

ACTION AGENDA
AUGUST 26, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

FULL COMMISSION (P/Z)

You are invited to a Zoom webinar.

When: Aug 26, 2021 07:00 PM Central Time (US and Canada)

Topic: Full Commission Meeting (P/Z)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85117594728?pwd=QnN3eXl0cGYwM2dHRjFMZ0l2SHl0UT09>

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Webinar ID: 851 1759 4728

International numbers available: <https://us02web.zoom.us/j/85117594728?pwd=QnN3eXl0cGYwM2dHRjFMZ0l2SHl0UT09>

Staff present: Misty Brown, Patrick Waters, Wendy Green, Jeff Conway, Bridgette Cobbins, Doug Bach, Melissa Sieben, Alan Howze, Alley Porter, Ashley Hand, Byron Toy, Gunnar Hand, Janet Parker, Brett Deichler, Kathleen VonAchen, Juliann VanLiew, Jud Knapp, Katherine Carttar

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, AUGUST 26, 2021 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Planning and Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning and Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning and Zoning Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. REGULAR CONSENT AGENDA**

- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

PLANNING AND ZONING AGENDA
VII. PLANNING AND ZONING AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2021-022 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District for construction of Camping World at 1201 North 98th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL)

Tracking #: 21989

APPROVED: KANE/PHILBROOK, VOTE: 10-0

2. COZ2021-023 - AHMAD ALMARBU WITH OLIVE LLC

Synopsis: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to CP-2 Planned General Business District for a proposed gas station and convenience store at 8919 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 21990

DENIED AS RECOMMENDED: KANE/PHILBROOK, VOTE: 10-0

(VALID PROTEST PETITION RECEIVED)

3. COZ2021-024 - RON WU

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District for an existing duplex at 609 and 611 South 75th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR**

APPROVAL)

Tracking #: 21991

APPROVED: KANE/PHILBROOK, VOTE: 10-0

4. COZ2021-025 - RON WU

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District for an existing duplex at 617 and 619 South 75th Street, submitted by Gunnar H. Hand, AICP,

Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21992

APPROVED: KANE/PHILBROOK, VOTE: 10-0

B. SPECIAL USE PERMIT APPLICATION

1. SP2021-026 - LOYD A. CLAY

Synopsis: Special Use Permit for the Temporary Use of Land to park salt plow trucks at 7852 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21993

APPROVED: KANE/PHILBROOK, VOTE: 10-0

2. SP2021-061 - JEFFREY E. HOLLINSHED

Synopsis: Renewal of a Special Use Permit (SP-2019-16) for live entertainment at 2003 1/2 to 2005 North 5th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 21988

APPROVED: KANE/PHILBROOK, VOTE: 10-0

C. VACATION APPLICATION

1. VAC2021-009 - WIL ANDERSON WITH BHC RHODES

Synopsis: Vacation of an electrical utility easement at 5917 North 123rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL)

Tracking #: 21994

APPROVED: KANE/PHILBROOK, VOTE: 10-0

D. PLAN REVIEW APPLICATIONS

1. PR2021-019 - MIKE SANDERS WITH NAMPARA PROPERTIES, LLC

Synopsis: Preliminary and Final Plan Review for an office warehouse with the initial use being the laydown area at 4501 Douglas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21995

APPROVED: MARKLEY/PHILBROOK, VOTE: 10-0

ADDITIONAL STIPULATIONS ADDED: LANDSCAPING AND 10-YEAR MAXIMUM FOR TEMPORARY LAY DOWN YARD

2. PR2021-020 - MIKE SANDERS WITH NAMPARA PROPERTIES, LLC

Synopsis: Preliminary and Final Plan Review for an office warehouse with the initial use being the laydown area at 4605 Shearer Road, submitted by Gunnar H. Hand, AICP,

Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21996

APPROVED: MARKLEY/PHILBROOK, VOTE: 10-0

ADDITIONAL STIPULATION ADDED: 10-YEAR MAXIMUM FOR TEMPORARY LAY DOWN YARD

E. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE rezoning property at 88 South 7th Street Trafficway (COZ2021-014) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21997
APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-104-21
2. AN ORDINANCE rezoning property at 2716 and 2718 South 53rd Street (COZ2021-010) from R-1 Single Family District to RP-2 Planned Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21998
APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-105-21
3. AN ORDINANCE rezoning property at 3860 Bell Crossing Drive (COZ2021-008) from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21999
APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-106-21
4. AN ORDINANCE vacating right-of-way at 5837 Leavenworth Road (VAC2021-005), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211000
APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-107-21
5. AN ORDINANCE vacating an alley at 415 and 417 Stine Avenue (VAC2021-007), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751, **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211001

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-108-21

6. AN ORDINANCE authorizing a Special Use Permit (SP2021-049) for continuation of a performance auto service shop at 1110 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751, **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211002

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-109-21

7. AN ORDINANCE authorizing a Special Use Permit (SP2021-054) for continuation of a Short-Term Rental/AirBnB at 3846 and 3848 North 123rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211003

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-110-21

8. AN ORDINANCE authorizing a Special Use Permit (SP2021-039) for a Short-Term Rental/AirBnB at 4449 Rainbow Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211004

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-111-21

9. AN ORDINANCE authorizing a Special Use Permit (SP2021-042) to keep two (2) cows on the property at 734 South 76th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211005

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-112-21

10. AN ORDINANCE authorizing a Special Use Permit (SP2021-053) for a Home Occupation Short-Term Rental/AirBnB at 11827 Marxen Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211006

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-113-21

11. AN ORDINANCE authorizing a Special Use Permit (SP2021-058) for continuation of a Homestead Montessori Farm school within a residence at 3800 Weaver Court, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211007

APPROVED: KANE/PHILBROOK, VOTE: 10-0
ORDINANCE NO. O-114-21

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT ***BOARD OF COMMISSIONERS AGENDA FOR AUGUST 26, 2021***

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. RESOLUTION: ELIGIBLE FINANCIAL INSTITUTIONS AND DESIGNATING AUTHORITY

Synopsis: A resolution designating Unified Government (UG) depositories and eligible institutions for purposes of receiving UG funds for investment and receiving requests for bids for investment of its idle funds, submitted by Rick Mikesic, Director of Revenue/County Treasurer; and Andrea Parra, Deputy County Treasurer.

*On August 9, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.*

Tracking #: 21963

APPROVED: RAMIREZ/PHILBROOK, VOTE: 10-0
RESOLUTION NO. R-54-21 ADOPTED

2. RESOLUTION: 4TH AMENDMENT TO THE DOWNTOWN CAMPUS DEVELOPMENT AGREEMENT

Synopsis: A resolution adopting the 4th amendment to the Downtown Campus Development Agreement which better defines some requirements, reduces the square footage of the Reardon Center, prioritizes the distribution of CID proceeds, and extends the drop dead date, submitted by Katherine Carttar, Director of Economic Development.

*On August 9, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.*

Tracking #: 21970

APPROVED: RAMIREZ/PHILBROOK, VOTE: 10-0

RESOLUTION NO. R-55-21 ADOPTED

3. RESOLUTION: THE 4TH AMENDMENT TO THE KC FOODIE PARK DEVELOPMENT AGREEMENT

Synopsis: A resolution approving the 4th amendment to KC Foodie Park Development Agreement to primarily extend planning and construction deadlines, submitted by Katherine Carttar, Director of Economic Development.

*On August 9, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.*

Tracking #: 21971

APPROVED: RAMIREZ/PHILBROOK, VOTE: 10-0

RESOLUTION NO. R-56-21 ADOPTED

4. MINUTES

Synopsis: Minutes from regular sessions of April 29 and July 1, 2021; and special sessions of July 15 and 29, 2021.

Tracking #: MINUTES

APPROVED: RAMIREZ/PHILBROOK, VOTE: 10-0

5. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 12 and 19, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED: RAMIREZ/PHILBROOK, VOTE: 10-0

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. RESOLUTION: HISTORIC PRESERVATION FUND GRANTS

Synopsis: A resolution approving the following two project agreements with the Kansas Historical Society, State Preservation Office, relating to Historic Preservation Fund Grants, submitted by Gunnar Hand, Director of Planning and Urban Design.

- Downtown KCK Historic Commercial District in the amount of \$21,000, \$12,500 of which will be paid by the State with federal grant funds and the local match coming from both the Planning and Urban Design long-range planning budget in combination with in-kind contributions.
- Downtown KCK Historic Churches Multiple Listings Designation in the amount of \$30,000, \$18,000 of which will be paid by the State with federal grant funds and

the local match coming from both the Planning and Urban Design long-range planning budget in combination with in-kind contributions.

On May 3, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Tracking #: 211010

APPROVED: JOHNSON/MCKIERNAN, VOTE: 10-0

RESOLUTION NO. R-57-21 ADOPTED

XIII. ADMINISTRATOR'S AGENDA

1. ORDINANCE/RESOLUTION: ACCEPTING AND ALLOCATING THE AMERICAN RESCUE PLAN ACT (ARPA) LOCAL FISCAL RECOVERY FUNDS

Synopsis: An ordinance and resolution accepting the federal American Rescue Plan Act allocations to the City of Kansas City, Kansas of \$55,383,872 and to the County of Wyandotte, Kansas of \$32,132,644, per the Unified Government's Grant Policy, presented by Kathleen VonAchen, Chief Financial Officer.

Discussed at the August 12, 2021 Commission Special Session.

Tracking #: 21972

APPROVED: JOHNSON/RAMIREZ, VOTE: 10-0

ORDINANCE NO. O-115-21 APPROVED/RESOLUTION NO. R-58-21 ADOPTED

2. RESOLUTION: ALLOCATING FUNDS FOR HOUSING INSECURITY AND OTHER ASSISTANCE AS PART OF THE AMERICAN RESCUE PLAN ACT, LOCAL FISCAL RECOVERY FUNDS

Synopsis: A resolution for the allocation of \$1,850,000 in Local Fiscal Recovery Funds received by Wyandotte County, Kansas, to be used to address and prevent housing insecurities and other negative economic impacts due to Covid-19 as part of the American Rescue Plan Act, presented by Kathleen VonAchen, Chief Financial Officer.

In response to Commissioner discussion during the August 12, 2021 ARPA Workshop.

Tracking #: 211011

APPROVED: TOWNSEND/BURROUGHS, VOTE: 9-0 (Commissioner Kane encountered technical difficulties, therefore, unable to vote)

RESOLUTION NO. R-59-21 ADOPTED

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. Land Bank Option Applications

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

A. New Construction - Single Family Homes - 17 Total

1. Senitria Monk – 15 homes
 - i. 1901 N. Hallock St. - 140514
 - ii. 1928 N. Hallock St. - 140532
 - iii. 1930 N. Hallock St. - 140531
 - iv. 1913 N. Hallock St. - 140518
 - v. 1902 N. Hallock St. - 140543
 - vi. 1925 N. Hallock St. - 140524
 - vii. 1920 N. Hallock St. - 140535
 - viii. 512 Parallel Pkwy. - 140501
 - ix. 1910 N. Hallock St. - 140539
 - x. 1923 N. Hallock St. - 140523
 - xi. 1917 N. Hallock St. - 140520
 - xii. 1914 N. Hallock St. - 140537
 - xiii. 1900 N. Hallock St. - 140544
 - xiv. 1919 N. Hallock St. - 140521
 - xv. 1932 N. Hallock St. - 140530
 - xvi. 1907 N. Hallock St. - 140516
 - xvii. 1909 N. Hallock St. - 140517
 - xviii. 1906 N. Hallock St. - 140541
 - xix. 1904 N. Hallock St. - 140542
 - xx. 1926 N. Hallock St. - 140533
 - xxi. 1908 N. Hallock St. - 140540
 - xxii. 1903 N. Hallock St. – 140515
 - xxiii. 1924 N. Hallock St. – 140534

2. Rick Worner – 2 homes

Requesting 6 lots for 2 homes. This is to give flexibility if some of the lots are unbuildable the developer will build on the next buildable lot. The Land Bank proposes an option on all 6 but will only deed 2 parcels for the new homes.

- i. 1950 N. Valley St. - 213721
- ii. 1948 N. Valley St. - 213720
- iii. 1944 N. Valley St. - 213719
- iv. 1942 N. Valley St. - 213718
- v. 1936 N. Valley St. – 098900
- vi. 1934 N. Valley St. – 098901

B. New Construction – Eddie Guinn - (Single Family Homes – 8, Townhomes – 25, Commercial – 3)

1. Single family homes – 8
 - i. 1342 Lafayette Ave. - 157803
 - ii. 1338 Lafayette Ave. - 157806
 - iii. 1340 Lafayette Ave. - 157802
 - iv. 1336 Lafayette Ave. - 157807
 - v. 1326 Lafayette Ave. - 157811
 - vi. 1322 Lafayette Ave. - 157812
 - vii. 1314 Lafayette Ave. - 157814
 - viii. 1320 Lafayette Ave. - 157813
2. Townhomes -25, Commercial -3

The 3 commercial buildings are for healthcare, a bank, and office/community space.

- i. 1514 Stewart Ave. - 158023
- ii. 1522 Stewart Ave. - 158027
- iii. 1406 Stewart Ave. - 158015
- iv. 1610 Stewart Ave. - 158120
- v. 1306 Stewart Ave. - 158003
- vi. 1302 Stewart Ave. - 158001
- vii. 1404 Stewart Ave. - 158014
- viii. 1300 Stewart Ave. - 907204
- ix. 1502 Stewart Ave. - 158021
- x. 1414 Stewart Ave. - 158019
- xi. 1500 Stewart Ave. - 158020
- xii. 1412 Stewart Ave. - 158018
- xiii. 1408 Stewart Ave. - 158016
- xiv. 1312 Stewart Ave. - 158006
- xv. 1322 Stewart Ave. - 158010
- xvi. 1516 Stewart Ave. - 158024
- xvii. 1304 Stewart Ave. - 158002
- xviii. 1508 Stewart Ave. - 158022
- xix. 1410 Stewart Ave. - 158017
- xx. 1310 Stewart Ave. - 158005
- xxi. 1326 Stewart Ave. - 158012
- xxii. 1318 Stewart Ave. - 158008
- xxiii. 1520 Stewart Ave. - 158026
- xxiv. 1324 Stewart Ave. - 158011
- xxv. 1308 Stewart Ave. - 158004
- xxvi. 1314 Stewart Ave. - 158007

C. New Construction – Multi Family Homes – 12 Units

1. Ervinco LLC – 2 Duplexes
 - i. 7548 Lathrop Ave. - 215804
 - ii. 700 N. 75th St. - 928942
2. Bart Maffry 8 Unit Row Houses
 - i. 824 Freeman Ave. – 082345
 - ii. 826 Freeman Ave. - 082344
 - iii. 830 Freeman Ave. - 082343
 - iv. 832 Freeman Ave. - 082342
 - v. 834 Freeman Ave. - 082341
 - vi. 838 Freeman Ave. - 082374
 - vii. 840 Freeman Ave. – 082340

D. New Construction - Commercial – 2

1. Kenthedo Robinson – Community Theater
 - i. 1342 Lafayette Ave – 157803
 - ii. 1945 N. 7th St. – 095142
 - iii. 1943 N. 7th St. – 095143
 - iv. 1941 N. 7th St. – 095145
 - v. 1941 R N. 7th St. – 095144
 - vi. 651 Troup Ave. – 095299

- vii. 649 Troup Ave. - 095141
- 2. Mike Payne – Neighborhood Convenience Retail Center – 3 Storefronts
 - i. 1135 Quindaro Blvd. – 106315
 - ii. 1137 Quindaro Blvd. – 906609
 - iii. 1139 Quindaro Blvd. – 906610

E. New Construction – Garage – 1

- 1. Jesus Leyva
 - i. 919 Cleveland Ave. – 157928
- Staff Advisory Board – the home already has 2 lots and can build garage on the current property.

On August 9, 2021 the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21967

APPROVED: MCKIERNAN/KANE, VOTE: 10-0

2. LAND BANK PROPERTY TRANSFERS

Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

A. Yard Extensions 1 Total

- Megan Summers
 - o 26 S. Minnie St. - 139828
- Unbuildable lot

B. Property Transfers 1 Total

- Turtle Hill
 - o 1308 N. 6th St. – 081966
- Unbuildable lot
Expanding current park

On August 9, 2021 the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21968

APPROVED: MCKIERNAN/KANE, VOTE: 10-0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN 8:01 pm