

NORTH WEST COMMUNITY COUNCIL  
MINUTES

November 18, 2013

PRESENT: Councillor Tim Outhit, Vice-Chair  
Councillor Barry Dalrymple  
Councillor Matt Whitman  
Councillor Steve Craig

REGRETS: Councillor Brad Johns, Chair

STAFF: Ms. Kirby Grant, Solicitor  
M. Jillian Maclellan, Planner  
Mr. Bruce Fisher, Manager, Financial Policy and Planning  
Ms. Barb Wilson, Senior Budget Coordinator  
Mr. Quentin Hill, Legislative Assistant

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**1. CALL TO ORDER**

Councillor Outhit called the meeting to order at 7:05 p.m. at Acadia Hall, 650 Sackville Drive, Lower Sackville.

**2. APPROVAL OF MINUTES – October 21, 2013**

**MOVED by Councillor Dalrymple, seconded by Councillor Whitman that the October 21, 2013 minutes be approved as presented. MOTION PUT AND PASSED.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Councillor Outhit advised that there was an error posted online for the location to the Public Hearing. He requested that the agenda be amended to hold budget consultation at the beginning of the meeting, to allow time for people to get to the Hearing on time.

**MOVED by Councillor Craig, seconded by Councillor Whitman that the agenda be approved as amended. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES - NONE**

**5. STATUS ITEMS**

**6. MOTIONS OF RECONSIDERATION/ RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**8. PUBLIC HEARINGS**

**8.1 Case 17760: Development Agreement – 644 Bedford Highway, Halifax**

Council agreed to hear Case 17760 later in the meeting, see page xx.

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.3 Presentations**

**9.3.1 2014/15 Budget Consultation Presentation**

Ms. Barb Wilson, Budget Coordinator and Mr. Bruce Fisher, Manager of Financial Policy & Planning, provided a presentation on the budget consultation process to Community Council.

**Ms. Barb Wilson** explained that HRM has an annual operating budget of \$824 million. However, a portion of the taxes collected go directly to the Province of Nova Scotia for housing, corrections and education.

Ms. Wilson explained that HRM's top expenses include transportation and public works, police, transit, and fire services.

Ms. Wilson indicated that revenues also come transit fares, transit fees, development fees and transfer payments from other levels of government.

Ms. Wilson encouraged residents to participate in the budget process by:

- Giving input at a Community Council meeting
- Providing feedback by way of the public engagement portal, [shapeyourcity.ca](http://shapeyourcity.ca)
- Attending Committee of the Whole

Ms. Wilson encouraged residents to use the Budget Allocator Tool located on the HRM website, which allows residents to balance the budget based on their priorities. She added that the more residents participate, would help HRM understand the priority of municipal services residents expect.

Ms. Wilson noted that along with the Community Council meetings, there will be a Committee of the Whole for members of the public to ask questions and comment on the budget priorities of each HRM business unit.

**Mr. Fisher** outlined a number of factors HRM considers when it prepares its budget, including:

- The rate of inflation, specifically the price level of goods relative to income growth.
- The expected growth of all goods and services produced relative to last year (GDP).
- The number of homes to be built in HRM. After all, new homes mean more sidewalks and extended curbside collection services.

Mr. Fisher noted that many of these calculations are done by the Conference Board of Canada.

After completing the economic scan, HRM prepares working assumptions. For example, the municipality must determine the size of its capital budget and decide how much debt it intends to carry over. Mr. Fisher explained that HRM's debt has been steadily declining for 16 years and currently sits at \$1,400 per home, which is quite modest relative to other levels of government.

HRM, continued Mr. Fisher, must also decide the rate at which residential and commercial tax bills will grow. The working assumption here is that the average bill will increase at the rate of inflation.

Mr. Fisher explained that HRM will be short \$17 million in 2014-2015. As a result, the municipality will need to find savings and efficiencies. Part of the challenge is that the cost of municipal services tends to rise faster than the rate of inflation. This makes the budget consultation process all the more important because it identifies priorities and the opportunity cost of allocating more for X than for Y.

Mr. Fisher confirmed that HRM is at the front stage of the budget process and that residents can play a role throughout. He encouraged residents to test out the Budget Allocator Tool and to attend upcoming Committee of the Whole meetings. The process will be completed by April 1, 2014 as provincial legislation requires that HRM adopts a balanced budget by that time.

The Chair then opened the floor to questions and comments.

**Mr. Greg Burke** of Westpoint Drive requested more information about the economic predictions that help in the budget planning.

Mr. Fisher replied that majority of the information is derived from the Conference Board of Canada data.

Mr. Burke wished to know how much HRM spends on parking meters and related collection services.

Mr. Fisher indicated that they cost \$2.8 million and could find out the cost of the supporting that service.

**Mr. Ben Jessome**, MLA for Hammonds Plains –Lucasville, wished to know if, as part of the public consultation process, participants will be asked to identify where they live.

Ms. Wilson replied that residents who use the Budget Allocator Tool will be asked to provide their postal code.

**Councillor Craig** noted that setting the budget is the most important task of Regional Council. He encouraged residents to participate fully in the consultation process, noting that Committee of the Whole will be particularly interesting as Councillors and the public can ask questions to the Directors of each business unit. Committee of the Whole budget meetings begin November 19, 2013. He also encouraged residents to use the Budget Allocator Tool - which will help staff determine what services should be given greatest priority.

As there were no more questions or comments, the Chair called this portion of the meeting to a close at 7:40 pm.

## **8. PUBLIC HEARINGS**

### **8.1 Case 17760: Development Agreement – 644 Bedford Highway, Halifax**

The following items were before Council:

- Staff report dated August 14, 2013
- Correspondence from Ms. Davena Davis dated November 18, 2013
- Correspondence from Residents of Bedros Lane dated November 18, 2013
- Correspondence from Ms. Isabelle Chevier and Mr. Patrick Bannon dated November 18, 2013
- Correspondence from Ms. Catherine Frazee and Ms. Patricia Seeley
- Correspondence from M. Min Seop Song and M. Young Mi Shin dated November 16, 2013
- Correspondence from Ms. Wendy MacDonald dated November 17, 2013
- Copy of Draft Trail Planning and Construction Checklist
- Correspondence from Mr. Raul Ruggles and Ms. Ilene Ruggles dated November 7, 2013
- Correspondence from R. Bradley dated November 12, 2013

Councillor Dalrymple assumed the Chair, so that Councillor could participate fully in the Public Hearing.

Councillor Dalrymple outlined the process for the Public Hearing. He noted that there was a sign-up sheet to speak for or against the proposal.

Ms. Jillian Maclellan, Planner presented the report to Community Council. Ms. Maclellan advised that the applicant is WM Fares and are proposing development for a 52 unit residential building. She noted that the property is located adjacent to the Bluenose Inn and the surrounding area is a mix of commercial and residential uses. She stated that the property is currently zoned C-2B and permits a mix of commercial and residential uses. Ms. Maclellan showed photos of the proposed building. The proposed building would be terraced into three sections to reflect the grade of the property and the highest elevation of the site would be five stories.

Ms. Maclellan advised that there was a public information meeting held on June 6, 2012. She noted concerns were raised regarding the loss of the Old Coach Trail and concerns regarding possible traffic issues in the area. She added that a traffic impact statement was conducted and was determined that it would only create a small increase in traffic on the Bedford Highway.

Councillor Outhit requested clarification on proposed building heights in the area and what is triggered when a proposal exceeds four stories.

Ms. Maclellan stated that the Municipal Planning Strategy will set out general guidelines for development in the area. She added that the MPS also allows for discretionary approval for certain types of development. In this case, development over 35 feet is appropriate but should be done in discretionary manner, so that the public and Council can provide input to ensure the building will fit within the area.

Councillor Outhit requested that there should be a view of the proposed building in relation to the other buildings in the area provided in the presentation. He also wanted to know if turning lanes and why a sidewalk was not considered for the development during the traffic impact study.

Ms. Maclellan noted that the traffic impact study indicated that a turning lane would not be required.

Councillor Whitman wanted to know who owned the property that the Old Coach Road passed through. He also wanted to know if the two properties adjacent to the proposed development are they potentially part of the development. He added that consideration of a sidewalk should be considered as its always wet and wondered if there was a spring in the area.

Ms. Maclellan stated she is unaware of the exact status of the two adjacent properties and there was no indication of a spring in the area.

Councillor Craig requested clarification on what steps were included in the agreement to ensure that stormwater would not run onto adjacent properties or onto the Bedford Highway.

Ms. Maclellan advised that the property would have to submit a stormwater site management and would be looked at through the permit application process.

Mr. Caesar Salah, Engineer WM Fares Group, presented on behalf of the applicant. Mr. Salah noted that the building elevation would only five stories in height, but would include 1 ½ stories which would be underground. The building would work with the site elevation and would include siding that would look good alongside other buildings in the neighbourhood. He noted that the open terraces would allow for amenity spaces and would reduce the impact of the look of the building in the area. He added that the building would be sensitive to the views from other buildings in the area. The proposed building is lower than the first level floor of the other buildings in the area. He advised that they have worked with all HRM departments to ensure they would meet all the policies and criteria in place.

Councillor Dalrymple reviewed the public hearing procedures and opened the Public Hearing.

**Mr. Ray Hunt**, Bedros Lane, stated he was concerned with the increase in traffic in the area. He noted that the traffic study seemed dated as there was an increase of 17

buildings and large shopping area since 2011 when the traffic study was completed. He agreed that there are 500 vehicles an hour during peak hours. He noted that there needs to be traffic lights put up in the intersection.

**Mr. Judd Godin**, Bedros Lane, advised that 50 people had signed and supported a summary that was presented to Council. He commended the builder and planning staff for taking into consideration view plains and the recognition of the importance of the Old Coach Road to the community. He raised concern that a development agreement was being decided on based on a traffic study was out of date. However, he noted that they were appalled and disappointed that a development decision is being made based on a traffic study which they felt was simplistic and erroneous. He explained that the traffic study does not take into consideration of future traffic loads from various developments which have happened in the area since 2010. Mr. Godin added that there were two schools in the area and that the safety of children also needed to be considered. He provided the following recommendation for Council to consider. 1. Delay the commencement of the project until a new traffic study is completed and traffic lights are approved for Bedros Lane and Starboard Drive. If both of the above are not completed, the project is required to honor existing heights. 2. HRM to place an immediate easement over the Trail known as Old Coach Road, extension with a view to allow for the development of a more formal trail by the developer in cooperation with HRM staff and the trail association in the area.

**Mr. Brian Worrell**, Bedros Lane, raised concern that approving a 7 story building would set a precedent for height of other buildings in the area. He was also concerned about the amount of underground parking would not be adequate enough for the building. He noted all the other buildings in the area had 4 or less levels of living space. He didn't agree that the proposed building would not block the view from the buildings behind it.

**Ms. Laura Caplan**, stated she lived on the Bedford Highway and agreed with other speakers that this development would increase the traffic in the area. She noted it is difficult to access properties along Bedford Highway. She wondered how long the construction would take and the cost of units in the building.

**Ms. Maureen Palmeter**, Fern Leigh Park, advised she was part of an active homeowners association in the area. She contacted the Development officer and wanted to be involved than they were permitted and wanted it noted that they were not coming with concerns at the last minute. She questioned if the density of the project met the criteria in the MPS. She stated that she had questioned how the density was calculated in the Public Information Meeting (PIM). She advised that she did not see her questions or a response in the report.

**Mr. David Livingstone**, Bedros Lane, felt the building was going to ruin the ambiance of the area. He added that Larry Uteck felt like a 'concrete jungle' and wondered if anyone thought of green belting when developing the area. He agreed that traffic would be an issue down the road.



**Ms. Nilay Metolah**, Bedros Lane, expressed concern that any remaining green space continues to be destroyed though increased development. She added that travel to the city centre needs to be considered as it takes her a long time to go through traffic to the centre.

**Mr. Chris Rafuse**, Bedros Lane, was expressed shock that HRM does not consider view plains when approving developments. He stated that there is an economic issue when view plains are not considered. He noted 223 units in a couple buildings on Bedros Lane and their valued price would drop if their views get blocked. He thinks that should be included when determining proposed developments.

**Mr. Aubrey Palmeteer**, Fern Leigh Park, advised he has lived in the neighbourhood for 29 years. He raised concern that there is little commercial activity included in these developments. He added that he would like to see a more blended development process which included a greater business component.

**Mr. Greg Burke**, was concerned that there was a greater working dynamic in the Larry Uteck Boulevard. He stated there is a funneling problem in HRM as there is no infrastructure to get people into downtown. He advised it takes a long time to get to and from the centre of the city with all the increase of developments in the area with no new infrastructure.

**Ms. Catherine Frazee**, Bedford wanted to ensure Council had received her written submission. She advised Council she moved from Toronto to live in Bedford. She explained she moved here because of the rich green areas and urban forest. She felt that the Urban Forest Master Plan was a good document for Council to use and consider for developments. She hoped Council would consider assessment of vulnerable plant species in the area.

**Ms. Elaine Godin**, Bedros Lane, hoped that a green space would be left in the area. She noted that lots of wildlife comes to the area and it is enjoyed by many residents. She added that it would be a great loss to the area if the Old Coach Trail is broken up.

**Mr. Brian Murray**, Hammonds Plains, wondered how much control HRM staff have on buffered areas after the development is concluded.

**Ms. Patricia Levy**, Fern Leigh Park hoped that the Old Coach Road would be continued and connect to the Cabin Lake Trail.

**Ms. Daveena Davis**, Fern Leigh Park felt the development should be halted until all upcoming developments are considered. She noted there are a number of concerns such as traffic and loss of trail in the area.

An unidentified male, spoke about a proposed development in the area. He noted that they are considering reducing it in size after hearing many of the comments. He added that his daughters go to school on Larry Uteck and he would not consider a

development that would put his children's life at risk and he did support the proposed development.

The Chair called three times any speakers; there being none, the developer was asked to come and address some of the comments and concern raised.

Mr. Salah advised that a traffic study was completed by Genivar and they have 40 years' experience in traffic studies. He noted that they do not participate in the study and the study is submitted and scrutinized by HRM. He added that no development will take place on the trail and is written in the development agreement. He added that it is zoned highway commercial, but they believe they are providing the best possible option for the development of the land. There is no set precedent in building height for properties as Council has to consider proposals by a case by case basis. Parking is required to have a 1.5 parking space to unit ratio and would be more than ample parking for residents and visitors. He noted that the site would be visible from other buildings but the view would allow neighbouring properties to see over it. The building would take approximately 18 months to complete. Mr. Salah also added that the building meets the density requirement. He added that they went through the policy item by item so that they would be able to meet all the criteria.

**MOVED by Councillor Craig, seconded by Councillor Outhit that the public hearing close. MOTION PUT AND PASSED.**

Ms. Maclellan responded to some of the comments and concerns. She stated that the Traffic Impact statement was prepared by a certified engineer and was approved by HRM's Traffic Services. The development requires that there be 70 parking spaces in total with 25 to be at grade. Density was calculated using a similar formula used by Halifax Water and is calculated based on floor plans of each unit. Buffers are enforced by checking to see if the developers are meeting the criteria, and enforcement is possible if HRM feels the developer is not meeting the agreed upon requirements.

Councillor Craig wondered if Larry Uteck Boulevard was originally designed to be a four lane road. He also wanted to know about left turning lanes and having it looked at and incorporated into the Development Agreement.

Ms. Maclellan advised she was unsure about the future uses to Larry Uteck Boulevard, and turning lanes could be incorporated in the Development Agreement. She added that any additional requirement would require further negotiation with the applicant.

Councillor Whitman commented that view planes are not protected and he is sympathetic, but they are not part of the purchase of a property. He requested clarification on how density is calculated for the development and how long does the buffer requirement have to remain on the development.

Ms. Maclellan advised that Halifax Water calculates density based on the amount of bedrooms in a dwelling, whereas Land Use Bylaws can consider density in different

ways. She added that the buffer would have to remain in place for the duration of the development agreement which stays with the property once it is completed.

Councillor Outhit stated the challenge is that the area was designated as a growth area in the Regional Plan in 2006. He advised that he did not think the development of 52 units would drastically change the traffic in the area, but did state that it is the number of bigger proposed developments in the area that concerns him. He noted that a traffic study was completed but required many things to happen such as widening of Bayer's Road, and increased public transit facilities. He added he did not accept that traffic study report and would be doing whatever he could to continue to put some of the larger developments on hold until the regional plan would be finalized. He added that he is concerned about the traffic on the Bedford Highway and was supportive of rail and ferry and other public transit to move people downtown.

Councillor Outhit added that Council cannot force Traffic services to put up traffic lights, stop signs or crosswalks. He requested that this matter be deferred until the next Community Council meeting until some additional information is provided to Council.

**MOVED by Councillor Outhit, seconded by Councillor Craig that North West Community Council defer decision on Case 17760 for further information until the December 16, 2013 meeting of North West Community Council. And include the following information in the supplementary report:**

- **Better understanding of the current use and possibilities for the 'Old Coach Road' trail.**
- **Staff to discuss with the developer the possibility of a sidewalk to be included in the development**
- **Traffic Services to be contacted to see if traffic lights are warranted at the intersection of Bedros Lane, Larry Uteck Blvd. and Starboard Drive.**
- **Consideration of turning lanes on Bedford Highway at locations near the proposed development.**
- **Request to have developer provide a sketch of the proposed building in relation to the various view planes.**

**MOTION PUT AND PASSED.**

## **9.1 Correspondence**

### **9.1.1 Soil and Water Conservation Society**

- **Rocky Lake, Bedford and Waverley**
- **Sandy Lake, Bedford: Accelerated Eutrophication**

**MOVED by Councillor Whitman, seconded by Councillor Dalrymple to accept and table the correspondence. MOTION PUT AND PASSED.**

### **9.1.2 Sackville Rivers Association re: Big Sandy Lake Watershed Study**

**MOVED by Councillor Whitman, seconded by Councillor Craig, that North West Community Council request a staff report on the financial implications of extending the scope of the contract of the Big Sandy Lake Watershed Study from the outlet of Big Sandy Lake to the mouth of Peverills Brook.**

**MOTION PUT AND PASSED.**

Due to the length of the meeting, Community Council agreed to move the Public Participation portion of the meeting in advance of the remainder of the agenda.

**14. PUBLIC PARTICIPATION**

**Ms. Joana Warden**, Hammonds Plains, raised concern regarding lands in Wallace Hills is going to be used for construction of a VLT (Video Lottery Terminal) Centre. She advised that she has lived there for many years. She noted that the proposed VLT will be within 300 meters from an elementary school. She added that the road already sees a high amount of traffic and this would only add to the problem.

Councillor Whitman advised that he is aware of the VLT proposal and is working with the new MLA and Member of Parliament to find some solutions to the issue.

**Ms. Gina Byrne**, Hammonds Plains, advised that the VLT issue has been known around the community for years. She added that there could have been infrastructure prepared and arrangements made to deal with this before it became a problem. She added that she hoped all residents in Hammonds Plains used the budget tool to push for higher infrastructure funding as was presented during the budget consultation. Ms. Byrne also wondered if the business tax rate would be dropping in the next fiscal year.

**Ms. Iris Drummond**, Lucasville, advised that residents of Lucasville have been concerned that the boundaries of the community were shrinking and now being considered part of Middle Sackville. She also raised concern about a major commercial project and connector road that is proposed to go through the community. Ms. Drummond added that the community lacks sidewalks and bus services and proper signage that are essential. She noted that Lucasville is the one of the oldest black communities since 1827.

**Mr. Ross Evans**, Pockwock Road, raised concern that the signage for the school was moved in the area and closer to the school. He questioned if the signs were moved to make room for the proposed casino.

Councillor Whitman advised that in urban areas school signs are typically placed within 50 meters of the school and in rural areas within 100 meters of the school. He noted there are a number of factors are considered in conjunction to deciding the placement. He added that the school zone was shortened on the Pockwock Road side and

lengthened on Tantallon bound. He added that he is meeting with staff to discuss the new school zone later in the week.

**Ms. Catherine Lions**, Hammonds Plains, wanted to address the comments that the VLT centre was coming since 2008. She advised that the plans in 2010 the Band indicated stated they were going to develop housing project and then switched their proposal once they acquired the land.

**Mr. Greg Burke**, Waterstone Village, raised concern about not having access to launch boats on McCabe's Lake. He requested that HRM tear down the blockade to the lake and to build a roadway to improve the access to the waterway.

**Ms. Mahogany Okeefe**, Lucasville, commented to Council that she was concerned about the placement of signs in the community and the possibility of the loss of history and heritage in the Community.

**Ms. Pamela Lovelace**, Hammonds Plains, wanted to know if paving was going to take place in Upper Hammonds Plains.

Councillor Whitman advised that it is pending based on the budget next year. He added that the end of the Pock Wock Road would be fixed soon.

**Mr. John Young**, Lower Sackville, stated it was important that Council keep the signage and the name of Lucasville in the Community.

Councillor Craig advised that he hoped to find out more information from residents and staff on the signage issue as it was the first he had heard of it.

**Mr. David Barrett**, Beaver Bank, raised concern that Margeson was originally planned in 1982 and still has not been completed. He added that they did it as a community wanted it continued to help with the truck traffic. He was supportive of the concerns of the residents of Lucasville, adding the pride of the community is important. He also added that it is difficult for small businesses to operate in HRM.

**10. REPORTS - NONE**

**11. MOTIONS**

**11.1 Councillor Outhit**

**MOVED by Councillor Outhit, seconded by Councillor Craig that North West Community Council request staff to:**

- 1. Provide an update on the opportunity to include a public safety project, under the Stormwater Infrastructure Funding Solution, for Union Street should it qualify for the Provincial Program to Reduce Flood Risk; and**

**2. Clarify what would be required of Regional Council to submit projects for the Provincial Program.**

**MOTION PUT AND PASSED.**

**12. ADDED ITEMS**

**12.1 Bylaw T – 400 Update – Councillor Whitman**

Councillor Whitman provided a brief history of how Bylaw T -400 came into existence. He advised residents that Regional Council has requested a staff report with suggested amendments to By-Law T-400 that enable Council to grant exemptions for temporary situations and/or local traffic.

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION**

Public Participation was held earlier in the meeting. See page 12.

**15. STATUS SHEET**

There were no updates to the status sheet.

**16. IN CAMERA**

**16.1 In Camera Minutes – October 21, 2013**

Minutes were approved as presented.

**17. NEXT MEETING DATE – December 16, 2013**

**18. ADJOURNMENT**

The meeting was adjourned at 10:25 p.m.

Quentin Hill  
Legislative Assistant