City of Gainesville

City Hall 200 East University Avenue Gainesville, Florida 32601



Minutes - Draft

May 20, 2021 1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large)
Mayor-Commissioner Pro Tem Gail Johnson (At Large)
Commissioner Desmon Duncan-Walker (District 1)
Commissioner Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 1:04 PM

AGENDA STATEMENT

ROLL CALL

Present 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

INVOCATION

CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Modifications: 1) File #201233 (Citywide Succession Planning Audit) - Remove Item; 2) File #201234 (Independent Payroll Calculation Memo) - Remove Item; and 3) File #191217 (Agreed Upon Procedures for Gainesville's Reichert House Youth) - changed Text File.

Public Comment: Nathan Skop, Brian O'Brien and Armando Grundy-Gomes

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted on the Consent Agenda with Modifications. The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

CA-1 201154. Approval of Minutes from the April 21, April 22, April 27, April 28, April 29, April 30, May 10, and May 12, 2021 City Commission Meetings (B)

RECOMMENDATION The City Commission approve the April 21, April 22, April 27,

April 28, April 29, April 30, May 10, and May 12, 2021

minutes.

Approved as Recommended

CA-2 201206. Neighborhood Workshop Continuation Special Meeting (NB)

RECOMMENDATION The City Commission approve a special meeting scheduled

for June 14th at 5:00 PM.

Approved as Recommended

CA-3 210003. Joint City Commission/Gainesville Housing Authority Meeting (NB)

			, ,
		RECOMMENDATION	The City Commission approve a Joint City Commission/Gainesville Housing Authority Meeting scheduled for July 19th at 3:00 PM.
		Approved as Recommended	
CA-4	210007.	City Commission Workshop on the Comprehensive Plan Update (NB)	
		RECOMMENDATION	The City Commission approve a workshop on the Comprehensive Plan Update scheduled for May 26, 2021 at 4:00 PM.
		Approved as Recomn	nended
CA-5	<u>201204.</u>	Resignation of Mark Mulhall from the Citizen's Advisory Committee for	
		Community Develop	oment, Trista Brophy from the City Beautification Board
		and Morris Hylton III from the Gainesville Art in Public Places Trust (B)	
		RECOMMENDATION	The City Commission accepts the resignations of Mark Mulhall from the Citizen's Advisory Committee for Community Development, Trista Brophy from the City Beautification Board and Morris Hylton III from the Gainesville Art in Public Places, effective immediately.
		Approved as Recomn	nended
CA-6	<u>201219.</u>	GRU Operational Updates for the Months of February, March and April 2021 (B)	
		RECOMMENDATION	Receive reports.
		Approved as Recomn	nended
CA-7	<u>201177.</u>	Contract Amendme with WCA of Florid	nt to Extend the Agreement for Solid Waste Collection a, LLC (B)
		RECOMMENDATION	The City Commission: 1) approve the First Amendment to the Amended and Restated Agreement between the City and WCA of Florida, LLC for Collection of Solid Waste, Recyclable Material and Yard Trash; and 2) authorize the City Manager or designee to execute the appropriate contract documents, subject to approval by the City Attorney as to form and legality.
		Approved as Recomn	nended
CA-8	201233.	Citywide Succession Planning Audit (B)	
		RECOMMENDATION	The Audit and Finance Committee recommends the City
		Striken From the Age	Commission accept the Internal Auditor's Report. nda

CA-9 201234. Independent Payroll Calculation Memo (B)

RECOMMENDATION The Audit and Finance Committee recommends The City

Commission accept the Internal Auditor's Report.

Striken From the Agenda

CA-10 191217. Agreed Upon Procedures for Gainesville's Reichert House Youth Academy

(B)

RECOMMENDATION The Audit and Finance Committee recommends the City

Commission accept the City Auditor's reports.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modifications: 1) File #210006 (Director of Equity and Inclusion Resignation and Contract Amendment) - Changed Text File; 2) File #201001 (Commissioner Gail Johnson - House Bill 1) - Additional Back-up; and 3) File #201235 (Organizational Culture Assessment and Report) - Changed Text File.

Public Comment: Nathan Skop, Ray Washington and Brian O'Brien.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted with Modifications. The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner

: 1 - Mayor-Commissioner Pro Tem Johnson

Arreola

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Under the City Commission meeting rules during the COVID-19 health emergency, General Public Comment may be given by phone or by pre-recorded voice message only (see page 2 for details).

Janice Gary
Drew Harper
Alysa Byrd
Marlon
Debbie Martinez
Brian O'Brien
Ray Washington
Rev. Clifford Patrick

Nathan Skop Donald Shepherd Dejeon Cain

BD BUSINESS DISCUSSION ITEMS (BD) - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.

BD-1 201001. Commissioner Gail Johnson - House Bill 1 (B)

Motion: 1) City of Gainesville retain the Community Justice Project and Public Rights Project to represent the City of Gainesville and prepare a draft complaint in response to HB1; 2) Commission authorize the City Attorney and City Manager to work in collaboration with the Community Justice Project and Public Rights Project; and 3) The draft complaint shall be presented to the Commission within 30 days.

Mayor-Commissioner Pro Tem Johnson introduced the item.

Barbara Foster spoke to the matter.

Lijia Gong spoke to the matter.

Jonathan Miller spoke to the matter.

Marissa Ray spoke to the matter.

Michael Alama spoke to the matter.

Nicolle Shalley, City Attorney spoke to the matter.

Public Comment: Nathan Skop, Veronica Roble, Daniel Castro, Donald Shepherd, Kiara Lawrence, Michael Rayburn, Miranda Martin, Mona Osario, Maureen Reschly, Alfredo Morales, Ray Washington, Armando Grundy-Gomes, Rodney Long and Bruce Blackwell.

RECOMMENDATION The City Commission discuss and take action deemed

necessary.

A motion was made by Mayor-Commissioner Pro Tem Johnson, seconded by Commissioner Duncan-Walker, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

BD-2 201137. Solid Waste Service Usage Data Analysis (B)

Motion: Rescind the direction to the City Attorney's office to draft a flat rate ordinance, and schedule a special meeting after recess to discuss. The topic of discussion should be equitable and a sustainable solution.

Public Comment: Nathan Skop, Nina Bhattacharyya, Donald Shepherd, Bryan Eastman and Karen Deter.

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RECOMMENDATION

The City Commission reconsider item #201137 and take any action deemed necessary.

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

BD-3 200604. Interlocal Agreement Creating the Joint Food System Policy Board (B)

Motion: Approve the Interlocal and appoint Commissioner Duncan-Walker and Commissioner Saco to serve on the Board.

RECOMMENDATION

1) The City Commission approve the Interlocal Agreement and authorize the Mayor to execute the agreement on behalf of the City of Gainesville, and 2) the City Commission appoint two (2) City Commissioners to serve on the Joint Food System Policy Board.

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

BD-4 201235. Organizational Culture Assessment and Report (B)

RECOMMENDATION

The City Auditor recommends the City Commission review the Internal Auditor's report and A) per recommendation #1, The City Commission direct the Charter Officers to propose an enhanced policy research process flow and present it the City Commission for final approval, and B) per recommendations #2-5, the City Commission direct the Charter Officers to work

with Human Resources to: create and implement a citywide policy management framework; enhance leadership training programs; consider approaches to internal conflict resolution assistance; and consider opportunities to support capturing employee suggestions.

A motion was made by Mayor-Commissioner Pro Tem Johnson, seconded by Commissioner Hayes-Santos, that this Matter be Striken From the Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, Commissioner
Arreola, and Mayor-Commissioner Pro Tem Johnson

BD-5 210006. Director of Equity and Inclusion Resignation and Contract Amendment (B)

Motion:1) City Commission approve the amendment to employment agreement as presented; 2) Appoint Equal Opportunity Manager Sylvia Warren as Acting Equity and Inclusion Director until another is hired; 3) Direct staff to advertise the Interim Equity and Inclusion Director position internally and for former employees; 4) The Commission direct Human Resources to develop a process to inform the community of the process of hiring the next Equity and Inclusion Director (not until the Commission is able to define what that should look like) including the timeline, recruiting, interviews and final selection (with the understanding that the Baysinger Firm should not be used).

Nicolle Shalley spoke to the matter.

Public Comment: Ron Rawls, Rodney Long, Armando Grundy-Gomes, Faye Williams and Nathan Skop.

Recess - 5:07 PM

Reconvene - 5:45 PM

RECOMMENDATION

The City Commission discuss and take action deemed necessary.

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and
Mayor-Commissioner Pro Tem Johnson

Nay: 1 - Commissioner Arreola

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 201229. **Monarch Butterfly Month - May, 2021(B).**

RECOMMENDATION Parks Recreation and Cultural Affairs Interim Director Roxana

Gonzalez to accept the proclamation.

Heard

PR-2 **200824**. Emancipation Day May 20, 2021 (B)

<u>RECOMMENDATION</u> Mayor Lauren Poe to read the proclamation.

Heard

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-3 201168. Resolution to Dual-Name Southeast 2nd Place to "Marilyn Wall Way" (B)

This item involves a Resolution authorizing S.E. 2nd Place between South Main Street and S.E. 3rd Street to be dual-named as "Marilyn Wall Way".

Miguel Wall and Gregory Von Hauseur spoke to the matter.

Commissioner Ward in at 6:00 PM.

<u>RECOMMENDATION</u> The City Commission adopt the Resolution.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Arreola, and

Mayor-Commissioner Pro Tem Johnson

Absent: 1 - Commissioner Saco

RE-1 201226. Revisions to the City Commission Rules (B)

Resolution No. 201226

A Resolution of the City of Gainesville, Florida amending and restating the rules of the City Commission; providing a repealing clause and providing an immediate effective date. Mayor-Commissioner Pro Tem Johnson left at 6:06 PM.

Public Comment: Donald Shepherd.

RECOMMENDATION

The City Commission adopt the proposed Resolution

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner

Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

RE-2 201230. Septic-to-Sewer ConnectFree Resolution (B)

Resolution No. 201230

A resolution of the City of Gainesville, Florida, amending and restating Resolution Number 160416; providing for the source of funding for the ConnectFree Program; providing the projects that are eligible to receive ConnectFree grant funding; providing the criteria for each project to receive grant funding; providing for grant funding amounts; authorizing the City Manager to administer the ConnectFree Program; providing an immediate effective date.

Rick Hutton, Supervisor Engineer Utility Designer gave a presentation.

Public Comment: Donald Shepherd

<u>RECOMMENDATION</u> The City Commission adopt the proposed Resolution.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 5 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, and Commissioner Duncan-Walker

Absent: 2 - Commissioner Arreola, and Mayor-Commissioner Pro Tem Johnson

RE-4 <u>201078.</u> Quasi Judicial - Final Plat for Grand Oaks at Tower - Phase 2, a Cluster Subdivision (B)

Resolution No. 201078

A resolution of the City of Gainesville, Florida, approving the final plat named "GRAND OAKS AT TOWER - PHASE 2, A CLUSTER SUBDIVISION" located in the vicinity of SW 17th Road and SW 68th Terrace, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the City Clerk; and providing an immediate effective date.

Lawrence Calderon, Planner III gave a presentation.

Public Comment: Donald Shepherd.

<u>RECOMMENDATION</u> The City Commission adopt the proposed resolution.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner
Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

RE-5 210001.

Resolution to Adopt the 2021 Alachua County Local Mitigation Strategy Plan, Including Items Specific to the City of Gainesville (B)

Resolution No. 210001

A Resolution of the City Commission of the City of Gainesville, Florida concerning the City of Gainesville's portion of the Alachua County Local Mitigation Strategy Plan and providing an immediate effective date.

Lee Feldman, City Manager spoke to the matter.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Hazard Mitigation Grant Program Agreements and any other documents associated with completing these projects, subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner
Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

BUSINESS DISCUSSION ITEMS

BD-7 201236.

Authorization to Utilize ConnectFree Funds for SE 13th Avenue Septic to Sewer Project (B)

Rick Hutton, Supervisor Engineer Utility Designer gave a presentation.

Public Comment: Donald Shepherd.

RECOMMENDATION The City Commission authorize expenditure of up to \$200,000

from the ConnectFree program funds for the proposed SE

13th Ave septic to sewer project.

A motion was made by Commissioner Saco, seconded by Commissioner Hayes-Santos, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,

Commissioner Ward, Commissioner Duncan-Walker, and Commissioner

Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

PUBLIC HEARINGS (PH)

PH-1 200727.

Text Change to the City's Land Development Code to Allow Agricultural Uses Within Certain Zoning Districts (B)

<u>Petition PB-20-158 TCH.</u> City of Gainesville. Proposed text amendment to Land Development Code Article II Definitions, Article IV Zoning, and Article V Use Standards, to allow for agricultural uses within certain zoning districts and applicable use standards.

Brittany McMullen, Planner IV gave a presentation.

Karissa Raskin spoke to the matter.

Public Comment: Donald Shepherd and Maureen Ruschly.

<u>RECOMMENDATION</u> Staff to City Plan Board - Approve Petition PB-20-158 TCH.

City Plan Board to City Commission - Approve Petition

PB-20-158 TCH.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Approved (Petition). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,

Commissioner Ward, Commissioner Duncan-Walker, and Commissioner

Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)

SR-1 200725. Land Use Change - 4.46 Acres of Property Located at 423 SE Williston Road (B)

Ordinance No. 200725

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 4.46 acres of property generally located at 423 SE Williston Road, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Nicolle Shalley, City Attorney spoke to the matter.

Andrew Persons, Director of Sustainable Development introduced the item.

Nathaniel Chan, Planner 1 gave a presentation.

Onelia Lazzari, Planner, EDA gave a presentation.

Public Comment: Donald Shepherd.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner
Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)

FR-1 200726. Quasi-Judicial - Rezoning 4.46 Acres of Property Located at 423 SE Williston Road (B)

Ordinance No. 200726

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 4.46 acres of property generally located at 423 SE Williston Road, as more specifically described in this ordinance, from Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathaniel Chan, Planner 1 gave a presentation.

Onelia Lazzari, Planner, EDA gave a presentation.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco,
Commissioner Ward, Commissioner Duncan-Walker, and Commissioner
Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

FR-2 200720.

Clearboarding of Structures - Amendment to Section 16-20 (B)

Ordinance No. 200720

An ordinance of the City of Gainesville, Florida, amending Section 16-20 of the Code of Ordinances to require certain openings of vacant structures be sealed with clear or semi-clear shatter-proof polycarbonate material; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Andrew Persons, Director of Sustainable Development spoke to the matter.

RECOMMENDATION The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, and Commissioner Duncan-Walker

Nay: 1 - Commissioner Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

FR-3 201151.

Ordinance Amending Insurance Requirements for Micromobility Services **(B)**

ORDINANCE NO. 201151

An ordinance of the City of Gainesville, Florida, amending section 26-195 of Chapter 26, Article VII by changing the insurance requirements for micromobility services; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lee Feldman, City Manager spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Ward, seconded by Commissioner Arreola, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Arreola

Absent: 1 -Mayor-Commissioner Pro Tem Johnson

BD-6 210005.

City Commission Direction Regarding Open Container Ordinance (B)

Motion: Bring back solutions to address public safety issues that large gatherings create.

Public Comment: Donald Shepherd and Debbie Martinez.

RECOMMENDATION

The City Commission: 1) Discuss potential amendments to City Code of Ordinances Sec. 4-4 and Sec. 18-20(16) and provide direction to staff, as needed.

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:

Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Arreola

Mayor-Commissioner Pro Tem Johnson

COMMISSION COMMENT CC

Commissioner Ward - Plans for a power district confusion in community.

Motion by Commissioner Ward, seconded by Commissioner Saco: Have a community meeting to discuss where we are with the power district. Motion passed 6-1. Mayor-Commissioner Pro Tem Johnson absent. Public Comment: Nathan Skop and Armando Grundy Gomes.

Commissioner Saco - Concerns about use of word "citizen". Need to be more mindful of using term neighbor.

Commissioner Arreola - Good meeting.

Commissioner Duncan-Walker - Clarity on open container ordinance directions.

Mayor Poe - Thanked Sgt. Penny, Feranna and Ms. Malden.

ADJOURNMENT - 8:18 PM