THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – August 8, 2011

MEETING NO. 2011-18: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Deputy Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Bruce Botelho (telephonic) Karen Crane, Ruth Danner, Johan Dybdahl (telephonic), Peter Freer, Malcolm Menzies, Merrill Sanford, and David Stone.

Assembly Absent: None.

Staff Present: Rod Swope, City Manager; Jane Sebens, Deputy City Attorney; Laurie Sica, Municipal Clerk; Rorie Watt, Engineering Director; Dale Pernula, Community Development Director; Beth McKibben, Senior Planner; Jeannie Johnson, Airport Manager.

II. SPECIAL ORDER OF BUSINESS

III. APPROVAL OF MINUTES

A. July 11, 2011 – Regular Assembly Meeting 2011-17

Hearing no objection, the minutes of the July 11, 2011 Regular Meeting 2011-17, were approved.

IV. MANAGER’S REQUEST FOR AGENDA CHANGES – None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

**MOTION**, by Stone, to adopt the consent agenda. Hearing no objection, it was so ordered.

1. Ordinances for Introduction

a. Ordinance 2011-20

An Ordinance Authorizing The Issuance Of General Obligation Bonds In The Principal Amount Of Not To Exceed $1,190,000 To Finance The Replacement Of Turf At The Adair Kennedy Multi-Use Field, And Submitting A Proposition To The Voters At The Election To Be Held Therein On October 4, 2011.
Administrative Report: Attached. The manager recommended Ordinance 2011-20 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2011-21
An Ordinance Authorizing The Issuance Of General Obligation Bonds In The Principal Amount Of Not To Exceed $1,400,000 To Finance The Heating System At Auke Bay Elementary School, And Submitting A Proposition To The Voters At The Election To Be Held Therein On October 4, 2011.

Administrative Report: Attached. The manager recommended Ordinance 2011-21 be introduced and set for public hearing at the next regular meeting.

c. Ordinance 2011-11(H)
An Ordinance Appropriating To The Manager The Sum Of $631,970 As Additional Funding For The Juneau International Airport Runway Safety Area Capital Improvement Project, Funding Provided By The Federal Aviation Administration.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(H) be introduced and set for public hearing at the next regular meeting.

d. Ordinance 2011-11(I)
An Ordinance Appropriating To The Manager The Sum Of $197,600 As Additional Funding For The Downtown Transportation Center Capital Improvement Project, Grant Funding Provided By The Federal Transportation Administration.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(I) be introduced and set for public hearing at the next regular meeting.

e. Ordinance 2011-11(J)
An Ordinance Appropriating To The Manager The Sum Of $28,000 As Funding For The Montana Creek Access Repairs Capital Improvement Project, Grant Funding Provided By The Alaska Department of Fish and Game.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(J) be introduced and set for public hearing at the next regular meeting.

f. Ordinance 2011-11(K)
An Ordinance Appropriating To The Manager The Sum Of $39,654 As Partial Funding For Firefighter Training, Grant Funding Provided By The U.S. Department Of Homeland Security And Federal Emergency Management Agency.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(K) be introduced and set for public hearing at the next regular meeting.

g. Ordinance 2011-11(L)
An Ordinance Appropriating To The Manager The Sum Of $250,000 For The AJ Mine Capital Project, Funding Provided By The Sales Tax Budget Reserve.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(L) be introduced and set for public hearing at the next regular meeting.
VII. PUBLIC HEARING

A. Ordinance 2011-17
An Ordinance Providing For The Levy And Collection Of Temporary 3% Areawide Sales Tax On The Sale Price Of Retail Sales, Rentals, And Services Performed Within The City And Borough Of Juneau, Such Tax To Be Effective On July 1, 2012, Intended To Be Allocated For Certain Purposes As Set Forth Herein; And Calling For An Election On Whether Such Sales Tax Shall Be So Levied.


Public Comment: None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2011-17. Hearing no objection, it was so ordered.

B. Ordinance 2011-18
An Ordinance Amending The Official Zoning Map Of The City And Borough To Change The Zoning Of U.S. Survey 381 FR, Located At The Corner Of Atlin Drive And Mendenhall Loop Road, Currently Zoned D-10, To Light Commercial, LC.

Administrative Report: Attached. The manager made no recommendation.

Public Comment:

Richard Harris, who made the re-zoning request, said the property is very visible from Mendenhall Loop Road and 20 apartments on the side of the highway would not be a good use of the property. He would like to have the option to build something bigger and better, which the Light Commercial zoning district would allow.

Ms. Danner said the feedback from the community is that they are concerned about the request because the plan for the property is not clear. Mr. Harris said he does not have a plan yet, however, he feels that using the property for residential apartments would be a waste. Development issues could be addressed during the conditional or allowable use permit process. The zone change gives the opportunity to do something different, and then they will move to the design phase.

Mr. Menzies said that the Planning Commission minutes referred to a professional office. He asked Mr. Harris if he planned to market the property as such. Mr. Harris said that reference was to one of his previous projects. Mr. Harris believes there is a demand and marketability for this type of building on this type of setting.

Ms. Danner asked if developing a professional office was more profitable than building to a D-18 density. Mr. Harris said he could not say. Residential housing has its values and building residential property would be easy for him to do, but the commercial use would put a better face on the community in that location. He thought that an apartment complex would lower the property values, as people would not want to live next to the freeway without a buffer.
Ms. Danner said that any project there would increase the traffic and the project needed to be viable to manage the cost for additional improvements. Mr. Harris said public improvements would be minimal with apartment construction due to what he paid for the property.

Rod Sedgwick lives in the neighborhood. He said the best use of the property would be to put in a professional building similar to Professional Plaza, to preserve the old growth trees and install a buffer for the existing neighborhood. He was not sure how that could be achieved. He would like to see a plan that feels good for the neighborhood before making the change.

Chuck Cohen said he represents the Kodzoff Acres manufactured home community. He recommended denial of this ordinance and the request for LC zoning. The Assembly should defer to the Planning Commission’s recommendation. Zoning has an importance beyond the individual landowner and gives some predictability to the community, the developers and the neighbors. This land sold at auction at D-10 and re-zoning the property to LC is a way to increase the property value. He said this is land speculation if there is no plan in mind. This is a prime piece of land within walking distance to shopping and schools. This community needs affordable housing.

Ed Quinto objects to LC zoning on this parcel. Atlin Street is the only access point for traffic in this area. His family has lived in the area since 1999 and has seen many near accidents at the intersection with Mendenhall Loop Road. The LC zoning will decrease his home value. They did not anticipate having a business on Atlin Street. The Assembly should follow the recommendations of the Planning Commission and CDD staff and maintain this lot as D-10 zoning.

Andrea Quinto said she lives in the area, runs a home daycare and the children are allowed to play outside on the street. She does not want to see a commercial development in the neighborhood and wants to maintain the area in a residential manner. Apartments may change this and she said development on the lot should be limited to single-family homes.

Tim Banaszak lives on Teslin St. He distributed a letter to the Assembly for review. He requested that the Assembly deny what he called a “spot zoning request” and leave the property as residential D-10, as it was when Mr. Harris purchased it. The purpose for zoning is to provide a healthy, safe and pleasant environment for residential living protected from incompatible and disruptive activities, according to the code. That is what the neighborhood wants to see. He spoke about the current configuration of the intersection and its dangers. The impact of residential or commercial development will require changes to the intersection.

Larry Hurlock said he lives in the area and uses Atlin Road to access his property. Anything that minimizes the amount of traffic into the intersection is what he supports. There was some question about a second outlet at the last meeting, and any new road development would require the Smiths and Hurlocks to subdivide property. The property in the area is essentially on a traffic island. Most commercial developments have a way in and out and here there is only one access. The timber around the pond cannot be cut. It is a beautiful area and the city put work into the pond to the north. He said the property owner seemed dismissive of putting only ten units per acre on this property, however, that is how it was zoned when he purchased the property.

Murray Walsh represented Richard Harris, and said that 40% of the property is unusable as it has CBJ imposed “no development” setbacks around the pond. The parcel is on a busy street.
There is only one residential property that is adjacent and that property could be buffered from any use on the lot. The traffic anticipated from multifamily residential development is similar to that of light commercial development. The trees on the property are unique and the ability to preserve them increases by giving the property owner the maximum developable uses. LC zoning provides more development flexibility. There are no sidewalks or bike lanes now and the developer can afford to install more amenities if he has more development options.

Ms. Becker asked if it was typical for a developer to tell the Assembly what they were going to do with the property before approval of a rezoning request. Mr. Walsh said the CBJ code does not allow for up-zoning on a case-by-case basis with a specific project under review. Many other communities have flexible zoning codes. CBJ has a classic form of zoning. The zoning is more set and there is a more elaborate review of projects once designed and submitted through the permit application process. Juneau has extensive powers to ask for exactions, changes, buffers, limits to hours of operation, which many communities with less complicated zoning do not require.

Assembly Action:

MOTION, by Danner, to adopt Ordinance 2011-18.

Ms. Danner said she did not like when the Assembly has to weigh in on a decision already made by the Planning Commission and she asked about the process. Mr. Pernula read CBJ Code section 49.74.130, “Procedure. A rezoning shall follow the procedure for a major development permit, except for the following: 1) the commission decision for approval shall constitute only a recommendation to the Assembly.” Mr. Pernula said he had consulted with City Attorney John Hartle about how to proceed when the Planning Commission recommends denial of a zone change. Mr. Hartle told him that the request for re-zoning went to the Assembly with a recommendation from the Planning Commission for denial.

Mayor Botelho said that a zoning change is a legislative action, not a quasi-judicial act, and re-zoning a property requires a code change, which is in the province of the Assembly. The CBJ Charter has delegated functions of permitting to the Planning Commission, and in those cases of denial, an appeal may come to the Assembly, which would act then in a quasi-judicial matter. Deputy City Attorney Sebens agreed and cited CBJ Code 49.10.170 which said that the Planning Commission must make recommendations to the Assembly on all proposed amendments to Title 49, and all zonings and re-zonings. This issue comes before the Assembly as a change to the code, not as an appeal.

Mr. Menzies asked if the Assembly denied the request for re-zoning, what would bar the applicant from making a new application. Mr. Pernula said a re-zoning request substantially the same as a previously rejected request can only be considered after a 12-month period has passed.

Mr. Freer said it was not clear, why this issue was referred to the Lands Committee and if this was typical procedure. Mr. Pernula said the Assembly referred the matter to the Lands Committee following introduction. Mr. Sanford said the Assembly asked to hear the matter in committee.

Ms. Becker asked if the motion to change the zoning to LC failed, would there be a possibility to make a motion to amend the ordinance to allow a rezone to D-18. Ms. Sebens said that the
Assembly could make a motion to amend the ordinance to D-18. Mayor Botelho said that because D-18 was a less intensive zone than LC he did not believe there was a notice issue.

Mr. Menzies said the applicant’s land is 2.6 acres, however only 1.4 acres is build-able property. He asked if construction is still allowed at D-10 or the equivalent of 26 units on that property. Mr. Pernula said yes, that the full amount of land is divided by ten units per acre to calculate the total number, but the building would have to be confined to the area not restricted by setbacks. Mr. Menzies said that an allowable development of 26 units on 1.6 acres would be denser than on 2.6 acres and Mr. Pernula agreed.

Ms. Danner asked why the Planning Commission recommended denial. Her preference was to defer to the Planning Commission as the experts. She asked about LC zoning in a Medium Density Residential (MDR) designation in the Comprehensive Plan.

Mr. Pernula said the Comprehensive Plan is a general guideline to determine the type of development planned for an area. The actual law or zones that may be applied are within a range of D-10, D-15, or D-18 within the MDR parcels. If there is a lower density in the zoning map and a higher density in the comprehensive plan map, an applicant can apply for a rezone to increase the density, but the Assembly would have the ability to keep the property at a lower density through the zoning ordinance.

Ms. Crane said the Comprehensive Plan is not written in stone and can be changed. The Assembly can look at issues on a case by case basis. The plan is developed in the light of day by the public. If the Assembly makes a change to the plan, there needs to be a reason. We should know what is going to be developed before we give the blessing to a change to LC zoning. She understood that method was contrary to the current process, but to her it made sense to have the plan for review. She did not want to see the property re-zoned to D-18 without additional public process and review.

Mr. Stone asked, if the Assembly approved the re-zone to LC, that would be the end of the matter. Mr. Pernula said that any use permitted outright in a LC zone would be allowed and some uses would require a conditional permit.

Ms. Danner asked which uses would be allowed. Mr. Pernula said the Table of Permissible Uses would need to be consulted. For example, any retail use beyond 10,000 square feet would need a conditional use permit.

Mr. Freer asked what the Alaska Department of Transportation (ADOT) “Level of Service” designation was at this intersection. Mr. Pernula said he was not sure. Mr. Freer said that it appears that any development there will require a review as it is currently at a D level.

Mr. Sanford said that if a project were presented to the Planning Commission for this site a traffic study would be done.

Mr. Menzies said the Planning Commission stated that if it chose to recommend re-zoning to LC then a traffic analysis should be done. They did not make such a recommendation so no traffic analysis was done.

Ms. Danner said that the traffic impact analysis seemed warranted with any increased traffic to the area, whether it was residential or commercially zoned. Mr. Pernula said the traffic impact
requirement in the code was amended a few years ago. Whether or not a conditional use permit is sought, if traffic is potentially above a certain level, a traffic impact analysis would be required with mitigation if it lowers the rating of the intersection to a certain level.

Mr. Dybdahl asked if the Assembly could condition the approval of the zone change by requiring a traffic impact analysis.

Mr. Pernula said many re-zonings in CBJ had been conditioned. On Valley Blvd., a re-zoning was conditioned so that it would not be effective until a sidewalk was installed. This was conditioned by the Planning Commission and supported by the Assembly in the ordinance. Mr. Pernula read from the code regarding when a traffic impact analysis was required. When a development is projected to generate 500 or more average daily trips a traffic impact analysis is required. A development projected to generate 250 trips would not be required to have a traffic impact analysis. A development between 250 – 500 trips would require a traffic impact analysis if the Community Development Director determined that an analysis is necessary based on the type of development, its location, the likelihood of future expansion and other relevant factors. Mr. Pernula said one single family dwelling usually generates 10 trips per day on average. A multiple family dwelling generally generates fewer trips than a single family dwelling per unit.

Mr. Dybdahl asked if the Assembly could place a condition on a re-zoning ordinance. Ms. Sebens said because the developer is not required to have a project outlined in order to seek re-zoning, and because a traffic impact analysis is not be initiated without a specific project proposed, she did not think this re-zone could be conditioned. She said Mr. Pernula’s suggestion that a condition to require a traffic impact analysis for any commercial development upon the ordinance to re-zone to LC sounded more reasonable.

Ms. Menzies said based on information in the Planning Commission’s staff report on page 6, anything above a D-15 is going to require a traffic analysis. D-18 and LC zoning show average daily trips of 281, which is above the 250 level in the code. He said this would make a condition on the ordinance redundant.

Ms. Danner asked if the last one to develop is the one to pay to improve the intersection or if this is an expense to the ADOT. Mr. Pernula said if the intersection is already at a maximum capacity, the code requires the applicant to make the improvements to a roadway to achieve or maintain an acceptable level of service if the road way or intersection has level of service D without traffic generated by the development. Mr. Menzies said that in the past the ADOT has required the developer to pay for the improvement. Mr. Sanford said sometimes if it is a city road, the city might pay a portion through a CIP project.

Ms. Danner referred to a re-zoning request on Glacier Avenue that was a similar request for increased density and she said it made sense to her to have higher density or commercial uses on property adjacent to busy roadways. Whatever is developed will require the traffic issues to be addressed. She understands the character of the neighborhood is important. Affordable housing in the community is a high priority and this is a willing developer and she prefers to see D-18 zoning on this property, however it seems that LC with its reduced traffic on weekends and evenings would be better for the neighborhood so she supported the ordinance.

**MOTION,** by Becker, to amend the ordinance to change the zoning of the property to D-18.
Roll call:
Aye: Becker
Nay: Crane, Danner, Dybdahl, Freer, Menzies, Sanford, Stone, Botelho.
Motion failed, 1 aye, 8 nays.

Mr. Dybdahl said the Comprehensive Plan is a guiding document and it is not cast in stone. The neighbors have compelling arguments and when there is no proposed project, there will undoubtedly be concern. LC zoning provides the greatest opportunity to address problems of safety in the area and a greater number of residential units may add more problems.

Mr. Freer spoke against the motion. He said he could imagine a commercial use on this property and there may be a good project possible. Residents rely on the designations in the Comprehensive Plan and this plan went through substantial public review recently, and this parcel was designated MDR. He was uncomfortable looking at a more intensive designation and one that is at variance with the plan. The staff report and Planning Commission decision was factually based and sufficiently analyzed. Without a good proposal for the site, there is uncertainty and unpredictability. The Table of Permissible Uses has a progression of intensity of uses from D-10 to D-18. Something not allowed in D-10 could be allowed outright without permit as a minor development in a LC zone. There are many transitional areas in the community and this may be one, but he thought it would be better if it were determined in the Comprehensive Plan and not by a decision of the Assembly.

Ms. Danner said that the Comprehensive Plan said that MDR allows for commercial development when it is compatible with residential use. She asked how this was defined. Mr. Pernula said the definition was the job of the Planning Commission. D-10 through D-18 zones allow for some commercial uses, such as offices, not retail, and those may be the commercial uses deemed appropriate. Ms. Danner said if it is changed to LC and it is no longer considered MDR, then the commercial uses no longer have to be compatible with the neighborhood. Mr. Pernula said once the property is zoned LC, anything that is permitted in that zoning designation is allowed through either a conditional use or an over-the-counter permit.

Mr. Freer said the sort of commercial use he thought were deemed compatible in a residential zone were home occupations.

Roll call:
Aye: Becker, Danner, Dybdahl, Sanford, Stone
Nay: Crane, Freer, Menzies, Botelho
Motion passed, 5 ayes, 4 nays.

C. Ordinance 2011-11(F)
An Ordinance Appropriating To The Manager The Sum Of $2,000,000 As Additional Funding For The Juneau International Airport Runway Safety Area Capital Improvement Project, Funding Provided By The Federal Aviation Administration.

Administrative Report: Attached. The manager recommended Ordinance 2011-11(F) be adopted.

Public Comment: None.

Assembly Action:
**MOTION, by Stone, to adopt Ordinance 2011-11(F).** Hearing no objection, it was so ordered.

D. Ordinance 2011-11(G)

**An Ordinance Appropriating To The Manager The Sum Of $250,000 As Funding For The Juneau Mendenhall Valley Street Dust Sweeper, Funding Provided By The Alaska Department of Transportation and Public Facilities.**

Administrative Report: Attached. The manager recommended Ordinance 2011-11(G) be adopted.

Public Comment: None.

Assembly Action:

**MOTION, by Freer, to adopt Ordinance 2011-11(G).** Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS

A. Initiative Petition - Draft Ordinance 2011-19

**An Ordinance Amending The Revenue And Taxation Code By Adding A Tax Of $.15 Per Bag On All Plastic Shopping Bags Provided By Certain Retailers At The Point Of Sale.**

Administrative Report: Attached. The manager made no recommendation.

Assembly Action:

**MOTION, by Botelho, for orders of the day.**

Mayor Botelho said that the only way for this initiative not to appear on the ballot this October or next October is for the Assembly to adopt an ordinance substantially similar in nature. One is provided in the packet for Assembly review. The Assembly could table this matter and delay, but aside from adoption, no Assembly actions would allow evasion of the matter from ballot placement. He did not think the Assembly should interfere with placement on the ballot. By making a motion for orders of the day, and with a failure to act, it is an affirmative step to place the measure before the voters in October 2011, and the public will be able to decide.

Hearing no objection, it was so ordered. Mr. Sanford said this action would direct staff to place the measure on the ballot.

X. STAFF REPORTS – None.

XI. ASSEMBLY REPORTS

A. Committee Reports

**Human Resources Committee:**
MOTION, by Danner, that the Assembly accept the following recommendation for committee appointments made by the HRC at its meeting of August 8:

Americans with Disabilities Committee:
Appoint Brad Hoyt to the remainder of the current term and to the subsequent term expiring August 31, 2014.

Juneau Commission on Sustainability:

Youth Activities Board:
Appoint Rick Trostel to the term expiring August 31, 2012.

Local Emergency Planning Committee:
Nominate Capt. Ed Mercer to the primary law enforcement seat and Lt. Troy Wilson to the alternate seat, both for terms expiring December 1, 2014.

Hearing no objection, the appointments were confirmed.

Lands Committee: Chair Becker said the committee met and reviewed the zone change ordinance before the Assembly at this meeting.

B. Liaison Reports

Alaska Committee: Liaison Becker said the next meeting is in September.

School Board: Liaison Becker said the ballot ordinances requested by the School District were introduced on this agenda.

Local Emergency Planning Commission: Liaison Danner said the LEPC’s next meeting was Wed., August 10, at Noon at Bartlett Regional Hospital.

Alaska Municipal League and Alaska Conference of Mayors: Mayor Botelho said he would be attending the summer legislative meetings in Sitka this week.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Becker said the United Way Day of Caring is scheduled for October 5, 2011, and everyone is welcome to help.

Ms. Danner asked when a consultant would be hired to provide the Planning Commission with technical information necessary to review the placement of telecommunication towers in the community. She understands that there are companies interested in establishing several new towers and no ordinance is in place to provide guidance for the review of this type of installation. Mr. Swope said that an appraiser was retained to provide a report for evaluation and for a comprehensive plan for these types of facilities. Mr. Swope said the issue came to the Lands Committee and it directed the use of lands fund money to hire such a consultant.

Mr. Sanford passed the gavel to Mr. Stone.
Mr. Sanford said that the Northland Street Neighborhood Association is asking why the work on Northland Street has not been scheduled. This project has been on the CIP list for five years.

**MOTION**, by Sanford, to direct staff to review existing CIP project funding and allocate existing funds to begin design work this winter for Northland Street repairs. Hearing no objection, it was so ordered.

Mr. Sanford said the Assembly passed a resolution of support for the Tongass Futures Roundtable in 2007. The direction of the roundtable has changed since that time and he would like the Assembly to review its position on this matter.

**MOTION**, by Sanford, to have the law department review the resolution and return it to the Assembly for review, with amendments to withdraw the Assembly’s support of the Tongass Futures Roundtable.

Mayor Botelho said he may have a conflict of interest as he is currently the designated moderator of the round table and he has gotten to that position in his Mayoral role. He asked the chair for a ruling.

Mr. Sanford asked if Mayor Botelho was a part of the Roundtable as the Mayor. Mayor Botelho said he is not part of it as the Mayor, but he is identified as the Mayor of Juneau in virtually all the listings of people who have affiliations. Mr. Sanford clarified that Mayor Botelho was appointed to that board as a private citizen, not representing the City and Borough of Juneau, and he recognized Mayor Botelho’s point.

Mayor Botelho recused himself. Mr. Stone said the matter would be before the Assembly at a future meeting and at that time, the matter of participation could be clarified.

*Hearing no objection, the resolution will appear at a future Assembly meeting.*

Mr. Dybdahl said that the deadline for filing for municipal office is Monday, August 15 and he encouraged everyone who has considered running for office to file.

Mr. Dybdahl asked when the Assembly would have an opportunity to weigh in on the topic of the location of the Fisherman’s Memorial. He would like to see some Assembly discussion, know the cost of moving the memorial and to hear from the public who have people inscribed on the memorial. Mr. Sanford asked staff to follow up with the Assembly on this issue.

Mr. Freer gave notice of reconsideration on Ordinance 2011-18.

**XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None.

**XIV. EXECUTIVE SESSION** – None.

**XV. ADJOURNMENT** – 9:15 p.m.