CITY OF PALO ALTO OFFICE OF THE CITY ATTORNEY

April 29, 2015

The Honorable City Council
Palo Alto, California

Recommendation that City Council Adopt an Ordinance Deleting Section 18.42.110 of Chapter 18.42 of Title 18 of the Palo Alto Municipal Code and Adding a New Section 18.42.110 Pertaining to the Siting and Permitting of Wireless Communications Facilities; Exempt from California Environmental Quality Act under CEQA Guidelines Section 15061(b) and 15301, 15302 and 15305

RECOMMENDATION

Staff recommends that the Planning and Transportation Commission recommend that the City Council adopt the Ordinance Deleting Section 18.42.110 of Chapter 18.42 of Title 18 of the Palo Alto Municipal Code and Adopting a New Section 18.42.110 Pertaining to the Siting and Permitting of Wireless Communications Facilities (Attachment A).

BACKGROUND

The tremendous growth in personal wireless services has created an increased demand for new wireless antennas and equipment. It is expected that carriers will continue to roll out new facilities in Palo Alto to accommodate the rapidly growing need for increased capacity and speed. Wireless telecommunications facilities (WCF) are regulated by federal, state and local laws. Federal law significantly limits the City's ability to regulate WCFs. Under federal law, a local agency's decisions cannot have the effect of prohibiting the provision of wireless service or unreasonably discriminating among wireless service providers. Also, under federal law, the City may not regulate the placement, construction or modification of wireless communications facilities on the basis of the environmental effects of radio frequency (RF) emissions, so long as the facilities comply with the Federal Communications Commission (FCC) regulations concerning such emissions.

Despite federal limitations, cities historically have retained ability to regulate aesthetic issues related to telecommunications facilities, including factors such as height and property line setbacks. However, federal law developments continue to erode that ability.

The Spectrum Act

The latest federal law governing WCFs was adopted in 2012 as part of the 2012 Middle Class Tax Act. This federal legislation contained Section 6409, now referred to as the Spectrum Act, and codified at 47 U.S.C. § 1455. The Spectrum Act was intended to facilitate the telecommunication industry's rapid deployment of wireless infrastructure by requiring local

government to approve any application that seeks to modify an existing wireless telecommunication facility that does not substantially alter the existing facility.

As the Spectrum Act did not contain specific definitions, the implementation of this Section has been open to interpretation by each local government. Furthermore, while the Act states that a local government cannot deny and shall approve an eligible facility request, it provides no guidance as to the required process or time limits in which a local government has to act. As a result, the FCC recently promulgated rules which include necessary definitions, processing requirements, timelines and remedies for applications that seek to modify an existing wireless telecommunication facility in accordance with the Spectrum Act.

The FCC's procedural rules went into effect on April 9, 2015. A group of cities have filed litigation challenging the Order, though it appears the Order will remains in effect during the litigation.

DISCUSSION

Section 6409 of the Spectrum Act provides that the City "may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."

(47 U.S.C. § 1455(a)(1).) Section 6409 itself defines "eligible facilities request" as "any request for modification of an existing wireless tower or base station that involves –

(a) collocation of new transmission equipment;
(b) removal of transmission equipment; or
(c) replacement of transmission equipment."

(47 U.S.C. § 1455 (a)(2).) The statute does not define any of the other terms, most importantly "substantially change" nor does it explain the process the City may use to evaluate whether an application qualifies for federal protection under this section.

On December 17, 2014, the FCC adopted regulations implementing Section 6409, codified at 47 C.F.R. § 1.40001, which took effect on April 9, 2015. In summary, the rules define terms that are not defined in the Spectrum Act, including "eligible support structure", "existing", "substantial change" and "wireless tower". It is the intent of these definitions to provide clarity as to which types of projects are covered by the Spectrum Act. The rules state that an applicant has the right to assert in writing that a project is covered by the Spectrum Act.

If the project falls within the definition of an eligible facilities request, the City must act on it within 60 days from the date an application is submitted, unless the City determines the request is not covered by the Spectrum Act. The 60 day time frame may be tolled by the City for incomplete applications, within 30 days of submittal. The timeframe begins again when the

applicant re-submits material and the City then has 10 days to respond. Failure of the City to act within the allowed timeframe results in the automatic approval of such applications.

To implement the Spectrum Act and the FCC rules, the City has prepared an updated ordinance. The ordinance establishes a straightforward permitting process for wireless telecommunication facility modification requests covered under the Spectrum Act. The new ordinance also codifies other processing time rules (commonly known as the "Shot Clock") that have been adopted since the City adopted its original ordinance and makes other changes to modernize and update.

Summary of Proposed Ordinance

The City's ordinance divides wireless permits into three categories: Tiers 1, 2 and 3. To meet the strict timelines established by the new rules, the ordinance would create a new Tier 1 WCF permit. This permit would only apply to collocations that meet the definition of "eligible facilities" under the Spectrum Act and would provide a streamlined review by the Director. The Director's purview would be limited to ensuring that the project meets the definition of an existing "eligible facility" and that it does not defeat existing camouflage mitigations. Under federal law, the City has limited discretion to deny these types of requests.

The Tier 2 WCF permit would apply to collocations that do not fit within the Spectrum Act. These types of WCF projects would typically involve towers on private property where the height of the tower is proposed to increase by more than ten percent, towers in the public right of way proposed to be increased by ten feet or more or projects that will be adding more than four cabinets. The City's current Code expresses a preference for collocations. The new Code continues this by creating a Tier 2 permit applicable only to collocations. Such projects would still require architectural review and are appealable like other architectural review permits.

The Tier 3 WCF permit would apply to all new WCF applications. The ordinance grants the City the most discretion over applications for new facilities by requiring both architectural review and conditional use permit findings. While the old ordinance only required CUPs for certain new facilities, the new ordinance recommends this more robust review for all new facilities. The reason for this is that once a facility is permitted it gains "eligible facility" status and will be permitted to increase by right under the Spectrum Act. Also having a consistent process for all new facilities is easier to administer. Tier 3 permits may be appealed pursuant to the process used for architectural review and conditional use permits.

The proposed ordinance also codifies the processing time for the three different permit types, establishes application requirements, incorporates development standards, imposes key conditions of approval and mandates removal of abandoned equipment.

Table 1 below summarizes the key process changes proposed by the Ordinance.

Table 1: Wireless Facility Permit Process (Proposed)

Type of Wireless Facility	Timeline for City Decision (Prescribed by Federal Law)	Deemed Granted Remedy (Prescribed by Federal Law)	Type of Permit Required / Findings
Collocations or modifications/replacements of wireless transmission equipment at an existing wireless tower or base station that do not "substantially change the physical dimensions of the existing wireless tower or base station." (Section 6409(a) Facilities)	• 60 days after application is submitted • Can extend by mutual agreement	Yes; applicant must provide notice (subject to review in court of competent jurisdiction)	• Tier 1 WCF Permit – Director review; non-appealable • Findings: 1. The applicant proposes an Eligible Facilities Request; and 2. The proposed collocation or modification does not defeat any existing concealment elements of the support structure.
Other collocations that "substantially change the physical dimensions of the existing wireless tower or base station."	• 90 days after application submitted	No	• Tier 2 WCF Permit – Director review; appealable per PAMC 18.77.070 • Findings = Architectural review findings in Section 18.76.020(d)
<u>New</u> pole/building facade/roof mounted WCF's	• 150 days after application submitted	No	• Tier 3 WCF Permit – Director review; appealable pursuant to PAMC 18.77.070 and 18.77.060 • Required findings: 1. Architectural review findings in Section 18.76.020(d) and 2. Conditional use permit findings in Section 18.76.010(c)

ENVIRONMENTAL REVIEW

This ordinance is exempt for the provisions of the California Environmental Quality Act pursuant to CEQA Guideline Section 15061, 15301, 15302 and 15305 because in that it simply establishes a comprehensive permitting scheme.

ATTACHMENTS:

- Attachment A: Wireless Communications Facility Ordinance (PDF)

Department Head: Molly Stump, City Attorney

NOT YET APPROVED

Ordinance No. ___
Ordinance of the Council of the City of Palo Alto
Deleting Section 18.42.110 of Chapter 18.42 of Title 18 of the Palo Alto Municipal Code and Adding a New Section 18.42.110 Pertaining to the Siting and Permitting of Wireless Communications Facilities

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 18.42.110 of Chapter 18.42 of Title 18 of the Palo Alto Municipal Code is hereby deleted and a new Section 18.42.110 added to read, as follows:

18.42.110 Wireless Communication Facilities

(a) Purpose and Interpretation

The purpose of this section is two-fold: (A) to implement within the jurisdictional boundaries of the City the applicable zoning, land use and other laws, rules, regulations and policies and procedures applicable to siting applications filed with the City by wireless communications facilities infrastructure owners and operators and Wireless Communications Service providers, which seek to install or attach their facilities at locations in Palo Alto; and (B) to accommodate new wireless technologies and continued improvements to existing wireless communications facilities while minimizing their adverse visual and structural health and safety impacts. Consistent with that purpose, the provisions of this Section are to be construed in a manner that is consistent with (1) the interest of consumers in receiving the benefits of the deployment of ultra-high-speed and -capacity broadband wireless communication facilities technology and innovations and the delivery of ultra-high-speed and -capacity broadband wireless communications facilities services, (2) the interest in safeguarding the environment, preserving historic properties, and addressing aesthetics and other local values, and (3) the interest in promoting the public health, safety and welfare in Palo Alto.

A Wireless Communications Facility is permitted to be sited in Palo Alto subject to applicable requirements imposed by this Chapter, which may include an architectural review process, a conditional use permit application process, or both. These processes are intended to permit Wireless Communications Facilities that blend with their existing surroundings and do not negatively impact the environment, historic properties, or public safety. The procedures prescribed by this Chapter are tailored to the type of Wireless Communication Facility that is sought. Building-mounted wireless communications facilities and Collocation of facilities are preferred and encouraged, subject to all other provisions of this Section.

(b) Definitions

The following abbreviations, phrases, terms and words shall have the meanings assigned in this Section or, as appropriate, in Section 18.04.030 and Section 1.04.050 of the Palo Alto Municipal Code, as may be amended from time to time, unless the context indicates otherwise. Words that are not defined in this Section or other Chapters or Sections of the Palo Alto Municipal Code shall have the meanings as set forth in Chapter 6 of Title 47 of the United States Code, Part 1 of Title 47 of the Code of Federal Regulations, and, if not defined therein, their common and ordinary meaning.

(1) "Antenna" means a wireless Antenna and its associated equipment. The term includes a macrocell Antenna and a microcell Antenna.

(2) "Base Station" means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base Station includes, without limitation:

(i) Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks).

(iii) Any structure other than a tower that, at the time the relevant application is filed with the City under this section, supports or houses equipment described in paragraphs (i)-(ii) above that has been reviewed and approved by the City.

(3) "Collocation" means the mounting or installation of Transmission Equipment on an Eligible Support Structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

(4) "Eligible Facilities Request" means any request for modification of an existing Tower or Base Station that, within the meaning of the Spectrum Act, does not substantially change the physical dimensions of that Tower or Base Station, and involves (a) the Collocation of new Transmission Equipment, (b) the removal of Transmission Equipment, or (c) the replacement of Transmission Equipment.

(5) "Eligible Support Structure" means any Tower or Base Station that exists at the time the application is filed with the City.

(6) "FCC" means the Federal Communications Commission or successor agency.

(7) "Project" means a WCF to be located in Palo Alto for which a permit is required by the City.

(8) "RF" means radio frequency on the radio spectrum.

(9) "Spectrum Act" means Section 6409(a) of the Middle Class Tax Relief Act and Job Creation Act, 47 U.S.C. § 1455(a) (providing, in part, "… a State or local government may not deny, and shall approve, any Eligible Facilities Request for a modification of any existing wireless Tower or Base Station that does not substantially change the physical dimensions of such Tower or Base Station.").

(10) "Substantially Changes" means, in the context of an Eligible Support Structure, a modification of an existing Tower or Base Station where any of the following criteria is met:

(i) For a Tower not located in the public rights-of-way:
  (a) The height of the Tower is increased by (I) more than ten (10) percent, or (II) by the height of one additional Antenna array with separation from the nearest existing Antenna not to exceed twenty (20) feet, whichever is greater; or
  (b) There is added an appurtenance to the body of the Tower that would protrude from the edge of the Tower by (I) more than twenty (20) feet, or (II) more than the width of the Tower at the level of the appurtenance, whichever is greater.

(ii) For a Tower located in the public rights-of-way and for all Base Stations:
  (a) The height of the Tower or Base Station is increased by more than ten (10) percent or ten (10) feet, whichever is greater; or
  (b) There is added an appurtenance to the body of that structure that would protrude from the edge of that structure by more than six (6) feet; or
  (c) It involves the installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other ground cabinets associated with the structure; or
  (d) It involves the installation of any new equipment cabinets on the ground if there is no pre-existing ground cabinet associated with that structure.

(iii) For any Eligible Support Structure:
  (a) It involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or
  (b) There is entailed in the proposed modification any excavation or deployment outside of the current site of the Tower or Base Station; or
  (c) The proposed modification would cause the concealment/camouflage elements of the Tower or Base Station to be defeated; or

(d) The proposed modification would not comply with the conditions associated with the prior siting approval of construction or modification of the Tower or Base Station, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the corresponding thresholds in this section.

(iv) To measure changes in height for the purposes of this section, the baseline is:

(a) For deployments that are or will be separated horizontally, measured from the original Support Structure;

(b) For all others, measured from the dimensions of the Tower or Base Station, inclusive of originally approved appurtenances and any modifications that were approved by the City prior to February 22, 2012.

(v) To measure changes for the purposes of this section, the baseline is the dimensions that were approved by the City prior to February 22, 2012.

(11) "Tower" means any structure built for the sole or primary purpose of supporting any FCC-licensed or -authorized Antenna, including any structure that is constructed for Wireless Communications Service. This term does not include a Base Station.

(12) "Transmission Equipment" means equipment that facilitates transmission of any FCC-licensed or authorized Wireless Communication Service.

(13) "Wireless Communications Facility" or "WCF" means any Antenna, associated equipment, Base Station, small cell system, Tower, and/or Transmission Equipment located in Palo Alto.

(14) "Wireless Communications Service" means, without limitation, all FCC-licensed back-haul and other fixed wireless services, broadcast, private, and public safety communication services, and unlicensed wireless services.

(c) Types of WCF Permits Required

(1) A Tier 1 WCF Permit shall be required for an Eligible Facilities Request, as defined in this Section.

(2) A Tier 2 WCF Permit shall be required for:

(i) Any modification of an Eligible Support Structure, including the Collocation of new equipment, that Substantially Changes the physical dimensions of the Eligible Support Structure on which it is mounted or

(ii) Any Collocation not eligible for a Tier 1 WCF Permit

(3) A Tier 3 WCF Permit shall be required for the siting of any new WCF that is not a Collocation subject to a Tier 1 or 2 WCF Permit.

(d) WCF Application Requirements

All applications for a WCF Permit shall include the following items:

(1) Any applicant for a WCF Permit shall participate in an intake meeting with the Planning and Community Environment Department to file an application;

(2) The applicant must identify whether the applicant believes the application is for an Eligible Facilities Request subject to the Spectrum Act, and if so, provide a detailed explanation as to why the applicant believes that the application qualifies as an Eligible Facilities Request;

(3) The applicant shall complete the City's standard application form, as may be amended from time to time;

(4) The applicant shall include a completed and signed application checklist available from the City, including all information required by the application checklist;

(5) Payment of the fee prescribed by the Municipal Fee Schedule;

(6) For Tier 1 and 2 WCF Permits, the application must be accompanied by all permit applications with all required application materials for each separate permit required by the City for the proposed collocation or modification to an existing Wireless Communications Facility, including a building permit, an encroachment permit (if applicable) and an electrical permit (if applicable);

(7) For Tier 2 and 3 WCF Permits, the applicant must host a community meeting to provide outreach to the neighborhood around the Project site. The applicant shall give notice of the community meeting to all residents and property owners within 600 feet of the Project site at least 14 days in advance of the community meeting. The applicant shall provide a proof of notice affidavit to the City.

(i) The application must include a completed and signed application checklist available from the City, including all information required by the application checklist;

(ii) Provide proof that the applicant noticed and hosted the Community Meeting before filing the application;

(iii) Summary of comments received at the community meeting and what, if any, changes were made to the application;

(8) For new WCF Projects, the plans shall include a scaled depiction of the maximum permitted increase as authorized by the Spectrum Act, using the proposed Project as a baseline; and

(9) Satisfy other such requirements as may be, from time to time, required by the Planning and Community Environment Department Director ("Director"), as publically stated in the application checklist.

(e) Permit Review ("Shot Clock") Time Periods

(1) City Review of Application Materials. The timeframe for review of an application shall begin to run when the application is submitted, but shall be tolled if the City finds the application incomplete and requests that the applicant submit additional information to complete the application. Such requests shall be made within 30 days of submission of the application. After submission of additional information, the City will notify the applicant within 10 days of this submission if the additional information failed to complete the application.

(2) Tier 1 Processing Time. For Tier 1 Collocations, the City will act on the WCF application together with any other City permits required for a proposed WCF modification, within 60 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.

(i) If the City determines that the application does not qualify as a Tier 1 Eligible Facilities Request, the City will notify the applicant of that determination in writing and will process the application as a Tier 2 WCF permit application.

(ii) To the extent federal law provides a "deemed granted" remedy for Tier 1 WCF applications not timely acted upon by the City, no such application shall be deemed granted until the Applicant provides notice to the City, in writing, that the application has been deemed granted after the time period provided in Section (e)(2) above has expired

(iii) Any deemed granted Tier 1 WCF application shall be subject to all requirements of Section 18.42.110(j).

(3) Tier 2 Processing Time. For Tier 2 WCF Permits, the City will act on the application within 90 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.

(4) Tier 3 Processing Time. For Tier 3 WCF Permits, the City will act on the application within 150 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.

(5) Denial of Application. If the City denies a WCF application, the City will notify the applicant of the denial in writing of the reasons for the denial.

(f) Tier 1 WCF Permit Process and Findings

(1) A Tier 1 WCF Permit shall be reviewed by the Director. The Director's decision shall not be appealable.

(2) The Director shall grant a Tier 1 WCF Permit provided the following findings can be made:

(i) The applicant proposes an Eligible Facilities Request; and

(ii) The proposed Collocation or modification does not defeat any existing concealment elements of the Support Structure.

(g) Tier 2 WCF Permit Process and Findings

(1) A Tier 2 WCF Permit shall be reviewed by the Director. The Director's decision shall be appealable pursuant to the process for architectural review set forth in Section 18.77.070.

(2) The Director, or Council on appeal, shall grant a Tier 2 WCF Permit provided all of the architectural review findings in Section 18.76.020(d) can be made.

(h) Tier 3 WCF Permit Process and Findings

(1) A Tier 3 WCF Permit shall be reviewed by the Director. The Director's decision shall be appealable pursuant to the process for architectural review set forth in Section 18.77.070 and the process for conditional use permits set forth in Section 18.77.060.

(2) The Director or Council on appeal shall grant a Tier 3 WCF Permit provided all of the architectural review findings in Section 18.76.020(d) and the conditional use permit findings in Section 18.76.010 (c) can be made.

(i) Development Standards

A proposed WCF Project shall comply with the following standards:

(1) Shall utilize the smallest footprint possible;

(2) Shall be designed to minimize the overall height, mass, and size of the cabinet and enclosure structure;

(3) Shall be screened from public view;

(4) Shall be architecturally compatible with the existing site;

(5) Shall be placed at a location that would not require the removal of any required landscaping or would reduce the quantity of landscaping to a level of noncompliance with the Zoning Code;

(6) An Antenna, Base Station, or Tower shall be designed to minimize its visibility from off-site locations and shall be of a "camouflaged" or "stealth" design, including concealment, screening, and other techniques to hide or blend the Antenna, Base Station, or Tower into the surrounding area;

(7) A building-mounted Antenna, Base Station, or Tower shall be architecturally compatible with the existing building on or to which the Antenna, Base Station, or Tower is attached;

(8) For any Tier 2 or Tier 3 WCF proposed to be attached to or on historic structure/site, as designated by Chapter 16.49, historic preservation review shall also be required;

(9) A building-mounted WCF may extend fifteen (15) feet beyond the permitted height of the building in the zone district, except: A Tower or other stand-alone Tier 3 WCF shall not exceed sixty-five (65) feet in height; and

(10) A Tower or other stand-alone Tier 3 WCF may encroach into the interior/street side and rear setback.

(j) Conditions of Approval

In addition to any other conditions of approval permitted under federal and state law and this Code that the Director deems appropriate or required under this Code, all WCF Projects approved under this Chapter, whether approved by the Director or deemed granted by operation of law, shall include the following conditions of approval:

(1) Permit conditions. The grant or approval of a WCF Tier 1 permit shall be subject to the conditions of approval of the underlying permit, except as may be preempted by the Spectrum Act.

(2) As-built plans. The applicant shall submit to the Director an as-built set of plans and photographs depicting the entire WCF as modified, including all Transmission Equipment and all utilizes, within ninety (90) days after the completion of construction.

(3) Indemnification. To the extent permitted by law, the applicant shall indemnify and hold harmless the City, its City Council, its officers,

employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion and at Applicant's expense, elect to defend any such action with attorneys of its own choice.

(4) Compliance with applicable laws. The applicant shall comply with all applicable provisions of the Code, any permit issued under this Code, and all other applicable federal, state and local laws. Any failure by the City to enforce compliance with any applicable laws shall not relieve any applicant of its obligations under this code, any permit issued under this code, or all other applicable laws and regulations.

(5) Compliance with approved plans. The proposed Project shall be built in compliance with the approved plans on file with the Planning Division.

(k) Removal of Abandoned Equipment

A WCF (Tier 1, Tier 2, or Tier 3) or a component of that WCF that ceases to be in use for more than ninety (90) days shall be removed by the applicant, Wireless Communications Service provider, or property owner within ninety (90) days of the cessation of use of that WCF. A new conditional use permit shall not be issued to an owner or operator of a WCF or a Wireless Communications Service provider until the abandoned WCF or its component is removed.

SECTION 2. Any provision of the Palo Alto Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Council finds that the adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to CEQA

Guideline sections 15061(b) and 15301, 15302 and 15305 because it simply provides a comprehensive permitting scheme.

SECTION 5. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

_____
City Clerk

_____
Mayor

APPROVED AS TO FORM:

APPROVED:

_____
Senior Asst. City Attorney

_____
City Manager

_____
Director of Planning &
Community Environment