

On Wednesday, February 23, 2022, at 8:00 a.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Mims called the meeting to order. He said due to the current COVID-19 order, the City of Dayton is requiring masks to be worn in all City facilities to protect the safety of the staff and community. If you need a mask, there are some at the entrance of the Commission Chambers. Those not wearing a mask during the Commission Meeting may be ruled out of order and removed from the meeting.

INVOCATION

Commissioner Fairchild gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Mims led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken, and Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss were present. The Clerk of Commission, Ms. Regina D. Blackshear, The City Manager, Ms. Shelley Dickstein, and Miami Valley Interpreters, were also present.

APPROVAL OF MINUTES

Commissioner Shaw made a motion to approve the minutes from the February 16, 2022, Special meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21656

Handout - Finance Committee Briefing Work Session

Communication #21657

Handout from Kimarue Wa-tenza at the February 16, 2022, City Commission meeting

SPECIAL AWARDS/PRESENTATIONS

Officer Shooting Update

Mayor Mims invited Chief Kamran Afzal, to the podium for a community update on Officer Thadeu Holloway who was injured in the line of duty.

Chief Afzal said on September 21, 2021, while following up on a fraud complaint, Officer Holloway came in contact with an armed suspect. He said after a struggle in which the suspect hit him in the face, the suspect produced a handgun and shot Officer Holloway on the left side of his head. Officer Holloway returned fire striking the suspect. Chief Afzal said Officer Holloway noticed at least two bystanders in the parking lot near where this armed encounter had just occurred and putting his safety and well-being aside, Officer Holloway stood guard over the suspect, making sure he did not injure anyone else. He said once other officers arrived, he refused to leave the area until there was sufficient personnel present to ensure the safety of everyone in the area. Chief Afzal said his actions were truly selfless, courageous and the definition of bravery. He said in January, Officer Holloway was recognized as *Officer of the Year*, by the Montgomery County Association of Police Chiefs. Chief Afzal said due to his heroic actions and in addition to being recognized in front of the Dayton City Commission, he is presenting Officer Thadeu Holloway with the Dayton Police Department's Excellent Service Award.

The Dayton City Commission commended him for his service and bravery.

Paul Laurence Dunbar Committee

Mayor Mims invited Mr. Bing Davis, Paul Laurence Dunbar Sculpture Committee, to the podium for a community update.

Mr. Davis said they have assembled an outstanding group of volunteers from the community who is working with the Dayton Metro Library West Branch to design, plan and raise funds to commemorate and celebrate Paul Laurence Dunbar's 150th birthday celebration. He said they will place a bronze sculpture of Paul Laurence Dunbar in the entranceway exterior at the new West Branch Library on Abbey Ave.

Mr. Davis said the sculptor is internationally acclaimed and one of the top five African sculptors in the world, Mr. Ed Hamilton, from Louisville, Kentucky. He said Mr. Hamilton is not only exceptional but, he also has a Dayton connection which makes it a very special commitment. Mr. Davis said they found out that Mr. Hamilton's mom is a Daytonian.

Mayor Mims thanked Mr. Davis for his work.

Procurement Enhancement Program (PEP) Update

Mayor Mims invited Ms. Erica Fields, Executive Director of the Human Relations Council, to the podium to give a community update of the Procurement Enhancement Program (PEP).

Ms. Fields highlighted the Human Relations Council Team. She said the team included Mr. Donerik Black, Business and Technical Assistance Administrator, Ms. Melissa Wilson, City Purchasing Agent and Mr. Cato Mayberry, MBAC Director.

Ms. Fields said the Human Relations Council is responsible for working on behalf of the City Commission and to enforce the city's anti-discrimination ordinances and to promote and ensure a culture of fair treatment, inclusion, and equal access to opportunities for all who work, live and play within the City of Dayton.

Ms. Field said through restructuring the office of justice and inclusion was created. She said the office is being led by Mr. Jacob Davis and is responsible for enforcing both the federal and local anti-discrimination ordinances and fair housing ordinance. She said working to ensure that they are looking and advising on all things related to civil rights enforcement and human rights issues within the City of Dayton, and responsible for supporting police reform recommendations to include the new Community Appeals Board.

Ms. Fields said the Human Relations Council solved 106 formal and informal complaints for Dayton residents and awarded over \$105,000 in damages and civil penalties, conducted 24 outreach and training events, including: hosting the inaugural Dayton Fair Housing Symposium. She said they will host the Community Engagement Exchange (CEE) Fellow from Iraq on site during the summer of 2022.

Ms. Fields said the Citizen Appeals Board reviewed six appeals and overturned the police department's findings in one investigation. She said they worked in conjunction with Police Reform to launch the new Community Appeals Board, hosted two Know Your Rights sessions in the community and hosted the Community Orientation: Systemic and Structural Racism Training with the Dayton Police Academy.

Ms. Fields said Welcome Dayton hosted 37 outreach and educational events including World Refugee Day and International Women's Day. In collaboration with VocaLink, provided

language access to 296 community members and fielded 330 referrals for community resources from immigrants and refugees. She said Welcome Dayton partnered with Montgomery County's Public Health to ensure immigrants and refugees received trusted, reliable, and interpreted information about the pandemic and setting up vaccine pop-ups for immigrants and refugees.

Ms. Fields said the Minority Business Assistance Center (MBAC) received one of the largest grants in the history of the program \$600,000 to provide technical assistance to small, minority, and women-owned business in a twelve-county region. She said they were able to relaunch the Micro-Loan Program in partnership with First Financial Bank for short term business lending in the range of \$5,000 to \$10,000 per applicant as the basis for extended lines of credit as needed.

Ms. Fields said the economic impact to Dayton was that the MBAC-counseled clients won \$10.2M in public sector contracts in 2021 and there are 196 new state MBE certifications.

Mr. Black said 133 Small Business Enterprise (SBE), 72 Minority Business Enterprise (MBE), 51 Women Business Enterprise (WBE) and 41 Dayton Local Small Business (DLSB) He said of these numbers 68 are in construction, 122 is in service, and 31 are in goods.

Mr. Black said the Human Relations Council sets PEP participation goals. He said their outreach is through their Small Business Opportunity Forums. He said he they work with purchasing's database for existing contracts for minority or small business bids for PEP and Non-PEP certifications.

Mr. Black said the PEP goals and achievements for the City of Dayton for 2021 for MBE were 13 percent goal/11.4 percent actual, for WBE three percent goal/7.7 percent actual and for SBE 20 percent goal/28 percent actual.

In the Open Market Projects, Mr. Black listed the categories of work types needed to fulfill specialized jobs: Mechanical Engineering Services, Masonry, Industrial Janitorial Services, Sanitary Liner and Manhole Rehab, Hydraulic and Mechanical Services, Excavating and Site Grading and Elevator Maintenance and repair.

Ms. Wilson said in Good and Services the goals and achievements for the City of Dayton for 2021 for SBE were 10 percent goal/three percent actual, for MBE 6.5 percent goal/three percent actual, for WBE 1.5 percent goal/two percent actual and DLSB four percent actual.

Ms. Wilson said in 2022 goals will be for SBE 10 percent and MBE 6.5 percent. She said there's opportunity coming up with the ARPA dollars to really push this out into the community and maximize the amount of opportunity for our small and minority owned businesses. She said she is raising the WBE goal by three percent to aim higher.

Commissioner Turner-Sloss asked about the work shops that are being offered and how businesses are made aware of the opportunities with the HRC.

Ms. Wilson said they are actively doing technical recruiting workshops but a hinderance is contact information for the various businesses.

Commissioner Turner-Sloss asked how they are maximizing what is currently being done.

Ms. Wilson said she is always searching for best practices. She said Procurement does vendor recruitment but there is always opportunity for improvement.

Commissioner Turner-Sloss asked for a PEP Work Session for the PEP Program.

Mr. Black said they will be hosting a small business opportunities forum for each PEP certified company to meet with city departments to talk about upcoming projects.

Mr. Mayberry said the Minority Business Assistance Center is the background and workhorse behind the work that needs to be done. He said they are primarily charged with having a very strong outreach region. He said region three, which is the Dayton MBAC, provides services to a 12-county area.

Mayor Mims said he was excited for the progress.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Regina Blackshear, had no additions or deletions to the calendar.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 3. CityWide Development Corporation-Service Agreement

The City Manager, Ms. Shelley Dickstein, invited Mr. Todd Kinskey, Director of Planning, Neighborhoods and Development and Ms. Veronica Morris, Senior Development Specialist, to the podium to provide clarification.

Mr. Kinskey said this is an important contract for the Department of Planning, Neighborhoods and Development. He said CityWide Development Corporation is a long-standing partner and much of the work that is done is through this partnership. He invited Ms. Veronica Morris to proceed with the presentation.

Ms. Morris said since its beginning in 1972, CityWide Development Corporation has partnered with the City of Dayton to strengthen communities through strategic economic and community development. As a result of this long-standing partnership, projects such as: The Hope Center; Expansion of Dayton Children's; HUD Choice Planning Initiative, Gem City Market, and others have been realized. Ms. Morris said the CityWide contract will allow them to continue the transformative work necessary for economic growth and viable, attractive neighborhoods.

Ms. Morris said the 2022 Work Plan will include preparing tactical neighborhood work plans, organizing strategic work teams, leading community organizing, and continuing to track public/private investment. She said the strategic neighborhoods are: DaVinci –Old North Dayton, McCook Field Phoenix Next/Lower Salem –Dayton View Triangle, Northern Hills, Southwest Dayton –Edgemont, Carillon, Pineview, Miami Chapel, Greater Downtown –McPherson, Huffman, and Five Oaks.

Ms. Morris said they will support innovation networks and the entrepreneurial ecosystem by growing the Creative Urban Innovation Zone. She said this "Zone" is designed to: retain, leverage, and attract the creative industries, cultivate entrepreneurship and innovation economic activity, strengthen partnerships with The Entrepreneur Center, Sinclair Community College, and the University of Dayton, and appeal to the creative-minded community for a learn, live, work, play, and create experiences. She said urban revitalization is committed to working with key stakeholders and development agencies on the revitalization of traditional business districts, strategic corridors, public spaces and development sites.

Ms. Morris said the Greater West Dayton Strategic Initiative will continue to provide

leadership and guidance to the community, economic development activities and resources, leveraged to improve, enhance, and reimagine housing and business development in greater West Dayton, while impacting, influencing infrastructure improvements and other public/private investments.

Commissioner Turner-Sloss asked how CityWide fits into the plan from UDA.

Ms. Morris said CityWide Development was one of the strategic partners in bringing UDA.

She said they helped organize the residents and put together the analytics that UDA used.

Mayor Mims thanked them for their work.

Commissioner Turner-Sloss asked about the performance measures.

Ms. Morris said quarterly they provide an update to the City Commission on development activities.

Ordinance No. 31966-22- Appropriating Funds for the Year 2022 to Provide for the Operating and Capital Expenses of Various Offices, Departments, and Divisions of the Government of the City of Dayton.

The City Manager, Ms. Shelley Dickstein, said she wanted to provide clarification on the commission priorities. She said the office of sustainability received an increase of 42.5 percent because of an added new position to continue to help drive sustainability. HRC received an increase of 49.1 percent because they received three new positions as well as funding for Community Appeals Board (CAB), and the Recreation Department received a 24.9 percent increase, which restored seven recreation and park aids, two aquatic specialists and provided \$130,000 for strategic planning work that will be done this year to update the comprehensive recreation program.

Mayor Mims thanked Ms. Dickstein for the clarification.

REPORTS

**1. Purchase Orders, Agreements and Contracts:
(All contracts are valid until delivery is complete or through December 31st of the current year).**

LAW

A1. Burrs, Dr. Linda J. dba Step Up To Success LLC (professional executive coaching as needed through 12/31/22) **\$36,000.00**

POLICE

B1. Healthcare Claims Solutions, Inc. (professional third part administration services to audit and reconcile medical services invoices as needed through 12-31-24) **\$150,000.00**

PUBLIC WORKS

C1. MDSolutions (U-Channel posts as needed through 12/31/22) **15,120.00**

RECREATION & YOUTH SERVICES

D1. Comtech Computer Technologies, Inc. (temporary staffing services as needed through 12/31/23) **180,000.00**

WATER

E1. Southwestern Ohio Council for Higher Education (college intern program services as needed through 12/31/24) **208,500.00**

E2. Airgas, Inc. dba Airgas USA LLC (tank rental and oxygen delivered as needed through 12/31/22) **38,296.00**

E3. ECO Oxygen Technologies LLC (ECO2 system which includes speece cone and controls) **102,750.00**

E4. Evoqua Water Technologies LLC (replacement parts, supplies and materials for clarifiers as needed through 12/31/24) **60,000.00**

E5. Miami Industrial Truck, Inc. (material handling equipment) **13,351.00**

E6. P&R Communications Service, Inc. (annual maintenance agreement for the Supervisory Control and Data Acquisition System as needed through 12/31/24) **111,500.00**

-Depts. of Law, Police , Public Works, Recreation, and Water

Total: \$915,517.00

2. **130 West 2nd Street, LLC – Lease Agreement** – seventh amendment for space located at 130 West 2nd Street occupied by the Department of Information Technology – Dept. of Public Works/Property Management

\$228,001.92
(Thru 03/31/23)

3. **CityWide Development Corporation – Service Agreement** – for a Development Partnership Agreement to undertake asset based strategic initiatives in four areas to include Neighborhood Planning and Investment, Urban Revitalization, Innovation Networks, the Entrepreneurial Ecosystem and West Dayton Strategic Initiative – Dept. of Planning, Neighborhoods and Development/Development

\$409,000.00
(Thru 12/31/22)

4. **Dinsmore & Shohl, LLP – Service Agreement** – for legal services related to ARPA and other COVID-19 funding opportunities – Dept. of Procurement, Management and Budget

\$230,000.00
(Thru 12/31/26)

5. **Hydrous WID - Service Agreement** – for engineering support and staff supplementation services as needed – Dept. of Water/Water Engineering

\$150,000.00
(Thru 12/31/23)

6. **SAMBA Holdings, Inc. dba SanbaSafety – Service Agreement** – one year extension for automated driver’s license verification and reporting– Dept. of Human Resources

\$30,000.00
(Thru 2/23/23)

E. Other – Contributions, Etc.:

7. **LexisNexis Risk Solutions FL, Inc. – Other** – for renewal of Accurint Virtual Crime Center Online Subscription – Dept. of Police **\$36,972.84**

(Thru 2/28/23)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

APPROVAL OF CITY MANAGER'S REPORTS

**Commissioner Shaw made the motion to approve the City Manager's Reports
Commissioner Fairchild seconded the motion. The City Manager's Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.**

Commissioner Fairchild asked about a point of order on emergency measures for legislation. He said they were out of compliance with rules on emergency orders. He said it would be in their interest to read all of the emergency ordinances that we read the first week, a second time, vote on them, and then read them a second time and vote on them, which would be in accordance with their rules.

Commissioner Joseph said in the past they counted the first reading of the ordinance one week and a second reading the next week as viable. He asked for the Law Department to give their opinion.

Ms. Dickstein said they did not have a representative from the Law Department to answer the question.

Ms. Blackshear asked if she was to read all emergencies twice.

The City Commission said she was to read all emergencies twice

Ms. Dickstein said for clarification Ordinance No. 31966-22 is not an emergency, therefore, would receive a second reading only.

Mayor Mims asked for a five-minute recess.

LEGISLATION

EMERGENCY ORDINANCE – FIRST READING

Emergency Ordinance No. 31968-22- Authorizing the Grant of an Access and Utility Easement for the Benefit of a Parcel of Land Located at the Dayton International Airport, and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Emergency Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.

EMERGENCY ORDINANCES – FIRST AND SECOND READING

Emergency Ordinance No. 31961-22- Approving the Petition and Supplemental Plan for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31959-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

Emergency Ordinance No. 31962-22- Approving the Necessity of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dayton, Ohio in Cooperation with the Dayton Regional Energy Special Improvement District, and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31962-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

Emergency Ordinance No. 31963-22- Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the City of Dayton, Ohio in Cooperation with the Dayton Regional Energy Special Improvement District, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31963-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

Emergency Ordinance No. 31964-22- Levying Special Assessments for the Purpose of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dayton in Cooperation with the Dayton Regional Energy Special Improvement District, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31964-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

Emergency Ordinance No. 31965-22- Authorizing and Approving Three Cooperative Special Assessment Agreements, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31965-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

EMERGENCY RESOLUTIONS – SECOND READING

Emergency Resolution No. 6630-22- Approving the Submission of a Grant Application to the Ohio Public Works Commission Clean Ohio Conservation Fund Grant Application; Authorizing the Acceptance of Ohio Public Works Commission Clean Ohio Conservation Fund Grant Application, and Declaring an Emergency.

The question being shall Emergency Resolution No. 6630-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Resolution was adopted.

Emergency Resolution No. 6631-22- Authorizing the City Manager to Accept Funding from the Montgomery County Land Reutilization Corporation in the Maximum Amount of Sixty-Two Thousand Five Hundred Dollars and Zero Cents (\$62,500.00), on Behalf of the City of Dayton, Ohio, and Declaring an Emergency

The question being shall Emergency Resolution No. 6631-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Resolution was adopted.

ORDINANCE – SECOND READING

Ordinance No. 31966-22- Appropriating Funds for the Year 2022 to Provide for the Operating and Capital Expenses of Various Offices, Departments, and Divisions of the Government of the City of Dayton.

The question being shall Emergency Ordinance No. 31966-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

RESOLUTION – FIRST READING

Resolution No. 6633-22- Adopting the “City of Dayton City Commission Rules of Procedure and Order”, Repealing the Previously Adopted Rules.

CITIZENS’ COMMENTS

Citizens’ comments were received from the following:

1. **Ms. Lynn Lamance, 1061 Bertram Ave.-** spoke about a housing issues and blithe in the City of Dayton.
2. **Dr. Kimaru Wa-Tenza, 1200 W. Grand Ave.** – spoke about nuisance structures and hiring African American citizens for construction projects in the City of Dayton.

3. **Ms. Allyson Youngblood, 111 Livingston Ave.**– spoke about a drug rehabilitation clinic in her neighborhood.
4. **Mr. Greg Ackerman, 556 Shadowlawn Ave.** – spoke about litigation regarding his home.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, asked Ms. Lamance to see Mr. Todd Kinskey, Director of Planning, Neighborhoods and Development after the meeting. She said they are working through the Dayton Delivers App in order for it to function better in regards to housing complaints.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Regina D. Blackshear, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Turner-Sloss

Commissioner Turner-Sloss thanked the residents of the City of Dayton for coming to the meeting and sharing their concerns.

Commissioner Turner-Sloss thanked staff for their presentations. She thanked facilities for their work on her partition.

Commissioner Fairchild

Commissioner Fairchild asked for a legal opinion of Resolution No. 6633-22 and development and legal adequacy, as well as the requirement to have three commissioners agree prior to it being put to agenda which breaks the sunshine laws.

Commissioner Fairchild suggested that the Use of Force Committee look into the case of Dr. Wa-Tenza's son to see if best practices are being implemented and to address his concerns.

Commissioner Fairchild highlighted the Ms. Lela I Frances, the first black realtor in Ohio and the second in the United States.

Commissioner Fairchild encouraged citizens to watch the documentary on the Redlining Exhibit.

Commissioner Joseph

Commissioner Joseph thanked Ms. Dickstein for her work on the Dayton Delivers App.

Mayor Mims

Mayor Mims highlighted and thanked Kemp Elementary School's Black History Program.

Mayor Mims promised Dayton citizens a quality and business-like meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:24 a.m.

Jeffrey J. Mims, Jr.
Mayor

Attest: _____
Clerk of Commission