

ACTION AGENDA
SEPTEMBER 30, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

FULL COMMISSION

You are invited to a Zoom webinar.

When: Sep 30, 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/83666010794?pwd=Q1M5b0ozakZlakZDdTBvM1FleDhlQT09>

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Webinar ID: 836 6601 0794

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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, Carol Godsil, Monica Sparks, Mitzi Belcher, Kathleen VonAchen, Juliann VanLiew, Jud Knapp, Katherine Carttar, Emerick Cross

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, SEPTEMBER 30, 2021 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Planning & Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning & Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the 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 CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2021-005 - JOE MCLAUGHLIN WITH BHC RHODES**

Synopsis: Change of Zone from R-1 Single Family District to CP-O Planned Non-Retail Business District for additional parking and buildings for Providence Medical Center at 8741 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211036

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

2. **COZ2021-012 - RAY SAWYER**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for horses at 3726 North 47th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211037

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

3. **COZ2021-026 - MARTY T. ARLING WITH KAW VALLEY ENGINEERING**

Synopsis: Change of Zone from R-1(B) Single Family District to A-G Agriculture District for a 31-acre urban equestrian sanctuary for both horses and residents who reside and traverse there at 4600 Parkview Avenue and 4551 Sloan Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211039

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2021-029 - NADIA GRIFFITT WITH LATIN QUARTERS, INC.**
Synopsis: Special Use Permit for a drinking establishment with live entertainment at 508 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**
Tracking #: 211040
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
2. **SP2021-034 - ATTIF ABBAS WITH ZAYN COMMERCIAL, LLC**
Synopsis: Special Use Permit for liquor sales in conjunction with existing convenience store/gas station at 8537 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 211041
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
3. **SP2021-045 - JAMES SULLIVAN WITH SULLIVAN PALMER ARCHITECTS**
Synopsis: Special Use Permit for auto storage and maintenance building at 1037 South 26th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 211042
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
4. **SP2021-052 - CORINNA WEST**
Synopsis: Special Use Permit to keep 12 breeding adult ducks at 1921 Nebraska Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS FOR 8 ADULT DUCKS)**
Tracking #: 211043
APPROVED: JOHNSON/PHILBROOK, VOTE: 9-0
5. **SP2021-065 - ADRIENNE BORTZ WITH BORTZ PROPERTY INVESTMENT, LLC**
Synopsis: Special Use Permit for a Short-Term Rental/AirBNB at 4138 Lloyd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**
Tracking #: 211044
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
6. **SP2021-066 - OSCAR FLORES-URRITIA**
Synopsis: Special Use Permit for a kennel/doggie day care and boarding operation at 4001 North 74th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 211046
APPROVED: KANE/MCKIERNAN, VOTE: 9-0

C. MASTER PLAN AMENDMENTS

1. **MPL2021-013 - JOE MCLAUGHLIN WITH BHC RHODES**

Synopsis: Master Plan Amendment from Low-Density Residential to Public/Semi-Public (City-Wide Master Plan) at 8741 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211049

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

2. **MPL2021-014 - RON WU**

Synopsis: Master Plan Amendment from Low-Density Residential to Medium-Density Residential (City-Wide Master Plan) 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 #: 211050

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

3. **MPL2021-015 - RON WU**

Synopsis: Master Plan Amendment from Low-Density Residential to Medium-Density Residential (City-Wide Master Plan) 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 #: 211051

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

D. ORDINANCE AMENDMENT

1. **AN AMENDMENT** to modify Section 27, Division 5, Subdivision 3 of the Floodplain District to allow after the fact permitting of structures within the floodplain that conformed to the ordinance at the time they were built, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211047

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

ORDINANCE NO. O-136-21

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

1. **AN ORDINANCE** rezoning property at 725 North 74th Drive (COZ2021-020) from R-1 Single Family, RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211056

APPROVED: KANE/MCKIERNAN, VOTE: 9-0

ORDINANCE NO. O-125-21

2. **AN ORDINANCE** rezoning property at 900 North 69th Street (COZ2021-021) from R-1 Single Family and C-1 Limited Business Districts to MP-2 Planned General Industrial

District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211057

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-126-21

3. AN ORDINANCE rezoning property at 1201 North 98th Street (COZ2021-022) from A-G Agriculture District to CP-3 Planned Commercial District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211059

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-127-21

4. AN ORDINANCE rezoning property at 609 and 611 South 75th Street (COZ2021-0024) from R-1 Single Family District to R-2 Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211061

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-128-21

5. AN ORDINANCE rezoning property at 617 and 619 South 75th Street (COZ2021-025) from R-1 Single Family District to R-2 Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211062

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-129-21

6. AN ORDINANCE authorizing a Special Use Permit at 204 Orchard Street (SP2021-015) for continuation of a drinking establishment and live entertainment, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211066

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-130-21

7. AN ORDINANCE authorizing a Special Use Permit at 7852 Leavenworth Road (SP2021-026) for continuation of Temporary Use of Land to park salt plow trucks, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211067

APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-131-21

8. AN ORDINANCE authorizing a Special Use Permit at 1327 Minnesota Avenue (SP2021-050) for continuation of a parking lot, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211068
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-132-21
9. AN ORDINANCE authorizing a Special Use Permit at 2003 1/2 - 2005 North 5th Street (SP2021-061) for continuation of live entertainment, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211069
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-133-21
10. AN ORDINANCE vacating an easement (VAC2021-009) at 5917 North 123rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211064
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-134-21
11. AN ORDINANCE authorizing a Special Use Permit at 1930 South 74th Street (SP2021-057) for an earthen fill, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211070
APPROVED: KANE/MCKIERNAN, VOTE: 9-0
ORDINANCE NO. O-135-21

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. COZ2021-018 - COLE ANDERSON

Synopsis: Change of Zone from MP-1 Planned Light Industrial and Industrial Park and A-G Agriculture Districts to MP-3 Planned Heavy Industrial District for a permanent asphalt plan at 1625 South 86th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 211038

APPROVED: TOWNSEND/BYNUM, VOTE: 9-0
SUBJECT TO AMMENDMENTS

B. SPECIAL USE PERMIT APPLICATION

1. SP2021-062 - GORDON ARTHUR SCHOLES III WITH CLUB 403

Synopsis: Special Use Permit for a drinking establishment/neighborhood bar with live

entertainment at 614 Reynolds Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 5/4 VOTE)**

Tracking #: 211045

**APPROVED: MCKIERNAN/KANE, VOTE: 9-0
WITH THE STRIKING OF NO. 2, 11, 12 & 14**

C. MASTER PLAN AMENDMENT

1. MPL2021-006 - COLE ANDERSEN

Synopsis: Master Plan Amendment from Business Park to Industrial at 1625 South 86th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 211074

APPROVED: WALTERS/BYNUM, VOTE: 9-0

D. MISCELLANEOUS

1. Armourdale Area Master Plan update, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(FOR INFORMATION ONLY)**

Tracking #: 211048

INFORMATION ONLY

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR SEPTEMBER 30, 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

1. APPOINTMENT: VOTING DELEGATE FOR KAC

Synopsis: Appoint Commissioner Jane Philbrook as the voting delegate and Bridgette Cobbins as alternate for the Kansas Association of Counties 46th Annual Conference & Exhibition.

Tracking #: 211052

APPROVED: MCKIERNAN/BURROUGHS VOTE: 9-0

X. REGULAR CONSENT AGENDA

1. RESOLUTION: FIRST AMENDMENT TO DEVELOPMENT AGREEMENT FOR VILLAGE WEST APARTMENTS III

Synopsis: A resolution adopting the First Amendment to Village West Apartments III Development Agreement, modifying the completion dates and PILOT schedule, submitted by Katherine Carttar, Director of Economic Development.

*On September 13, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 211015

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

RESOLUTION NO. R-69-21

2. RESOLUTION: FIRST AMENDMENT TO KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT AGREEMENT

Synopsis: A resolution adopting the First Amendment to the Kaw River Bridge Cooperative and Development Agreement, modifying the conditions required to be met for Developer to access Pre-Development Funding, submitted by Katherine Carttar, Director of Economic Development.

*On September 13, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 211016

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

RESOLUTION NO. R-70-21

3. PLAT: PRECISION

Synopsis: Plat of Precision located at 47th St. and Douglas, being developed by Precision Cutting and Coring, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 211053

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

4. PLAT: HOMEFIELD MULTIFAMILY

Synopsis: Plat of Homefield Multifamily located at 94th and State Ave., being developed by 94th and State, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 211054

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

5. PLAT: TURNER LOGISTICS CENTER FIFTH PLAT

Synopsis: Plat of Turner Logistics Center Fifth Plat located at College Parkway and Orville Avenue, being developed by NP Turner Industrial, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 211072

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

6. PLAT: TURNER LOGISTICS CENTER SIXTH PLAT

Synopsis: Plat Turner Logistics Center Sixth Plat located at College Parkway and Orville Avenue, being developed by NP Turner Industrial, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 211073

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

7. MINUTES

Synopsis: Minutes from regular session of July 29, 2021; special meeting of September 7, 2021; and special sessions of September 2 and 9, 2021.

Tracking #: MINUTES

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

8. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated September 9, 16 and 23, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

APPROVED: RAMIREZ/MCKIERNAN, VOTE: 9-0

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. RESOLUTION: UNIFIED GOVERNMENT MITIGATION PLAN FOR STAFF RELATED TO COVID-19 AND ARPA ALLOCATION

Synopsis: A resolution approving the Unified Government Mitigation Plan for Staff related to COVID-19 and the allocation of American Rescue Plan Act (ARPA) funds, submitted by J. Renee Ramirez, Director of Human Resources.

*This item was scheduled to appear before the **Administration and Human Services Standing Committee**, chaired by Commissioner Bynum, on September 27, 2021. It was requested, and approved by the Mayor, to fast track this item to the September 30, 2021 full commission meeting.*

Tracking #: 211031

APPROVED: BYNUM/KANE, VOTE: 8-1

2. RESOLUTION: THIRD AMENDMENT TO DEVELOPMENT AGREEMENT FOR LEGENDS WEST LAWN

Synopsis: A resolution approving the Third Amendment to Legends West Lawn Development Agreement, submitted by Katherine Carttar, Director of Economic Development.

*This item was scheduled to appear before the **Administration and Human Services Standing Committee**, chaired by Commissioner Bynum, on September 27, 2021. It was requested, and approved by the Mayor, to fast track this item to the September 30, 2021 full commission meeting.*

Tracking #: 211071

APPROVED: MCKIERNAN/RAMIREZ, VOTE: 8-0

R-71-21

XIII. ADMINISTRATOR'S AGENDA

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

1. Ryan Barr – 1 home
611 Douglas Ave. – 155069
2. Habitat for Humanity of Kansas City – 1 home
2735 Roswell – 099219
3. Derek Covington – 4 homes
2608 Hallock St. – 292403
2604 Hallock St. – 292401
2526 N. 6th St. – 292423
2529 N. 6th St. – 292424
4. Chris Solutions Construction LLC – 1 home
1735 S. 22nd St. – 161100

B. New Construction – Multi Family

Bryan and Michelle Williams 10 – 15 units
922 N. 47th Ter. – 051400

C. New Construction - Commercial

1. City Oil Co. Inc.
2080 Darby Ave. – 154058
2074 Darby Ave. – 166404
2. Argentine Neighborhood Development Association
3119 Strong Ave. – 166441 – building
1419 S. 32nd St. – 166404 – parking
3. Centro De Avivamiento Casa De Dios
1001 Minnesota Ave. – 080414
1005 Minnesota Ave. – 081400
1007 Minnesota Ave. – 080415
4. Jaime Ruiz
1129 Osage Ave. – 072531
1130 Pennsylvania Ave. – 072532

*On September 13, 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 #: 211017

APPROVED: KANE/MCKIERNAN VOTE: 8-0

2. **LAND BANK PROPERTY TRANSFERS AND YARD EXTENSIONS**

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

A. Property Transfers

1. CHWC
822 Everett Ave. – 081898
824 Everett Ave. – 081897
836 Everett Ave. – 081896
840 Everett Ave. – 081895
842 Everett Ave. – 081894
844 H Everett Ave. – 081893
846 Everett Ave. – 081892
825 Oakland Ave. – 081877
831 Oakland Ave. – 081879
833 Oakland Ave. – 081880
2. USD 500
823 New Jersey Ave. – 082318
820 Freeman Ave. – 082347
3. Unified Government
2450 S. 14th St. – 130000
2441 S. 14th St. – 129528

B. Yard Extensions

1. Walter Linares
4414 Parallel Pkwy.
2. Alex & Laura Sanchez
3451 R N. 39th St. – 167037
3. David Patton

2523 N. 38th St. – 105140

4. Blank

1030 Quindaro Blvd. – 106259

*On September 13, 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 #: 211018

APPROVED: KANE/MCKIERNAN VOTE: 8-0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN