woodard said to this is a lot like bingo which he played a lot of when he was younger. He said it helped his church and was a great way to socialize. He said he would vote in favor but wanted regulation. He said adults can make their own decision whether to participate or not. He said he did not want to stifle businesses.

Mayor Cook said the ordinances look good and he did not foresee a lot of changes to them.

Council President Henderson said, "We are a society of laws not necessarily morals. I would say go ahead."

City Manager Wine said staff will bring a draft ordinance to council that allows social gaming with regulations.

8. RECEIVE TIGARD TRIANGLE PLAN UPDATE

Associate Planner Caines introduced this item. She said the city received a Transportation Growth Management (TGM) grant of $180,000 from ODOT in October of 2012. The statement of work has been finalized for the Strategic Redevelopment Plan in the Tigard Triangle which builds upon the concept plan developed through the High Capacity Transit Land Use Plan. The next step is to hire a consultant to analyze existing conditions, needs, opportunities and constraints and then develop land use and transportation redevelopment options. The High Capacity Land Use Plan will be refined to create an implementation strategy. She said things are starting to happen with the grant this year, with an expected completion date of August 2014.

Associate Planner Caines said staff initially kept the focus open, looking at a Town Center on Main Street but will begin to hone in on areas where high capacity transit and station communities make more sense. She said staff avoided drawing a hard line at first so opportunities wouldn't be missed.

Councilor Buehner said a large number of people living in unincorporated areas across 99W from the Triangle are seniors with mobility issues. She asked if improvements would be made for car drivers because this population needs to drive through the Fred Meyer property and also on Pfaffle Street. She said the streets are not improved to Washington County standards, let alone city standards. She suggested a policy decision needs to be made on what to do with these unincorporated neighborhoods surrounded on three sides by Tigard. Associate Planner Caines said the actual Tigard Triangle land use plans generally stop at Highway 99W in order to keep the scope manageable. She said 99W, Highway 217 and I-5 are seen as barriers to connectivity and the city wants to provide better physical access to the station community living across 99W from the Triangle. A major focus will be improving bicycle and pedestrian access crossing Highway 99W. Associate Planner Caines said there are residents living to the north who would be major

users of HCT. She said Fred Meyer's manager has been very involved in the SW Corridor and HCT planning efforts. She said, "We want to break down the barrier."

Associate Planner Caines said ODOT issued RFP's for a consultant. The city should be seeing interest this week and will know how many teams are interested. The deadline for RFP's is April 4 and a consultant should be selected by April 18. She said kick-off meetings for the Citizen Advisory and Technical Advisory Committees will start in July. In August they will examine topography, infrastructure, existing development and potential redevelopment sites for the existing conditions report.

Mayor Cook asked about building height restrictions due to ODOT rules and expressed concern about accommodating density within the height limits. Associate Planner Caines said staff will be looking into that. Councilor Buehner requested that Associate Planner Caines report in her next Council update how changes in the Transportation Planning Rule affect the Triangle. Ms. Caines said she will include Senior Transportation Planner Gray in that discussion.

9. COUNCIL LIAISON REPORTS

Councilor Buehner reported that the Lake Oswego Tigard Water Project is moving along well. She noted that the West Linn City Council overturned their Planning Commission's recommendation and approved the application for the new plant and pipeline structure. On March 12, 2013, the neighborhood association filed a Land Use Board of Appeals (LUBA) notice. She said there is an expedited process with LUBA, depending on the length of time it takes for West Linn to assemble the record. She said the Oversight Committee met on some primary issues and is getting new members up to speed on the process. On March 5, 2013, Lake Oswego's council approved letting the contracts so that water intake work can begin.

Councilor Buehner said she would give an MPAC report at a future council meeting and will copy council on some diesel/air quality information. She would also like to discuss an earthquake presentation at the next meeting that is televised.

Councilor Woodard noted that the first River Terrace Steering Committee Meeting will be tomorrow (March 20) at 6:30 p.m. at Deer Creek Elementary.

Mayor Cook attended the WCCC and JPACT meetings. He said MSTIP grant funding was discussed at the WCCC meeting. Tigard had three projects and after ODOT came out with their final list there are two. The projects remaining are the Fanno Creek Trail from Woodard Park to Grant Street and improved TriMet safety and access points on 99W. He said he and Council President Henderson met today with 20 downtown Tigard business owners. He said it was very positive and productive and dialog will continue. He said they are organizing and want to work together to get something done in the downtown. Councilor President Henderson agreed that it was a positive meeting and it appeared to him that they desire to partner with the city.

Councilor Buehner urged support of the 50 percent Gain Share fee which gets returned to Washington County. Mayor Cook said this affects Tigard residents because getting this money back to the county and TVF&R may reduce rates Tigard residents pay.

10. NON AGENDA ITEMS

Mayor Cook said he would to schedule a community town hall meeting on April 30. When he ran for mayor he talked about the desire to hold two to three town halls a year. His Fireside Chats on selected Thursdays from 3-5 p.m. draw around ten people each time. The town halls would include more citizens and Council would be in attendance. He asked what format Council would prefer (workshop setting or five tables with a council member at each table). He said he would like to receive citizen input on the SW Corridor and hold discussion on the transit "bundles." He said while communicating about the SW Corridor is the main topic he would not stifle any talk about water or River Terrace.

Councilor Buehner expressed concerns about meeting without an agenda. She said the Fifth Tuesday meetings had no agendas; citizens could bring up anything they wanted to talk about. She said the same six-eight people would come and rehash the same issues and she did not want to provide a platform for a vocal minority. She suggested that if a River Terrace Town Hall is held that it be located in that neighborhood.

Council President Henderson said he did not have any objections to Fifth Tuesdays and he enjoyed the communication between council and citizens. He said he would also like to take another look at holding the Fanno Creek Conference.

Mayor Cook suggested having an open mic and taking turns speaking so everyone can hear. Councilor Snider suggested that questions be taken and council agree on letting the staff or council member with the most knowledge on the topic answer the question. He suggested structuring the meeting so that council, rather than dominating or providing too much technical information, can staff the meeting from the "back bench."

Mayor Cook said the Town Hall location is to be determined. Councilor Buehner advised not putting it in an environment that would discourage anyone from attending, such as a religious private school. Councilor Snider suggested any public elementary school, the Broadway Rose Theater, or the Library Community Room.

- At 9:03 p.m. Mayor Cook announced that the Tigard City Council was in entering into an Executive Session to discuss real property transaction negotiations under ORS 192.660(2)(e). The Executive Session ended at 9:34 p.m.

11. ADJOURNMENT At 9:35 p.m. Councilor Buehner moved for adjournment. Councilor Snider seconded the motion and all voted in favor.

	Yes	No
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	

Carol A. Krager, Deputy City Recorder

Attest:

John L. Cook, Mayor

May 14, 2013
Date