

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, January 7, 2008

A Regular Session of the Piedmont City Council was held January 7, 2008, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on January 3, 2008.

CALL TO ORDER

Following a 7:00 p.m. Closed Session regarding real estate negotiations pertaining to 777 Magnolia Avenue and employee contract negotiations with the Piedmont Police Officers Association, International Association of Firefighters, Local 1021 and the Confidential Unit employees, Mayor McEnroe called the meeting to order at 7:35 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Nancy McEnroe, Vice Mayor Abe Friedman and Councilmembers Dean Barbieri, John Chiang and Garrett Keating

Staff: City Administrator Geoff Grote, City Attorney George Peyton, Deputy City Attorney Judith Robbins, Police Chief Lisa Ravazza, Fire Chief John Speakman, Public Works Director Larry Rosenberg, Recreation Director Mark Delventhal, City Clerk Ann Swift, City Planner Kate Black, Assistant Planner Kevin Jackson and Recording Secretary Chris Harbert

CEREMONIAL MATTERS

The Fire Chief introduced the department's newest firefighters Jordan Shay and Dino Dedes and the City Planner introduced the planning departments' two new planning technicians Gabe Baracker and Cyrus Dorosti.

CONSENT CALENDAR

The following items were approved under one vote by the Council:

Minutes

Approves as submitted Council meeting minutes of December 17, 2007.

Appointments

Appoints Denny McLeod to a two-year term on the Alameda County Mosquito Abatement Board and appoints Tamra Hege and Susan Kawaichi to three-year terms as the City's Parking Hearing Officers.

Resolution 1-08

RESOLVED, that the City Council approves the consent calendar as noted.

Moved by Barbieri, Seconded by Chiang

Ayes: McEnroe, Friedman, Barbieri, Chiang, Keating

Noes: None

Absent: None

(0088)

PUBLIC FORUM

Lois Corrin invited residents to attend the City's 11th annual celebration of Dr. Martin Luther King, Jr.'s birthday on January 21. The Vice Mayor commended and thanked Ms. Corrin for organizing this great community event for the last 11 years.

William Schnitzer advised the Council that he will actively oppose public funding of the proposed Civic Center Master Plan improvements, stressing that this estimated \$13.9 Million project when combined with the School District's \$56 Million Bond Measure overstretches the community's financial resources. As a Piedmont Swim Club member he also disagreed with the need for a new pool facility.

REGULAR CALENDAR

The Council considered the following items of regular business:

**Public Hearing:
Garbage Franchise
Agreement**

Per Council action of December 17, the City Planner submitted for Council approval the new Collection Service Agreement with Richmond Sanitary Service, Inc. (aka Republic Services) to provide trash, recycling and green waste services, commencing on July 1, 2008 and terminating on June 30, 2018.

Public testimony was received from:

George Childs reiterated his prior concerns regarding the substantial increase in solid waste collection rates, noting that his rate will increase by 65% under the new contract. He also felt that the franchise fee included in the new contract should be considered a "tax" and as such should be subject to a two-third vote of approval by Piedmont residents.

The Council posed a series of questions concerning replacement cart costs, franchise fees, organic waste processing and trash/recycling collection from community events. The City Planner and a representative from Richmond Sanitary Services responded to the Council's questions.

Resolution 2-08

RESOLVED, that the City Council approves *The Collection Service Agreement* with Richmond Sanitary Service, Incorporated, a wholly-owned subsidiary of Republic Services, Inc., as submitted tonight and on file in the City Clerk's Office.

Moved by Friedman, Seconded by Chiang

Ayes: McEnroe, Friedman, Barbieri, Chiang, Keating

Noes: None

Absent: None

(0700)

**Public Hearing:
Lease Extension for
City Property at
777 Magnolia Avenue**

Per Council direction of December 17, the City Administrator submitted for Council review and approval a proposed 3-year extension of the City's lease with the Piedmont Swim Club for the pool facilities on City property at 777 Magnolia Avenue.

As a member of the Piedmont Swim Club, Councilmember Keating recused himself from discussion and action on this matter due to his potential conflict of interest and left the chambers. Prior to leaving the chambers, Councilmember Keating announced to the Council that he was delivering at that time a signed Disclosure of Interest to the City Attorney for the City's records.

The proposed revised Amendment to Lease has been reviewed and approved by the Piedmont Swim Club and the City Attorney. The basic provisions of the amendment include:

- A term of 3-years, until June 30, 2011;
- Elimination of approximately \$38,000 in rent per year;
- Full-time School District and City employees shall be allowed access under the public use provisions of the lease and allowed to purchase memberships;
- The right for the Swim Club to charge a fee to the Piedmont Swim Team for facility use;
- Elimination of the re-purchase provision;
- Slightly revised definition of “improved facility” and a new provision allowing Swim Club members a “pass” to any new swim facility if the lease is terminated prior to three years – the pass period will be equal to the unexpired time on the City’s lease.

Public testimony was received from:

George Childs and William Schnitzer supported the proposed lease extension, noting their support for an even longer than 3 year term and their opposition to any public financing of a new aquatics complex.

Megan Hernandez and Nathan Moon also supported approval of the proposed lease extension amendment.

Resolution 3-08

RESOLVED, that the City Council approves the proposed amendment to the City’s current lease with the Piedmont Swim Club for City property at 777 Magnolia Avenue, extending the lease for a period of three years.

Moved by Barbieri, Seconded by Chiang

Ayes: McEnroe, Friedman, Barbieri, Chiang

Noes: None

Recused: Keating

(0270/X0092)

**Public Hearing:
Appeal of Planning
Commission Decision,
139 Lexford Road**

The City Planner stated that Messrs. Robert Scherman and Christopher Van Gundy have appealed the Planning Commission’s December 10, 2007, conditional approval of Mr. Patrick Ellwood’s design review application for new home construction at 139 Lexford Road.

The City Attorney recused himself from participation in this issue for personal conflict of interest reasons, stating that the Deputy City Attorney will advise the Council in this matter.

The Mayor acknowledged receipt of a letter from the appellants requesting that this hearing be continued to the next meeting. However, Tiffany Wright, attorney representing Mr. Scherman, stated that the appellants are prepared to proceed with the hearing tonight and therefore she withdrew the continuance request. Mr. Scherman added that per a conversation at 6:10 p.m. tonight with his co-appellant, Mr. Van Gundy, Mr. Van Gundy also voiced his desire that the hearing

proceed tonight. Mr. David Bowie, attorney representing the applicant Patrick Ellwood, also requested that the hearing be held tonight.

Resolution 4-08

RESOLVED, that the City Council denies the request for a continuance of this matter based upon the testimony of the appellant's attorney, Mr. Scherman and Mr. Scherman's representation that his co-appellant, Mr. Van Gundy, also desires that the appeal hearing be held tonight.

Moved by Friedman, Seconded by Barbieri

Ayes: McEnroe, Friedman, Barbieri, Chiang, Keating

Noes: None

Absent: None

(0080)

Public testimony was received from:

Clark Thiel, Planning Commission Chair, concurred with the City Planner's report summarizing the chronological history of the Commission's consideration of Mr. Ellwood's proposed development of 139 Lexford Road, dating back to 1999.

Tiffany Wright, Attorney representing Robert Scherman, submitted photographs of the proposed building site in support of her arguments that CEQA's Class 3 Categorical Exemption does not apply to this particular application and that the CEQA process should be conducted. She referenced her letter sent to the City late this afternoon in summarizing the reasons why the CEQA process should be required. She also noted her client's intent to take this issue to the California Supreme Court if the Council fails to require the applicant to conduct an Initial Study. In response to Council questions, she acknowledged that the current application is very similar to that approved by the City in 2006 after a finding of Class 3 Categorical Exemption, but reiterated her opinion that an Initial Study should have been required for the 2006 application as well.

David Bowie, Attorney representing Patrick Ellwood, emphasized that there are no new legal or factual changes from those in effect in 2006 when a very similar application to that currently under consideration was approved by both the Planning Commission and upon appeal by the City Council. He refuted the appellants' arguments in support of requiring an Initial Study in this case, stressing that there are no "unusual circumstances" that preclude the application from qualifying for a Class 3 Categorical Exemption. He also stressed that there are no changes in the visual bulk, exterior appearance or amount of excavation between the project approved by the City in 2006 and that currently proposed. He urged the Council to uphold the Planning Commission's December 10 decision.

Curtis Jensen, the applicant's Geotechnical Engineer, stated the proposed project is not unusual in terms of the material volume of excavation, scale, scope and hillside setting with other projects he has been associated with on lots located in the Piedmont, Berkeley, Oakland and Orinda hills.

Kirk Peterson, Project Architect, emphasized that extensive examination and vetting Mr. Ellwood's proposed development at 139

Lexford Road has received over the years, noted that the proposed development is not unusual in terms of its scale or excavation and that the design of the new home is architecturally compatible with Piedmont.

Alan Kropp, the appellant's Geotechnical Engineer, summarized the geotechnical issues of concern associated with the development of the very steep site and stressed that the proposed excavation will impose considerable dust, noise, vibration and heavy volume of truck traffic impacts on neighborhood residents.

In response to Council questions, the Deputy City Attorney stated her opinion that there are no changes in terms of Class 3 Categorical Exemption issues between the 2006 application and the current project and she did not believe the City was in error in 2006 in finding that Mr. Ellwood's proposed development of 139 Lexford Road qualifies for a Class 3 Categorical Exemption under CEQA.

Resolution 5-08

RESOLVED, that the City Council determines after a public hearing on this matter, that the current application for proposed construction at 139 Lexford Road qualifies for the Class 3 Categorical Exemption that applies to most single family construction projects in California, finding that:

- a. there is no cumulative impact because the application proposes a single house on the lot and there is no reasonable probability of a significant effect on the environment;
- b. the current application proposes a structure sited lower on the lot, with the majority of proposed excavation occurring on the lower portion of this lot. The amount of excavation has been reduced by approximately 40% from a previous proposal that was not approved by the City Council;
- c. submitted geotechnical evidence indicates that the proposed lot has a rock base;
- d. geotechnical, soils and structural engineers will be involved in the development/construction process and there is no evidence that there will be a significant effect on the environment;
- e. based upon the testimony of Curtis Jensen, the applicant's geotechnical expert, the possibility of a landslide or subsidence on the project lot appears to be highly unlikely; and
- f. there is no substantial evidence that any exception to the Class 3 Categorical Exemption applies to this project, specifically including the unusual circumstances exception.

Moved by Friedman, Seconded by Barbieri

Ayes: McEnroe, Friedman, Barbieri, Chiang, Keating

Noes: None

Absent: None

(0080)

Resolution 6-08

WHEREAS, Mr. Patrick Ellwood is requesting permission to construct a new, approximately 4,573 sq. ft. single family residence, consisting of four levels with three bedrooms, two bathrooms, a half bath, a living room, dining room, kitchen, family room, office, laundry room, elevator, conforming 2-car garage and exterior lighting. A landscape plan with retaining walls, stairs and walkways is proposed located at 139 Lexford Road, Piedmont, California, which construction requires design review; and

WHEREAS, the Planning Commission conditionally approved Mr. Ellwood's application on December 10, 2007, and this approval decision was appealed by Messrs. Robert Scherman and Christopher Van Gundy; and

WHEREAS, after reviewing the application, plans and any and all testimony and documentation submitted in connection with such application and appeal, and after having visited subject property, the Piedmont City Council finds that the proposal conforms with the criteria and standards of Section 17.20.9 of the Piedmont City Code:

1. The exterior design elements (including but not limited to height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the parcel, and concealment of mechanical and electrical equipment) are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development in that it complies with Design Review Guidelines I-1(a), I-1(c), I-2 and I-5. The proposed design is appropriate and consistent with homes in Piedmont, is articulated to reduce the mass, is sited on the lot to be consistent with the neighborhood, is stepped into the hillside and its materials and detailing are typical of many neighborhood homes.
2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because it is well situated and proportioned to neighborhood development patterns. It is stepped up the hill to minimize impact on neighbor views and will prevent any effects on light concerning the neighbors. It maintains the view of the neighboring property on top of the hillside.
3. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are not adversely affected, considering the circulation pattern, parking layout and points of ingress and egress. Pedestrian safety will be improved by the adding of a retaining wall and the placement of the new driveway to the right which is well spaced from adjacent driveways.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont City Council denies Messrs. Scherman and Van Gundy's appeal and upholds the Planning Commission's December 10, 2007, approval of the design review application of Mr. Ellwood for construction at 139 Lexford Road, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. A foundation plan, and an excavation and shoring plan shall be developed by a structural engineer, at the Applicant's cost, and said plans shall address issues of site shoring, fencing and hillside security issues. Said plans shall be based on not trespassing or intruding into neighboring properties, and causing no subsidence or other damage to such neighboring properties, and shall be approved by the City Engineer and the City Building Official. Such plans shall be based on the recommendations of the project geotechnical engineer and the City's geotechnical consultant.
2. A structural engineer chosen by the City shall inspect neighboring homes and retaining walls with regard to any possible damage that may be caused by vibrations or other factors due to excavation, construction or other activities on Applicant's property, and such inspection shall include both foundations and non-foundation related details (walls, windows, general overall condition, etc.) at the Applicant's cost and at a level of inspection City Staff deems appropriate. Such inspection shall only include readily visible and accessible areas of such neighboring homes, shall be made with the intent of establishing base-line information to later be used in determining damage caused by any activities on Applicant's property, and shall only take place with the permission of the homeowner as to such homeowner's home and property. The specifics of each such inspection shall be agreed to between such City-selected structural engineer and the City staff. The structural engineer shall provide a full report to City of his conclusions, and such report shall be considered in developing the Construction Management Plan. If other independent consultants or specialists are required by the City to review plans and monitor construction activity, they shall be at the Applicant's cost.
 - a. Within 45 days after the Certificate of Occupancy is issued on Applicant's property the same structural engineer chosen by the City or a substitute structural engineer chosen by the City shall inspect the same exact areas in each neighboring home and property initially inspected, and shall present to the City a Report detailing any evidence of apparent damage that has been or reasonably might have been caused by activities on Applicant's property, including any photographic evidence, diagrams or the like that would document such apparent damage. Such Report may be used in connection with claims pursuant to Condition 7 hereafter.
3. A geotechnical report shall be submitted that will assess the existing site conditions. An independent geotechnical consultant shall be retained by the City at the sole expense of the Applicant to review the geotechnical report and advise the City in connection with the excavation, retaining wall systems, foundations and their construction, and other related items involving Applicant's property. Such independent geotechnical consultant shall review the building plans during

the permit approval process, and shall provide periodic on-site observation during excavation and construction of the foundations. The City Engineer shall select an appropriate independent geotechnical consultant.

4. A comprehensive Construction Management Plan shall be developed by the City on the project, after receiving an initial draft from the Applicant, and after development of such Plan, the City Building Official shall have the authority to require amendments to the Construction Management Plan, as he deems necessary, throughout the course of the project until the final issuance of a Certificate of Occupancy. The Construction Management Plan shall address noise, vibrations, traffic control, parking, debris removal, and other construction impacts, as well as numerous other details involving the construction project.
5. A performance bond or other financial vehicle, shall be required from Applicant to ensure the completion of the full construction of the house, including foundation and landscaping, all based on the plans approved by the City. Such bond or other financial vehicle shall be determined by the Director of Public Works in the form of a cash deposit, bond, or other financial vehicle that will absolutely ensure completion of the entire project, with the final amount and type and exact terms of the financial vehicle to be determined by the Director of Public Works after consultation with the Applicant. Such amount shall not only include all reasonable expected costs to complete the project, but a 25% additional amount over the total anticipated costs to cover unexpected expenditures, particularly in light of the difficulty in excavating and preparing the foundation for the project. An estimator shall be retained by the City (at Applicant's sole expense) to estimate the total costs of such project, and as the project proceeds if costs to complete the project may increase beyond the original estimate made by the estimator, based on a later evaluation by the estimator, City may require the Applicant to increase the amount of the cash deposit, bond or other financial vehicle by such additional amount plus 25%, and Applicant shall provide City with written evidence of completion of such increase within 15 working days after receiving written notice thereof from City. Such cash deposit, bond or other financial vehicle shall not be released until the entire project has been "finaled" as complete by the Chief Building Official.
6. Based on the City's independent Geotechnical Engineer's review of the Applicant's geotechnical report, a specific cash deposit or bond shall be made by the Applicant in the amount of \$350,000.00, to cover the cost of any damages to City property or facilities in any way caused by Applicant, Applicant's agents or assigns, including but not limited to any of Applicant's contractors, subcontractors or their employees and agents, relating to the project, the terms of such cash deposit or bond to be determined by the Director of Public Works after consultation with the Applicant.

- a. To provide clear baseline information to determine whether damage is called by the Applicant or others working for or on behalf of Applicant on this Project, specifically relating to damage to Lexford Road and other city streets to be used by trucks, vehicles, and other equipment involving the Project, City will video all the streets to be used by such trucks, vehicles, and other equipment to determine the baseline condition of such streets, and shall further re-video the streets every two weeks after the Project commences until all of the excavation and foundation work have been fully completed. As part of such videoing, City may possibly hose or water down the streets to better emphasize any cracks or damage in the surface thereof. The full cost of all such videoing and related work shall be reimbursed to the City by Applicant within 21 days after receiving written notification of the work performed and the amount to be reimbursed.
 - b. No double trailers shall be used as part of the Project, particularly relating to removal of rocks and debris, to reduce potential damage to the streets and to avoid traffic hazards on the narrow curving city streets.
7. The Applicant shall provide adequate and appropriate Insurance or bonds, as approved by the Director of Public Works against damage to neighboring properties at 135 Lexford Road, 140 Lexford Road, 145 Lexford Road, 77 Huntleigh Road, 87 Huntleigh Road, 130 Somerset Road, 140 Somerset Road, 160 Somerset Road, & 170 Somerset Road, by any construction, excavation, and related work in any way involving the project, such insurance or bonds to be in the amount of \$3,000,000.00 and with any conditions established by the Director of Public Works after consultation with the Applicant. If the Director of Public Works determines that obtaining any particular insurance would be extremely difficult for Applicant due to its lack of availability even at an increased cost, the Director of Public Works may authorize an alternative method of providing equal protection to neighboring properties, including but not limited to partial coverage by Umbrella Insurance if that appears appropriate. Such insurance or any alternative method shall allow for claims to be made for up to one year after the issuance of the Certificate of Occupancy on Applicant's project. Any and all such insurance shall specifically indicate that it covers damages to the above properties, and if such insurance is meant to also cover other potential damages, such as personal injuries or damages to other than the above named properties, any such further coverage shall be in addition to the \$3,000,000 earmarked for neighboring properties.
8. Implementation of stormwater treatment Best Management Practices (BMPs) as well as Bay Area Stormwater Management Agencies Association's Start at the Source

criteria for stormwater quality protection is required. Requirements shall be made by City Staff involving storm water pollution prevention during construction, as well as final drainage erosion control, and these items will be reviewed as part of the Construction Management Plan.

9. Applicant shall provide a written guaranty signed by Applicant, Applicant's general contractor, and Applicant's structural engineer that there will be no subsidence or erosion to any neighboring properties caused in any way by Applicant's excavation, construction or any other activities relating to such project, and acknowledging that all work may be immediately stopped by City in the event of such subsidence or erosion until the City Engineer can be fully reassured that no further subsidence or erosion will occur from such neighboring properties. As an alternative, Applicant may post a cash bond or similar financial vehicle acceptable to the Director of Public Works that will provide sufficient funds that will be immediately available to remedy any subsidence or erosion that may occur on neighboring properties in an amount to be determined by the Director of Public Works, but which will not be less than \$500,000.00. Such written guaranty, cash bond or similar financial vehicle shall not be released until the entire Project has been completed and "finalized" by the Chief Building Official.
10. The funds provided under Conditions 5, 6, and 9 hereof shall be provided to City upon demand without City having to prove in any way that such funds are required, either for completion of the project under Condition 5 or for damages to City property or facilities under Condition 6 or for repairs or remedies to subsidence or erosion under Condition 9, other than the determination of the Director of Public Works that they are needed and the amount that is needed.
11. Work on the project shall take place with continuous, good faith, reasonable progress. Since timely completion of this project is of the essence, the Applicant shall submit for approval a Construction Completion Schedule, which will specify, in detail, the duration and percentage complete of each subcontract and phase during any given week of the construction schedule.
 - a. Such Construction Completion Schedule shall set forth completion dates for the following milestones or benchmarks:
 1. Completion of Excavation;
 2. Completion of Rear Retaining Walls;
 3. Completion of Foundation;
 4. Completion of Rough Framing;
 5. Completion of Electrical;
 6. Completion of Plumbing;
 7. Completion of Mechanical;
 8. Completion of Fire Sprinklers;
 9. Completion of Home;

10. Completion of Landscaping;

and of any final Conditions of occupancy, meaning completion of the entire Project.

- b. The City shall have an independent professional review the completion dates proposed by Applicant in 11a. above, and to the extent such completion dates are unrealistically long for the work to be accomplished, shall suggest a reasonable completion date for that milestone or benchmark. The Director of Public Works shall make a final determination on the reasonable completion dates that shall apply to the Project before the Project commences, and such determination shall be binding on the Applicant.
 - c. If any work has not been completed for a specific milestone or benchmark as set forth in 11a. above by the date finally determined by the Director of Public Works, such work still has not been completed 90 days after such completion date, and the delay in completion has not been caused by an Act of God, the Director of Public Works shall have the option at any time thereafter to make claim against the funds to be provided pursuant to Condition 5 in order to complete such milestone or benchmark.
12. Based on the results of the geotechnical report, an acoustical engineer may be required by Director of Public Works, at the applicant's expense to monitor the vibration and decibel levels of the project, including being periodically present at the construction site during excavation and foundation work, and based on such monitoring will be able to stop work when it becomes, in the opinion of such engineer, excessive.
 13. Any financial vehicles or related conditions in the list of options may be modified in a reasonable manner with the joint agreement of the Public Works Director and the City Attorney, provided that such modifications must carry out the general intent of each such condition.
 14. All funds or financial vehicles set forth in any of the above conditions shall be earmarked or dedicated so that they are not subject to creditors claims.
 15. Applicant shall make a cash deposit with the City prior to commencement of construction in the amount of \$25,000.00 to be used to offset time and expenses of City Staff relating to the Project, any amounts remaining to be refunded to the Applicant within 90 days after the Project has been "finalled" by the Chief Building Official. If such cash deposit has been reduced to \$2,500.00 or less at any time, the Director of Public Works shall have the authority to require additional funds to

be deposited by Applicant covering any further estimated Staff time and expenses.

16. Applicant shall make a cash deposit with the City prior to commencement of construction in the amount of \$28,500.00 to be used to pay for the fees and expenses relating to the professionals called for in other Conditions, including but not limited to Conditions 1, 2, 3, 6, 7, 11, and 12 hereof, or in any way otherwise required to be expended by the City for professional assistance (other than City Staff) relating to the Project, such funds to be expended at the discretion of the Director of Public Works. If such cash deposit has been reduced to \$2,500.00 or less at any time, the Director of Public Works shall have the authority to require additional funds to be deposited by Applicant covering any further estimated fees and expenses of professionals. Any amount remaining unexpended shall be refunded to the Applicant within 90 days after the Project is "finalized" by the Chief Building Official.
17. Notwithstanding any other condition hereof, any structural engineer, soils engineer, geotechnical engineer or other engineer or professional consultant to be retained by the Applicant to perform work relating to project on Applicant's property shall be required to maintain errors and omissions insurance coverage with limits of no less than \$1,000,000.00 per claim that will specifically be available to cover any errors and/or omissions relating to any work performed by that professional involving Applicant's property, and the City of Piedmont shall be named as an additional insured on such insurance coverage.

18. Applicant to obtain encroachment permits from the City and other agencies prior to issuance of any building permits.

Moved by Friedman, Seconded by Barbieri
Ayes: McEnroe, Friedman, Barbieri, Chiang, Keating
Noes: None
Absent: None
(0080)

ANNOUNCEMENTS

Christmas Tree Collection – the Mayor announced that Republic Services will collect Christmas trees through January 9 – pick-up will be on the resident's regularly scheduled garbage collection day.

Voter Registration – the Mayor announced that the deadline to register to vote for the City's March 4 municipal election is February 18.

Dr. Martin Luther King Celebration – the Vice Mayor encouraged residents to attend the City's always enjoyable celebration of Dr. Martin Luther King, Jr.'s birthday.

ADJOURNMENT

There being no further business, Mayor McEnroe adjourned the meeting at 9:05 p.m.

