

Issued: December 17, 2012



MINUTES

GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA
www.mississauga.ca

WEDNESDAY, NOVEMBER 21, 2012 – 9:07 A.M.

COUNCIL CHAMBER – 2nd FLOOR – CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

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| MEMBERS PRESENT: | Mayor Hazel McCallion Councillor Jim Tovey | (Arrived at 9:09 a.m.) Ward 1 (Departed at 12:09 pm due to Other Municipal Business) |
| | Councillor Pat Mullin | Ward 2 |
| | Councillor Frank Dale | Ward 4 (Departed at 11:37 am) |
| | Councillor Bonnie Crombie | Ward 5 |
| | Councillor Ron Starr | Ward 6 |
| | Councillor Nando Iannicca | Ward 7 (Departed at 12:32 pm) |
| | Councillor Katie Mahoney | Ward 8 (Chair) |
| | Councillor Pat Saito | Ward 9 |
| | Councillor Sue McFadden | Ward 10 (Departed at 1:20 pm) |
| | Councillor George Carlson | Ward 11 |
| MEMBERS ABSENT: | Councillor Chris Fonseca | Ward 3 |
| STAFF PRESENT: | Janice Baker, City Manager and CAO Brenda Breault, Commissioner of Corporate Services and Treasurer Paul Mitcham, Commissioner, Community Services Ed Sajecki, Commissioner, Planning and Building Heather MacDonald, Director, Business Services Martin Powell, Commissioner, Transportation and Works Mary Ellen Bench, Director, Legal Services and City Solicitor Crystal Greer, Director, Legislative Services and City Clerk Diana Rusnov, Manager, Legislative Services and Deputy Clerk Sacha Smith, Legislative Coordinator, Office of the City Clerk | |

CALL TO ORDER - 9:07 A.M.

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST - Nil

APPROVAL OF THE AGENDA

Councillor Sue McFadden moved approval of the agenda, as presented. This motion was voted on and carried.

PRESENTATIONS - Nil

DEPUTATIONS

- A. Jaleesa DeSilva, Youth Coordinator and representatives from the Malton Youth Committee

Joanne Foote, Youth Plan Coordinator introduced the Malton Youth Committee. Ms. DeSilva spoke to Mississauga's Youth Plan. Members of the youth group spoke to the importance of the Youth Plan, the Malton Youth Committee initiatives and the activities they participate in. Ms. DeSilva noted the next steps for the Committee which include: tutoring, sporting activities, art displays and movie nights.

Mayor McCallion, Councillors Crombie, Tovey and Mahoney spoke to the matter and thanked the group for appearing before Committee.

RECOMMENDATION

That the deputation by representatives from the Malton Youth Committee be received.

Received (Councillor Crombie)
Recommendation GC-0789-2012

Mayor McCallion arrived during the deputation at 9:09 a.m.

- B. Saul Schwartz on behalf of Perry Saul, Perry's Pet Mart, 1310 Dundas Street East with respect to amending By-law 0152-2012 to include licensed kennels as a proper source to acquire puppies and kittens (Ward 1)

Mr. Schwartz spoke to the recent amendment to By-law 1-06. He noted that Mr. Saul has purchased puppies and kittens from a licensed kennel for many years. He requested that Council expand the definition of reputable sources for the purchase of kittens and

puppies from registered and licensed kennels. Mr. Schwartz noted that Mr. Saul has no past charges or infractions when inspected by Enforcement Division staff. He further noted that Mr. Saul's business would be negatively affected by the By-law.

Councillor Saito spoke to the matter noted that no change should happen to the By-law. She explained that the By-law would discourage the existence of puppy and kitten mills. She further noted that licensed kennels only mean they have a business license and City staff cannot determine if the puppies or kittens are not from mills.

RECOMMENDATION

That the deputation by Saul Schwartz on behalf of Perry Saul, Perry's Pet Mart, 1310 Dundas Street East with respect to amending By-law 0152-2012 to include licensed kennels as a proper source to acquire puppies and kittens be received.

Received (Councillor Saito)
Recommendation GC-0790-2012

- C. Item 1 Kevin Pacheco, Owner, Beachin' Tan
See discussion under Item 1
- D. Item 2 Gavin Longmuir, Manager, Forestry
See discussion under Item 2
- F. Item 2 Sue Shanly, MIRANET
See discussion under Item 2
- G. Item 2 Marlene Baur-Larose, Credit Reserve Association
See discussion under Item 2
- H. Item 2 Ralph Hafer, Whiteoaks Lorne Park Community Association
See discussion under Item 2
- I. Item 2 Michelle Walmsley, Resident
See discussion under Item 2

J. Item 2 Leslie Powers, Halton Peel Biodiversity Network

See discussion under Item 2

K. Item 2 John Matthews, Resident

See discussion under Item 2

MATTERS CONSIDERED

1. Amendments to the Business Licensing By-law 1-06, as amended, to require licensing for Tanning Facilities.

Corporate Report dated November 1, 2012 from the Commissioner of Transportation and Works with respect to amendments to the Business Licensing By-law 1-06, as amended to require licensing for tanning facilities.

Mr. Pacheco appeared before Committee and requested that there not be a ban on tanning for individuals under the age 18 with parental consent. He noted the various reasons why some parents allow their children to tan.

Councillor Crombie spoke to the matter and noted that the matter was discussed at the Region of Peel. She further noted that there were no experts that spoke in support of exposure to the UV rays.

Councillor Saito spoke to the matter and enquired if the by-law includes an exemption for prescription tanning. Mickey Frost, Director, Enforcement advised that the Regional By-law provides for the exemption for minors to tan at medical facilities/doctor offices with a prescription. The proposed City by-law does not provide for an exemption for minors.

Mayor McCallion suggested that the City's proposed by-law be in line with the Regional By-law. Martin Powell, Commissioner, Transportation and Works clarified that the City's by-law covers business licenses where the Regional By-law covers medical offices.

RECOMMENDATION

1. That a By-law to amend the Business Licensing By-law 1-06, as amended, be enacted to license tanning facilities substantially similar to the draft By-law contained in (Appendix 1) to the report to General Committee dated November 1, 2012 entitled "Amendments to the Business Licensing By-law 1-06, as amended, to require licensing for Tanning Facilities" from the Commissioner of Transportation and Works.

2. That the deputation by Kevin Pacheco with respect to the ban on tanning for individuals under the age of 18 be received.

Approved (Councillor Crombie)
Recommendation GC-0791-2012

2. Tree Permit By-law 474-05 Amendments

Corporate Report dated November 9, 2012 from the Commissioner of Community Services with respect to amendments to the Tree Permit By-law 474-05.

Mr. Longmuir spoke to the public input that was received. He reviewed the proposed amendments to the by-law and provided a comparison between the proposed changes and the current by-law. He further spoke to the implementation of the new changes for March 1, 2013 and noted there needs to be an increase in awareness and an education campaign.

At this time, direction was given to the Clerk that the warning chime for deputations should not apply to deputations from staff.

Councillor Saito enquired about replacement trees. Mr. Longmuir advised that replacement trees are required if a permit was required to remove the healthy tree. Councillor Saito noted that this matter should be clarified.

Ms. Shanly appeared on behalf of MIRANET before Committee to note support for the following proposed amendments:

- By-law name change
- Supports the change that a permit is required to remove 3 or more trees greater than 15cm in diameter
- Tree replacement policies for the removal of permitted trees.

Ms. Shanly spoke further that MIRANET supports the increase in fines and permit fees. She suggested restrictions to ensure the guidelines are followed and a phone hotline that residents could use if they are concerned that there are non-permitted trees that are being cut down. She spoke further to the matter and provided a comparison with other municipalities.

Ms. Baur-Larose appeared before Committee and noted support for the proposed amendments to the By-law. She spoke to the benefits of trees and the Private Tree Protection By-law and noted that Council should support the staff recommendation.

Mr. Hafer spoke to the importance of the tree canopy. He noted that a strong by-law is needed and that he was in support of the proposed amendments.

Ms. Walmsley spoke in support of the proposed amendments to the By-law. She further spoke to the connection between the environment and health, and noted that this is an opportunity for Mississauga to show that a City can grow and protect its trees and heritage.

Mr. Matthews spoke in support of the staff recommendation. He noted that he agrees that an incentive program would get people to plant more trees. He further noted that the replacement tree requirement for larger trees may present a problem if there isn't enough space to plant 2 trees.

Members of Committee spoke to the matter and noted the importance of education and awareness of the By-law, environmental matters, the name change of the by-law and the protection of trees.

Councillor Starr enquired about the definition of heritage trees. Mr. Longmuir advised that there is a process to designate a tree as a heritage tree. Large trees are called significant trees and there is a difference between significant and heritage trees.

Councillor Saito expressed concern that golf courses are exempted in the By-law to pay for replacement trees. She suggested that the exemption be removed from the By-law because golf courses should require a permit and pay for a replacement tree.

Councillor Saito enquired about a letter of credit for replacement trees. Mr. Longmuir advised that the letter of credit would be taken to ensure the trees have been planted and following an inspection the letter of credit would be returned to the resident. Councillor Saito expressed concerns with the penalty amounts for individual citizens and suggested that when the City accepts money for replacement trees that the trees be planted in the same community.

Mayor McCallion spoke to matter and noted that the City has been a leader with respect to trees. She further noted that the City's budget provides for tree treatment and protecting the tree canopy.

Councillor Iannicca spoke to the matter and noted support for the staff recommendations and spoke to the exemption to the By-law for golf courses

Mayor McCallion requested a staff report that covers the number of tree permits handled, the number of staff, the revenue received and legal costs. Paul Mitcham, Commissioner, Community Services confirmed that a report would be prepared and clarified that the plan is to operate with existing staff to monitor the back log and only make adjustments with the part time staff as the service level is impacted.

Discussion ensued with respect to the exemption for golf courses in the By-law and staff were directed to provide information about the golf courses at the next Council meeting.

RECOMMENDATION

1. That the Private Tree Protection By-law be enacted to take effect on March 1, 2013, in the form provided in Appendix 1 to this Corporate Report entitled Tree Permit By-law 474-05 Amendments from the Commissioner of Community Services, to regulate the injury and destruction of trees on private property.
2. That staff be directed to apply the same policies and requirements contained within the Private Tree Protection By-law to the review and granting of Tree Removal Permission(s) in conjunction with the removal of trees through site plan, subdivision and consent applications.
3. That the Fees and Charges By-law be amended to include the permit fees set out in this Corporate Report entitled Tree Permit By-law Amendments from the Commissioner of Community Services when the Private Tree Protection By-law takes effect on March 1, 2013.
4. That the following correspondence with respect to amendments to the Tree Permit By-law 474-05 be received:
 - a) Letter dated November 16, 2012 from the Meadow Wood Rattray Ratepayers Association
 - b) Letter dated November 18, 2012 from the Gordon Woods Homeowners Association
 - c) Email dated November 19, 2012 from the Cranberry Cove Port Credit Ratepayers' Association
 - d) Letter dated November 19, 2012 from the Whiteoaks Lorne Park Community Association
 - e) Email dated November 19, 2012 from Phil Green, Resident
 - f) Email dated November 21, 2012 from Town of Port Credit Association Executive
 - g) Letter dated September 25, 2012 from Sean Stuckless, Resident

Approved (Councillor Starr)
Recommendation GC-0797-2012

Councillor Frank Dale departed the meeting during the deputations at 11:37 a.m.

3. Port Credit On-Street Parking Fees – Request for Fee Holiday (Ward 1)

Corporate Report dated October 30, 2012 from the Commissioner of Transportation and Works with respect to a request from the Port Credit Business Improvement Area for the on-street parking fees in December 2012.

RECOMMENDATION

That the request from the Port Credit Business Improvement Area to waive on-street parking charges within the Port Credit Business Improvement Area for the month of December 2012, be approved.

Approved (Councillor Tovey)

Recommendation GC-0798-2012

3. 15-hour Parking - Mill Street (Ward 11)

Corporate Report dated October 29, 2012 from the Commissioner of Transportation and Works with respect to a request to implement 15-hour parking on Mill Street.

RECOMMENDATION

That a by-law be enacted to amend By-law 555-2000, as amended, to implement 15-hour parking on Mill Street between Wyndham Street and the east limit of the roadway.

Approved (Councillor Carlson)

Recommendation GC-0799-2012

4. 15-hour Parking – Falconer Drive (Ward 11)

Corporate Report dated October 29, 2012 from the Commissioner of Transportation and Works with respect to a request to implement 15-hour parking on Falconer Drive.

RECOMMENDATION

That a by-law be enacted to amend By-law 555-2000, as amended, to remove "No Parking Anytime" on the south side of Falconer Drive between #6555 (north entrance) and Meadow Green Park and allow "15-hour parking anytime".

Approved (Councillor Carlson)

Recommendation GC-0800-2012

5. Downtown On-Street Paid Parking Expansion (Ward 4)

Corporate Report dated November 5, 2012 from the Commissioner of Transportation and Works with respect to the expansion of on-street paid parking in the Downtown area.

RECOMMENDATION

That a by-law be enacted to amend By-law 555-2000, as amended, to implement paid parking anytime on the south and west sides of Absolute Avenue from a point 75 meters (246 feet) east of Hurontario Street to a point 130 metres (427 feet) easterly and southerly thereof.

Approved (Councillor Iannicca)
Recommendation GC-0801-2012

6. Highway 401 Improvements – From East of the Credit River to Trafalgar Road

Corporate Report dated November 6, 2012 from the Commissioner of Transportation and Works with respect to Highway 401 improvements from east of the Credit River to Trafalgar Road.

RECOMMENDATION

1. That the report dated November 6, 2012 from the Transportation and Works Department entitled "*Highway 401 Improvements – From East of the Credit River to Trafalgar Road*" be forwarded to the Ontario Ministry of Transportation, Region of Peel, Region of Halton and City of Brampton.
2. That the Ontario Ministry of Transportation (MTO) be requested to further consider providing a full 12-lane Core-Distributor system on Highway 401 from the Credit River to Trafalgar Road and that City staff discuss the impacts associated with providing a full 12-lane Core-Distributor system with the MTO.
3. That MTO be requested to consider constructing the widening of Highway 401 from the Credit River to Trafalgar Road as soon as possible.

Approved (Councillor Saito)
Recommendation GC-0802-2012

7. Proposed Street Name for Condominium Application T-09002 and Proposed Street Names to be Added to the City of Mississauga Approved Street Name Reserve List (Ward 8 and City-wide)

Corporate Report dated November 1, 2012 from the Commissioner of Transportation and Works with respect to a proposed street name for Condominium Application T-09002 and proposed street names to be added to the City of Mississauga Approved Street Name Reserve List.

RECOMMENDATION

1. That the following be approved with respect to the naming of the private road within the proposed common element condominium development under Application T-09002, located on the east side of Mississauga Road, south of Eglinton Avenue West:
 - a) The name **Avignon** be assigned.
 - b) The standard City of Mississauga private street name signs with blue lettering on a white background indicating the name of the street be erected at the appropriate locations.
 - c) The cost of the sign be borne by Hush Homes Inc., the registered owner, but be erected by City forces.
2. That the name **Belbin** be added to the City of Mississauga Approved Street Name Reserve List.
3. That the name **Giverny** be added to the City of Mississauga Approved Street Name Reserve List subject to the name **Givemay** being removed from the current Reserve List.

Approved (Councillor Crombie)
Recommendation GC-0803-2012

8. Expanding Citizen Access to Local Government: Agreement with Rogers TV

Corporate Report dated November 7, 2012 from the Commissioner of Corporate Services and Treasurer with respect to an agreement with Rogers TV to include permission to use equipment for City productions.

Members of Committee spoke in support of the staff recommendation. Discussion ensued with respect to exclusivity to Rogers Cable TV. Brenda Breault, Commissioner, Corporate Services and Treasurer noted that the purpose of the agreement would be to permit the City to use the Rogers equipment. Members of Committee spoke to not having exclusivity to one media outlet.

RECOMMENDATION

That a by-law be enacted to authorize the Commissioner of Corporate Services and City Clerk to execute an agreement in a form acceptable to the Office of the City Solicitor with Rogers TV, a division of Rogers Communications Partnership Inc. for the use of the Robotic Camera Systems within the Council Chamber.

Approved (Councillor Starr)
Recommendation GC-0804-2012

Councillor Tovey departed the meeting at 12:09 pm.

9. Sublease of a building known as Adamson House at 850 Enola Avenue (Ward 1)

Corporate Report dated November 8, 2012 from the Commissioner of Corporate Services and Treasurer with respect to a sublease of the Adamson House.

Councillor Starr spoke to the matter and suggested that there be a cap on the real estate fees. Brenda Breault, Commissioner, Corporate Services and Treasurer advised that the fees listed reflect the market place for this type of the property. Further discussion ensued with respect to implementing a cap on the real estate fees.

RECOMMENDATION

1. That Realty Services be authorized to select and retain a real estate broker with specialization in commercial real estate, to secure a suitable subtenant for the house located within 850 Enola Avenue, known as the Adamson House.
2. That, Realty Services with the assistance of Legal Services, review any sublease offers or proposals presented by the City's real estate broker and thereafter report back to Council with a recommendation for consideration and approval.
3. That there be a cap of \$40,000 on the real estate fees related to the leasing of the Adamson House based on a 10 year lease.

Amended/Approved (Councillor Mullin)
Recommendation GC-0805-2012

10. Business Improvement Areas (BIAs) Request for Cash Advances

Corporate Report dated November 5, 2012 from the Commissioner of Corporate Services and Treasurer with respect to providing cash advances to the BIAs.

Councillor Crombie enquired about including the Malton BIA in the request. Brenda Breault, Commissioner, Corporate Services and Treasurer responded to the question and noted that the recommendation is based on the previous BIA's tax levy amount which is not applicable to the Malton BIA. She noted that a report could come back after the Malton BIA is designated.

RECOMMENDATION

That the Commissioner of Corporate Services be authorized to provide cash advances to each of the City of Mississauga BIAs of up to 50 per cent of the "previous" year BIA tax levy amount, until the final tax bills are issued.

Approved (Councillor Crombie)
Recommendation GC-0806-2012

11. Strike-Off of Taxes Deemed Uncollectable

Corporate Report dated November 6, 2012 from the Commissioner of Corporate Services and Treasurer with respect to taxes deemed uncollectable.

RECOMMENDATION

That the Commissioner of Corporate Services & Treasurer be authorized and directed to strike from the tax roll uncollectable taxes, penalties and interest totalling \$153,923.21 as outlined in the corporate report dated November 6, 2012 from the Commissioner of Corporate Services & Treasurer.

Approved (Councillor McFadden)
Recommendation GC-0807-2012

12. Tax Sale Extension Agreement – 6086 Windfleet Crescent Roll No. 05-04-0-098-14361-0000 Fatima Gunaseeli Antonipillai

Corporate Report dated November 6, 2012 from the Commissioner of Corporate Services and Treasurer with respect to a Tax Sale Extension Agreement for 6086 Windfleet Crescent.

RECOMMENDATION

That Council enact a by-law authorizing the Commissioner of Corporate Services & Treasurer to enter into an extension agreement with the owner of 6086 Windfleet Crescent extending the period of time in which the tax sale cancellation price is to be paid.

Approved (Councillor Saito)
Recommendation GC-0808-2012

13. Contract Amendment – Infrastructure Management System (IMS) to Infor Global Solutions (Canada) Limited (Formally Hansen Information Technology) for Expanded Use of System, File Ref: FA.48.023-96, FA.49.0262-05

Corporate Report dated November 9, 2012 from the Commissioner of Corporate Services and Treasurer with respect to a contract amendment to Infor Global Solutions for an Infrastructure Management System for expanded use of system.

RECOMMENDATION

1. That the Purchasing Agent be authorized to execute the necessary contracts for the period ending December 31, 2016 to Infor Global Solutions (Canada) Limited for the purchase of additional New Software Module Licenses, Maintenance, Support and Professional Services associated with new modules, at an estimated total cost of \$1,195,451 exclusive of taxes; with purchases subject to capital budget approval and approval of the contract and any ancillary documents by the Office of The City Solicitor and Purchasing Agent;

2. That the Purchasing Agent be authorized to extend the current Maintenance and Support Agreement from January, 2013 to December 31, 2016 to Infor Global Solutions (Canada) Limited at an estimated cost of \$1,131,449 exclusive of taxes;
3. That the Purchasing Agent be authorized to issue contract amendments to increase the value of the existing Infor Global Solutions (Canada) Limited contract where necessary to accommodate the business demand for new software licenses, maintenance , support as identified by departmental business services plans for 2013-2016, and where amount is approved in the budget;
4. That Infor Global Solutions (Canada) Limited continue to be designated a “City Standard” until December 31, 2016.

Approved (Councillor Iannicca)
Recommendation GC-0809-2012

INFORMATION ITEMS

- Item 2 Letter dated November 16, 2012 from the Meadow Wood Rattray Ratepayers Association
- Item 2 Letter dated November 18, 2012 from the Gordon Woods Homeowners Association
- Item 2 Email dated November 19, 2012 from the Cranberry Cove Port Credit Ratepayers' Association
- Item 2 Letter dated November 19, 2012 from the Whiteoaks Lorne Park Community Association
- Item 2 Email dated November 19, 2012 from Phil Green, Resident

Please see Item 2 for recommendation.

ADVISORY COMMITTEE REPORTS

Environmental Advisory Committee Report 8-2012 – November 6, 2012
(Recommendation EAC-0053-2012 to EAC-0062-2012)

Approved (Councillor Carlson)
Recommendation GC-0810-2012 to GC-0819-2012

Mississauga Cycling Advisory Committee Report 10-2012 – November 13, 2012
(Recommendation MCAC-0059-2012)

Approved (Councillor Mullin)
Recommendation GC-0820-2012

Public Vehicle Advisory Committee Report 3-2012 – November 13, 2012
(Recommendation PVAC-0012-2012 to PVAC-0018-2012)

Approved (Councillor Iannicca)
Recommendation GC-0821-2012 to GC-0827-2012

Heritage Advisory Committee Report 9-2012 – November 20, 2012
(Recommendation HAC-0082-2012 to HAC-0095-2012)

Approved (Councillor Carlson)
Recommendation GC-0828-2012 to GC-0841-2012

COUNCILLORS' ENQUIRIES

Councillor Starr enquired about the leaf pick up program. Councillor Mahoney requested that a report come forward with respect to the leaf pick-up program. Martin Powell, Commissioner, Transportation and Works noted that a briefing memo with the most recent report would be distributed to Council.

Councillor Crombie enquired about the timing of the Business Licensing By-law which incorporates the ban on tanning for individuals under 18. Mickey Frost, Director, Enforcement advised that the by-law would come forward at the next Council meeting. He further advised there would be a proactive approach by notifying the businesses involved and following up with an inspection. The actual enforcement of the by-law would be on a reactive approach based on complaints.

Councillor Crombie spoke to an issue where security cameras on a private residence are directed at another private residence. Mary Ellen Bench, City Solicitor advised that it would be a private matter between the citizens and is not within the jurisdiction of the City.

Mayor McCallion spoke to leaves falling later than the scheduled leaf pick-up times. Martin Powell, Commissioner, Transportation and Works noted that following the scheduled pick-ups and depending on the weather, there are further clean ups. Councillors Mullin and Starr spoke to the matter and discussion ensued.

CLOSED SESSION

Pursuant to Subsection 239 (3.1) of the *Municipal Act*, Councillor Starr moved the following motion:

Whereas the *Municipal Act, 2001*, as amended, requires Council to pass a motion prior to closing part of a meeting to the public;

And whereas the Act requires that the motion states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

Now therefore be it resolved that a portion of the General Committee meeting to be held on November 21, 2012, shall be closed to the public to deal with the following matters:

A. Educational Session – Administrative Penalties System

This motion was voted on and carried at 12:32 p.m.

Councillor Iannicca departed the meeting at 12:32 pm.

Item #99 – Administrative Penalties System

Mickey Frost, Director, Enforcement and Carla Mariusz, Prosecutor presented a PowerPoint presentation and explained the process of an Administrative Penalties System. Members of Committee enquired about different aspects of the process. Mr. Frost, Ms. Mariusz and Janice Baker, City Manager provided responses to questions from Committee.

Councillor McFadden departed the meeting at 1:20 pm.

Committee moved out of closed session at 1:34 p.m.

The following recommendation resulted from the In Camera session:

RECOMMENDATION

That the educational session regarding the Administrative Penalty System be received for information.

Received (Councillor Starr)
Recommendation GC-0842-2012

ADJOURNMENT 1:35 P.M.