

City of Milwaukee

200 E. Wells Street Milwaukee, Wisconsin 53202

Meeting Minutes

MILWAUKEE HOUSING TRUST FUND FINANCING MODELS SUBCOMMITTEE

LEO RIES, CHAIR Lucia Murtaugh, Vice-Chair Heather Dummer Combs, Sup. Marina Dimitrijevic, Rocky Marcoux, Robert Shelledy, Mike Soika

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Monday, May 8, 2006

2:00 PM

Room 301-B, City Hall

Meeting convened: 2:06 P.M.

1. Roll call

Members present: Lucia Murtaugh, Heather Dummer Combs, Marina Dimitrijevic, Una Van Duvall (rep. for Rocky Marcoux), Robert Shelledy, Mike Soika and Leo Ries Members excused: none

Also present: Craig Kammholtz and Richard Li - Comptroller's Office, Dennis Yaccarino and Jennifer Meyers - Budget Office, Marianne Walsh, Jeff Osterman and Emma Stamps - Legislative Reference Bureau, Gary Werra - Community Block Grant Office, Tom Gartner - City Attorney's Office, Stephen Adams - Community Development Management Partnerships, Marne Stuck - Greater Milwaukee Association of Realtors and Glenn Bolton - Milwaukee County staff

2. Approval of the minutes of the April 24th meeting

Mr. Soika moved, seconded by Ms. Van Duvall, for approval of the minutes. There were no objections.

3. Discussion and reports related to proposed funding sources

Mr. Ries said that at the last meeting of the Milwaukee Local Initiatives Support Corporation (LISC) Local Advisory Committee meeting, members were not supportive of increasing parking fees and were more supportive of using retired tax incremental district funds. The members strongly supported the creation of a housing trust fund and would have it broadened to the 80%-120% income group. He took notes of comments from various members and provided that information to the Subcommittee (Exhibit 1)

Sup. Dimitrijevic said that the county was pretty angry about trying to change the state budget to have the city, rather than the county, receive the real estate transfer fee. She feels that this can be a conversation as opposed to being debated. Mr. Shelledy noted that the use of a real estate transfer fee could be used across the entire state, rather than just a local solution. Ald. Murphy will meet with Antonio Riley, Director, of the Wisconsin Housing and Economic Development Authority to discuss this change state-wide in order to fund housing trust funds across the state. There is a state-wide housing fund created in the 1980s by the Homeless Coalition in Milwaukee that uses interest generated by escrow funds held as a result of home purchases.

Ms. Van Duvall had provided members with information on development of property within the city (Exhibit 2)

Mr. Gartner noted that the ordinance would have to be amended to change the parking fees from going to a parking fund to a housing trust fund with a state change needed for changes to tax incremental financing (TIF) law. The city could not create a city-wide TIF nor a "swiss cheese" TIF (non-connecting areas of TIFs throughout the city). He feels that changes would need to be made to the state law which would allow the city to designate boundaries for a TIF and the use of increments in that same boundary area. Linkage fees might be possible as well if a change were made in state law. Impact fees need to be related to the development of public services that need to be provided as a result of that development, i.e. a coordination of the new development, such as a housing development, and a resultant public need, such as more schools.

Mike Daun, Deputy Comptroller, participated in the meeting, through speaker phone. State law requires that any borrowing must be for a public purpose, which can be quite liberal. There's a long list of purposes which avoid a referendum, including about 4-5 housingrelated purposes. Mr. Daun noted that a Council resolution should be adopted for the use of retired TIF funds because those funds are no longer TIF funds once the district is retired, so it would be a matter of setting aside that amount of funds from the general revenue each year. Mr. Daun noted that in the first year it would be more accurate to calculate the increment as being half of the usual increment, with the full increment being generated in the second and third year. This amount would be subject to the revenue cap if the city needed to make up for the use of those funds being removed from the general fund, but those funds might also be calculated as "new revenue" and therefore not subject to the revenue cap. Mr. Daun said that the Council could begin the change with any or all TIF districts as they close each year. Mr. Daun noted that the Council is retiring, not extending, these funds and is merely appropriating the increment amounts for 3 years to allocate to the housing trust fund. Mr. Gartner noted that to extend a TIF would require a change in state law, but not to merely allocate incremental amounts from the general fund to a housing trust fund. Sup. Dimitrijevic also noted that the City could borrow those funds, using the retired TIF district increments as collateral.

Ms. Walsh asked about the use of linkage fees on private development on private property versus private development on public property. Mr. Gartner really sees no distinction between an "impact fee" and a "linkage fee". Mr. Gartner explained that city proceeds from the sale of land could be applied to a housing trust fund.

The memo provided by Ms. Dorinda Floyd, from the Department of Public Works, does not support increasing the parking fee (Exhibit 3)

4. Creation and approval of final recommendations for submission to the Milwaukee Housing Trust Fund Task Force

Recommendations:

The goal should be to have available \$5 million annually. There were no objections.

Mr. Soika moved that 1/3 of the the Potawatomi's future expected increase in payments to the city above the minimally contracted amount of \$3.38 million or 1.5% of the net proceeds, or \$1 million, whichever is greater, go to the Fund. There were no objections.

Mr. Soika moved for the use of retired tax incremental financing district increment amounts for a period of 4 years, coming from general revenue. Ald. Murphy noted that this will be a tough political sell as it will be a matter of laying off city employees or a housing trust fund. There were 2 objections (Ms. Van Duvall and Mr. Ries).

Mr. Soika moved for using 80% of the proceeds from city lands sales. There were 2 objections (Ms. Van Duvall and Mr. Ries).

Mr. Soika moved for raising the city parking fee to the average for the geographic area and that the increased revenue be allocated to the housing trust fund. There were 3 objections. (Mr. Shelledy, Ms. Van Duvall and Mr. Ries).

Changes in state law needed:

Extension of the TIF districts for use by the housing trust fund outside of the TIF area. There were no objections.

Mr. Ries moved for a linkage fee ranging from 10-30 basis points per foot of construction on all new construction. There were no objections.

Mr. Ries moved for a 50% state tax credit for any donation to the housing trust fund. There were no objections.

Mr. Soika moved to enact state legislation to allow cities and counties to levy taxes only for creation and maintenance of a housing trust fund. It is assumed that these new revenues would be exempt from the state revenue cap. There were no objections.

Mr. Soika moved to retain 25% of the real estate transfer fee locally (rather than the current 20%), with the additional 5% being used for a housing trust fund. The real estate transfer fee amounts would not change, but the allocations would. Sup. Dimitrivijevic noted that all 72 counties opposed shifting of these funds, but if these funds were to be shifted, they should be used to fund state mandates.

Mr. Shelledy moved for 2 separate motions - one related to the 25% and one to increase the real estate transfer fee to go to the county.

Mr. Kammholtz noted that currently a Limited Liability Corporation (LLC) purchasing a property is exempt from paying a real estate transfer fee.

The Subcommittee voted to change the local share from 20% to 25%. There was one objection (Sup. Dimitrijevic)

The Subcommittee voted to increase the transfer fee itself statewide from the current \$3 to \$4 per \$1,000, with the increase being dedicated to a housing trust fund. There was one objection (Sup. Dimitrijevic)

The Subcommittee voted to eliminate the exemption from payment of the real estate transfer fee if the purchaser is an LLC. There were no objections.

Mr. Ríes moved the city issue \$5 million in general obligation bonding, which would be a one-time commitment, as the city works on getting changes made in state law to obtain a permanent funding source. The bonds will be used for permissible uses under the statutes and be repaid over a 15-year períod. Mr. Soika was concerned that changes

may not be made in state law and the fund may only exist for one year, with debt carried over a 15-year period. Ald. Murphy said that the city is coming up against its borrowing limit and has told the Milwaukee Public Schools that the city will no longer borrow for it. Mr. Ries noted that this would be the first time the city has used its funds, rather than federal funds, for housing. Ms. Dummer Combs noted that it might take more than one year to change state legislation to fund the trust fund. There were 3 objections (Ms. Dummer Combs, Mr. Soika and Ms. Van Duvall).

Ald. Murphy noted that any recommendations that increases city debt or take funds from the general city fund will be a tough political sale.

Meeting adjourned: 3:44 P.M. Linda M. Elmer Staff Assistant

MILWAUKEE LISC LOCAL ADVISORY COMMITTEE MEETING

April 26, 2006

❖ Proposal for a City of Milwaukee Housing Trust Fund
Leo provided background on the subject of the Housing Trust Fund. He noted
that the City of Milwaukee has created a taskforce to make recommendations
about the creation of the fund and Leo was asked by the City to serve on this
taskforce. Since the creation of this fund is intimately tied to the mission of
LISC, Leo wanted to bring the matter to the LAC for their advice and input.
Once a final proposal is made by the City, Leo also asked that LAC members
would work with LISC to advocate for necessary legislative action on the State
level to implement this Fund.

The goal of the City taskforce is to identify a dedicated revenue stream that would generate at least \$5 million annually. Leo reported that five revenue sources are under consideration and the Fund might be financed by all or some of these revenue sources. They are:

> Earmark up to \$1 million of increased fees paid to the City by the Potawatomi Casino.

> An increase in monthly parking fees in City lots, which could generate \$500,000 annually.

> The imposition of a modest linkage fee of 25¢ to 50¢ per square foot of newly constructed residential, commercial and/or industrial space. It is estimated that this could generate \$500,000 to \$1 million annually.

Changes to the state TIF law that would keep TIF's open for 2 to 4 four years beyond the time necessary to retire the initial investment, with the additional revenue used to fund the Housing Trust Fund.

The proposal to increase any parking fees in the City met with a strong negative reaction from LAC members. They noted that the current cost of parking downtown is a major deterrent to development and this proposal would only worsen the situation.

A couple of LAC members also voiced opposition to a linkage fee.

Generally, LAC members supported the concept of using TIF on the theory that it is easier to delay the receipt of something you never got as opposed to giving up something you already have.

Mick Hatch commented that rather than capturing revenue toward the end of the TIF's life, it might be better to build a 10% set aside for the Housing Trust Fund in each newly created TIF. Leo agreed to take that suggestion back to the Taskforce.

Mark Eppli asked if an increase in the real estate transfer has been considered. He noted that in Washington DC both the buyer and the seller pay a fee equal to 1.1% of a real estate transaction and this used to fund the Housing Trust Fund in the Washington DC area. Leo responded that the real estate transfer was considered but that for political reasons it is not being considered at this time.



Some committee members remarked that \$5 million of revenue annually is really a drop in the bucket compared to the need, but Ald. Willie Hines remarked that \$5 million is probably the maximum that the City could consider at this time, in light of other budget pressures.

Some committee members questioned the need for a Housing Trust Fund, but other members noted that there clearly is a need. Geoff Cooper noted that affordability is biggest problem facing the mortgage industry and government needs to play a bigger role in addressing this issue. Leo alluded to the recent stories in the Journal Sentinel which discussed the housing needs of persons with mental illness. He also noted that housing values in the central city have increased dramatically in recent years, yet the household income of residents is relatively flat. Housing is increasingly taking a greater percentage of the household income of low and moderate income families.

Other comments and suggestions of committee members:

- ➤ The operating plan for the Fund should also include provisions to assist households with incomes of 80 120%, since this population is also suffering from increased housing costs. Also, by including this income segment, the Fund would likely develop a wider base of support.
- Consider also implementing a state tax credit program, since the private sector would likely use the credit to extent it makes sense. Leo noted that this idea is also under consideration, however, other committee members noted that it has been difficult to utilize the state's Historic Tax Credit program, since there are not many corporations in the state who have an appetite for using the credit.
- Consider branding the fund as the "Healthy Neighborhoods Trust Fund" rather than the Affordable Housing Trust Fund, since there is less stigma attached to "neighborhoods" and it might broaden support for the concept.

In conclusion, the LAC unanimously supported a motion to endorse the concept of the Housing Trust Fund, with a strong preference for financing that would draw on a regional or statewide base. The committee also endorsed the concept of broadening the base of beneficiaries to include household incomes of 80 to 120%.

DATE:

May 5, 2006

MEMO TO:

Housing Trust Fund - Financial Models Sub-Committee

FROM:

Commissioner Rocky Marcoux & Una Van Duvall

SUBJECT:

Developmental Response to HTF Financial Sub - Committee

On Monday, April 24, 2006 the HTF Finance Subcommittee asked the department to research how linkage fees are developed and how they are used. The Committee's interest is to propose the establishment of a development/developer linkage fee to be applied to all residential, commercial and industrial parcels. An outline can be found at www.policylink.org/EDTK/Linkage/How.html which addresses the

The following results are from the DCD Permit Center Project-tracking Database. These results are for committee discussion purposes only and do not represent actual funding. Land parcels were sorted via building code construction types. This means that residential is defined as single-family homes and duplexes only. All other construction is considered commercial; this includes institutional, retail etc. For the purposes of this document and discussion, 2005 new construction data was selected. Based on the report information the database has no field for major renovation. potential for revenue is as follows:

2005 - New Construction Commercial Buildings (includes multi-family, retail, industrial, institutional, medical, etc.)

 $946104 \times .25 - 986,526.00$

2005 - New Construction 1 and 2 family homes

 $1179241 \times .25 - 294810.25$

TOTAL 1,281,336.25





Department of Public Works

Jeffrey J. Mantes
Commissioner of Public Works

James P. Purko Director of Operations

May 7, 2006

Marianne Walsh Research and Analysis Manager Legislative Reference Bureau City Hall, Room B-11

Dear Ms. Walsh:

I am in receipt of your letter dated April 27, 2006 regarding the use of Parking Fund revenue for the Affordable Housing Trust Fund. Specifically you asked five questions:

1. What are the current rates at all City-owned parking structures?

Attached please find a table of rates charged at parking structures in the downtown Milwaukee area. This also includes rates charged at City-owned parking structures.

2. When was the last time rates at City-owned parking structures were adjusted and what specific rate changes were implemented?

The monthly rates and reserved monthly rates were increased at all the Cityowned parking structures in February 2006. The monthly rates were increased by \$5 from \$85 to \$90 and the reserved monthly rates were increased by \$10 from \$120 to \$130.

3. Please provide a copy of the most recent market rate analysis of parking rates for privately owned structures in the downtown Milwaukee area.

Attached please find our most recent market rate analysis of parking rates for some privately-owned structures in downtown Milwaukee. The analysis was conducted in September 2005. However, some of these rates may have changed since that time. To verify the parking rates for the privately-owned structures, you can log on to www.parkmilwaukee.com.



Ms. Marianne Walsh May 7, 2006 Page 2

4. How do the City's parking structure rates compare with the market rate analysis?

The City of Milwaukee is prohibited under state statutes from managing its own parking structures. Central Parking System (CPS) is under contract with the City to manage four structures. The City works very closely with CPS to determine the appropriate rate structure based on demand and existing occupancy rates. The City feels the rates charged at City-owned structures are competitive although the structures are not yet filled to capacity.

Unlike many privately-owned parking structures, the City structures typically do not have captive audiences other than some previous negotiated lease agreements. Many of the privately-owned structures were developed specifically to serve a business or tenants of a building. The City-owned structures were developed to serve the public and consequently are more sensitive to pricing and location. Three City-owned structures are heavily utilized by city and county employees with the exception being 724 N. 2nd Street.

5. Please review Mr. Soika's revenue estimate chart related to a hypothetical rate increase to fund the Housing Trust Fund and comment as to the feasibility of this funding option.

Mr. Soika multiplied a fee increase by the total number of current monthly parkers. For example, a \$5 increase in the monthly rate for all City-owned structures would generate \$179,040. However, this estimate reflects gross revenue. It would need to be adjusted further for sales taxes (5.6%) and an increased payment to CPS whose contract with the City allows them to receive a percentage of net revenues (varies by structure).

It is important to note that Mr. Soika assumed that the number of monthly parkers would remain unchanged after a fee increase. A review of revenue generated from City-owned parking structures since 2002 shows that revenue has remained relatively flat even after two rate increases were imposed during this time. This may be due to a number of factors, but there is no reason to believe that another rate increase would not have the same effect on total revenue. In fact it may reflect the price sensitive nature of the patrons who utilize the City-owned structures. Further, none of the four City-owned parking structures are at full capacity. Raising rates higher than what the City would recommend may further reduce occupancy and ultimately impact revenue.

Ms. Marianne Walsh May 7, 2006 Page 3

If the City chooses to increase parking structure fees, the revenue should be used to offset the cost of managing and maintaining City-owned parking structures. Currently the City invests approximately \$1 million each year in capital improvement projects. It is our goal to have parking structures as well as other specific parking operations be self-supporting. If structure revenue is not sufficient to pay operating and debt service costs, other parking revenue must be used for this purpose. Excess parking revenue generated from some operations is used to make a payment to the City's General Fund. Utilizing this revenue, instead, to supplement the management and maintenance of parking structures would ultimately impact the property tax levy.

I hope you find this information helpful. If you have any questions, please let me know. I appreciate the opportunity to respond.

Sincerely,

Dorinda R. Floyd

Administrative Services Director

Attachment

Milwaukee Parking Facilities*

	601 W. State St. 625 N. James Lovell	1030 N. 6th Street	626 W. Wisconsin Ave.	735 W. Wisconsin Ave.	801 W. Wisconsin Ave.	633 W. Wisconsin	725 N. 6th St. 738 W. State St.	509 W. Wisconsin Ave.		841 North James Lovell Vacinity 1025 N. 8th St. 1030 N. 6th Street		330 East Kilbourn	250 East Wisconsin	819 North Water	251 East Juneau	330 East Wells	130 East State	767 North Milwaukee	720 North Water	209 East Mason	1000 N Water Vacinity 100 East Wisconsin	Average	324 W. Highland	724 N. 2nd Street	841 N. James Lovell	1000 N. Water	City-Owned Facilities	
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^{*} Rates for City-owned facilities are as of 2/1/06. Rates for all other structures are as of 9/1/05.