

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – February 11, 2013

MEETING NO. 2013-04: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Karen Crane, Johan Dybdahl, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Carlton Smith, and Randy Wanamaker.

Assembly Absent: None.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; John Hartle, City Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Hal Hart, Community Development Director; Page Decker, Assistant Police Chief; Jeannie Johnson, Airport Manager.

II. SPECIAL ORDER OF BUSINESS

A. Friends of the Juneau Public Libraries Proclamation

Mayor Sanford issued a proclamation honoring the Friends of the Library, for their volunteer work to run the Amazing Bookstore, for providing funds for many library programs, and for donating \$250,000 of a one million dollar pledge of construction funds for a new valley library.

Paul Berans, Board Member of the Friends of the Library, thanked the Mayor and said there were many volunteers involved with the Amazing Bookstore. It took many books sold at 25 cents each to earn a million dollars. The Friends of the Library also donated books to teachers and the prison system.

Mayor Sanford honored City Manager Kim Kiefer and gave her a 30-year pin for 30 years of work for CBJ. Ms. Kiefer said her first position with CBJ was as a “Tiny Tot” swim instructor when she was in high school in 1975, and her first full time job was at Zach Gordon Youth Center.

III. APPROVAL OF MINUTES

A. January 23, 2013 – Special Assembly Meeting 2013-02

Hearing no objection, the minutes of the January 23, 2013 Special Assembly Meeting 2013-02 were approved as corrected.

B. January 28, 2013 – Regular Assembly Meeting 2013-03

Hearing no objection, the minutes of the January 28, 2013 Regular Assembly Meeting 2013-03 were approved.

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

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

Kevin Ritchie reported on the Juneau Afterschool Coalition's progress. The Assembly donated \$25,000 to the program last year. Betsy Brenneman was the coordinator. Mr. Ritchie said he learned from the closure of the Juneau Boys and Girls Club that there are many youth on their own after school and if they had a positive activity to do after school, there could be amazing payoffs. He referred to a Youth Risk Behavior Survey, which indicated that activities could direct children positively to avoid drugs and crime and towards better grades. This program was a positive approach, and was doable. It was not an expensive program, and it had stayed simple – it was not a non-profit. The accounting was done free of charge by Catholic Community Services. There was only one paid staff member and the program took place in the schools. They cooperated with organizations such as SEARCH (outdoor activities), JPD (police academy in the middle schools). Ms. Brenneman was in charge of coordinating the programs with the schools. The program costs were approximately \$100,000 a year. They had discussed with the City Manager and schools to consider including after school activities in the CBJ system. The community as a whole should make a commitment to create afterschool opportunities. About half of the students in the district were not with an adult after school. The good thing about working in the schools is that the teachers and principles know the students and recruit the students into the programs. He distributed a memo about the program.

VI. CONSENT AGENDA

- A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction – None.
- B. Assembly Requests for Consent Agenda Changes – None.
- C. Assembly Action

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

1. Ordinances for Introduction

a. Ordinance 2013-06

An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of ATS 1170, Located at Approximately 13395 Glacier Highway.

Administrative Report: Attached. The manager recommended Ordinance 2013-06 be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2636

A Resolution Expressing Assembly Support for the Juneau Coordinated Transportation Coalition's 2013 Addendum to the 2008 Transit Development Plan, Coordinated Human Services Element, to Be Submitted to the State of Alaska Department of Transportation.

Administrative Report: Attached. The manager recommended adoption of Resolution 2636.

3. Transfer

a. Transfer T-941

Transfer \$500,000 from the Cruise Ship Tug Moorage Rehab CIP to Aurora Harbor Rebuild.

Administrative Report: Attached. The manager recommended approval of Transfer T-941.

b. Transfer T-943

Transfer \$300,000 from Lower West Mendenhall Sewer-Pederson Hill CIP to Auke Lake Sewer 2013 CIP.

Administrative Report: Attached. The manager recommended approval of Transfer T-943.

c. Transfer T-944

Transfer \$700,000 from North Douglas Sewer Expansion CIP to Lawson Creek Lift Station Replacement.

Administrative Report: Attached. The manager recommended approval of Transfer T-944.

4. Liquor License

a. Liquor License 2013/2014 Renewals

Administrative Report: Attached. The manager recommended the Assembly waive its right to protest the following liquor license renewals:

Beverage Dispensary Licenses:

License #644 – BCM Inc. d/b/a Marlintoni's Lounge, Location: 9121 Glacier Hwy. 2nd Floor
License #2533 – Jack D. & Arlene D. Tripp d/b/a Viking Restaurant & Lounge, Location: 216 Front Street
License # 2728 Los Arcos Inc. d/b/a G.W. Teal, Location: 9105 Mendenhall Mall Road
License # 674 – Lucky Lady Inc. d/b/a Lucky Lady, Location: 192 S. Franklin Street
License #2844 – Sandbar Inc. d/b/a the Sandbar, Location: 2525 Industrial Blvd.

Beverage Dispensary – Tourism [AS 04.11.400(d)] Licenses:

License #313 – Juneau Hospitality LLC d/b/a Prospector Hotel/TK Maguire's, Location: 375 Whittier Street
License #586 Yang Sing, LLC d/b/a Zen, Location 51 W. Egan Drive

Restaurant/Eating Place Licenses:

License # 188 – Bullwinkle's Inc. d/b/a Bullwinkle's Pizza, Location: 318 Willoughby Ave.
License # 1690 – Bullwinkle's Inc. d/b/a Bullwinkle's Pizza, Location: 2687 Mendenhall Loop Mall Road
License # 1384 – Alfonso Soriano d/b/a Jovany's Italian Restaurant, Location: 9121 Glacier Hwy.

Recreational Site License:

License # 5095 – Taku Lanes, LLC d/b/a Taku Lanes, LLC, Location: 608 W. Willoughby Ave.

Package Store Licenses:

License # 176 – Allan Ahlgren & Michael Corcoran d/b/a Breeze-In Liquor, Location: 8 Mile Old Glacier Hwy.

License #662 – Breeze-In Corporation d/b/a Douglas Island Breeze-In, Location: 3370 Douglas Hwy.

License #4543 - Breeze-In Corporation d/b/a Breeze-In, Location: 5711 Concrete Way

License #3352 – Costco Wholesale Corporation d/b/a Costco Wholesale #107, Location: 5225 Commercial Way

Wholesale – Malt Beverage & Wine License:

License #4081 – K&L Distributors Inc. d/b/a K&L Distributors, Location: 8420 Airport Blvd.

VII. PUBLIC HEARING

A. Ordinance 2012-20(AD)

An Ordinance Appropriating To The Manager The Sum Of \$16,906 As Funding For High Visibility Enforcement Related to Driving Under the Influence and Seatbelt Enforcement; Grant Funding Provided By The Alaska Department of Transportation and Public Facilities, Alaska Highway Safety Office.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AD) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Smith, to adopt Ordinance 2012-20(AD). Hearing no objection, it was so ordered.

B. Ordinance 2012-20(AE)

An Ordinance Appropriating To The Manager The Sum Of \$5,434 As Funding for the Purchase of Bullet Proof Vests; Grant Funding Provided By The United States Department of Justice.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AE) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2012-20(AE). Hearing no objection, it was so ordered.

C. Ordinance 2012-12(AF)

An Ordinance Appropriating To The Manager The Sum Of \$881,277 As A Transfer To The Lands Fund; Funding Provided By Various Capital Projects.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AF) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to adopt Ordinance 2012-20(AF). Hearing no objection, it was so ordered.

D. Ordinance 2012-20(AG)

An Ordinance Appropriating To The Manager The Sum Of \$225,000 As Partial Funding For The New Mendenhall Valley Library; Funding Provided By The Friends of the Juneau Public Libraries.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AG) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Crane, to adopt Ordinance 2012-20(AG). Hearing no objection, it was so ordered.

E. Ordinance 2013-04

An Ordinance Amending the Second-Hand Smoke Control Code to Prohibit Smoking in Areas Designated by Appropriate Signage.

Administrative Report: Attached. The manager recommended Ordinance 2013-04 be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Dybdahl, to adopt Ordinance 2013-04.

Mr. Jones asked if the Airport Board considered doing a smoking ban on its "campus" similar to the one Bartlett Regional Hospital did by ordinance. Ms. Kiefer said that the Airport Board wished to have specific smoking areas and other posted non-smoking areas. Mr. Hartle said that a map adoption was considered, but the smoking areas would need to be identified, and this ordinance provided a more general flexibility to post no-smoking areas. Ms. Johnson said the Board did not consider a full ban on smoking at the airport as many employees and passengers smoked. The Board wanted to accommodate them. It was a public facility but it was unlike the hospital. The new shelters were nice but were not used because smokers could smoke ten feet away from the building, so this approach was determined.

Mr. Smith asked what the shelters looked like and cost. Ms. Johnson said they were similar to a bus shelters, were partially enclosed with a bench, and were away from the front curb. They cost approximately \$1200 each.

Mr. Nankervis objected to the ordinance. He said that this ordinance would allow people in general, in any location, to post signs and it would not stop. He said soon there would be signs in parks, on trails, and it was a slippery slope. Smoking was a legal activity and restricting it to outdoors and beyond 10 feet from a doorway was a sufficient restriction.

Roll Call

Aye: Becker, Crane, Dybdahl, Jones, Kiehl, Smith, Wanamaker, Sanford

Nay: Nankervis

Motion passed, 8 ayes, 1 nay.

F. Ordinance 2013-05(b)

An Ordinance Restricting Off-site Solicitation Within the Downtown Historic District and Adjacent Areas.

Administrative Report: Attached. The manager recommended Ordinance 2013-05(b) be adopted.

Public Comment:

Kirby Day expressed support for this ordinance. He spoke about the history of vending on the waterfront. The issue of distributing handbills on the docks was resolved by establishing sales kiosks on the docks. In the past few years hawking had increased on the city sidewalks, and he thought the ordinance would help get in front of this type of hawking activity. The visitor industry had been blamed for this type of activity in the past and he supported the passage of this ordinance before it became a larger issue. The ordinance was reviewed by the law department to try to avoid unintended consequences.

Larry Spencer, President of the Downtown Business Association, said he polled his board members and most thought that this law was already in effect, and were supportive of the ordinance. He spoke about travels in Turkey, Egypt and Mexico and the street hawking in those places was disturbing. It added a layer of confusion and tenseness to the atmosphere. The DBA Board was unanimous in support of this ordinance and they recommended adoption.

Mr. Kiehl said that a potential unintended consequence would be a limiting the way that a new business could draw customers. Mr. Spencer said that was discussed and the alternative might be worse, that all businesses would send out employees to hawk on the streets. This developed a bad reputation for the downtown area from visitors and locals alike.

Mr. Jones asked if this would prohibit mobile sandwich boards, handouts and leaflets and Mr. Spencer said yes, those would be prohibited, as well as generally badgering people. Mr. Spencer said this would not prohibit providing tourist information, directions, and the like. Mr. Hartle said that was correct.

Assembly Action:

MOTION, by Dybdahl, to adopt Ordinance 2013-05(b).

Mr. Dybdahl asked about the ordinance reference to the historic district and if the present configuration of Exhibit A took in the proposed dock and seawalk. Mr. Hartle said the docks had their own regulations regarding sales.

Mr. Dybdahl asked how the ordinance would affect an artist carrying around his work and selling it. Mr. Hartle said that was “expressive speech” according to the Supreme Court, and that person would not be violating this ordinance. Distributing handbills for political or religious purposes was expressive speech, as was art, and the fact that some amount of money was collected did not negate it being expressive speech under the First Amendment. The Supreme Court determined that the activity of selling tours was commercial speech that was more “robust” and had money behind it. There were other avenues for those merchants to reach the customer. The Skagway ordinance was at first thrown out by the Superior Court. The Supreme Court reversed the decision and said if the regulation was interpreted narrowly, and regulated commercial speech only, which only proposed a commercial transaction, then the regulation could be allowed. The First Amendment protected commercial speech from unwarranted regulation but it accorded less protection to commercial speech than to other constitutionally safeguarded forms of expression.

Mr. Nankervis was concerned with placing geographical restrictions on speech and allowing hawking in the valley but not downtown. There was a move to make panhandling illegal just because some people do not like it. We need to be very conscious of limiting speech and he was uncomfortable with the ordinance. He did not like the wording in the ordinance referring to visitors and tourists and suggested it should be residents and visitors. The Assembly did not only work for the tourists.

Mr. Hartle said the ordinance did make a geographical restriction on commercial speech. This ordinance was not an area for creativity and he had copied the Skagway law, which was upheld by the Supreme Court. Skagway used their historic district and discussed the unique historic character of the area and the number of people that were in that small area, which indicated that special regulations would be needed.

Mr. Nankervis said this activity was similar to panhandling. Mr. Hartle said this ordinance exempted out the activities allowed in the panhandling ordinance, which was adopted recently partly due to case law nationally that defined panhandling as protected speech. The ordinance also exempted the activities allowed under the street vending permits and the dock vending permits. Those activities were allowed with restrictions. This ordinance restricted person-to-person efforts solely intended to interest pedestrians in or to solicit the participation in, commercial transactions for private profit with a business.

Mr. Jones asked if a business downtown could hawk in locations outside of the area defined in the map and Mr. Hartle said yes.

Mr. Kiehl asked for an explanation of needing an enclosed area of 200 sq. ft. to do this activity. Mr. Hartle said it was in the Skagway ordinance as the definition of a building, vs. a unit allowed under the vending permits.

Mr. Kiehl said the person with a signboard was marketing to drivers as well and so was not solely aiming his speech at pedestrians.

Mr. Jones said if this ordinance was passed, the only people that would be legal would be those in vending locations specified by the city. Through the permitting process, was the CBJ

sanctioning businesses? Would this open the CBJ to a requirement to address complaints of those approved vendors? Mr. Hartle said no, the city was not in the business to ensure good business practices. The vending permits required insurance, which was a measure of safety.

Mr. Smith called for the question.

MOTION, by Kiehl, to add the words "or drivers" to follow the word pedestrians. Hearing no objection, it was so ordered.

MOTION, by Wanamaker, to refer the ordinance to the Human Resources Committee for further review.

Roll call:

Aye: Kiehl, Nankervis, Wanamaker

Nay: Becker, Crane, Dybdahl, Jones, Smith, Sanford

Motion failed, 3 ayes, 6 nays.

Roll call on the main motion, as amended:

Aye: Becker, Crane, Dybdahl, Jones, Kiehl, Smith, Sanford

Nay: Nankervis, Wanamaker

Motion passed, 7 ayes, 2 nays.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS – None.

X. STAFF REPORTS – None.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford reported on his visit in Petersburg and his meeting with the Mayor and City Manager to discuss issues of mutual interest, Annexation issues, and they were receptive and open. They toured the community and he recommended that within the next year the two Assemblies meet together. He also attended an Energy Committee meeting with Southeast Conference, discussing a hydroelectric generation project extending from Metlakatla to Petersburg and Thomas Bay.

Mayor Sanford said the Fisheries Advisory Committee submitted a letter regarding recommendations for Roadside Fishery locations. He would distribute it to the full Assembly and he suggested that the Lands Committee consider this idea on its agenda. This would set aside some lands to create access for beach fishing.

Mayor Sanford commended photographer Mark Kelly for the donation of his calendars to the Bartlett Regional Hospital and gave him the Assembly's thanks.

B. Committee Reports

Committee of the Whole: Chair Becker said the next meeting was set for February 25 and the Lenders' Group would present information on housing at that time.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting was set for February 25 and information on the Fat/Oil/Grease study would be presented.

Human Resources Committee: Chair Kiehl said the HRC heard annual reports and reviewed and recommended the following board appointments. Hearing no objection, the following appointments were made:

Juneau Affordable Housing Commission:

Justin Shearer, Mandy O'Neal Cole, and Margaret O'Neal for terms beginning immediately and expiring January 31, 2016.

Juneau Human Rights Commission:

Haifa F. Sadighi for a term beginning immediately and expiring May 31, 2014.

Sister Cities Committee:

Brenda Joan Mize, and Chloe L. Watson for terms beginning immediately and expiring January 1, 2016.

Mr. Kiehl said the Human Resources Committee hoped to speak with the Aquatic Advisory Committee at the April 1 meeting.

Finance Committee: Chair Crane said the next meeting was set for February 20 at approximately 6 pm, (following the Special Assembly joint meeting with the Bartlett Regional Hospital Board). Also, a Finance Committee meeting was scheduled for March 13.

Lands Committee: Chair Smith said the February 4 meeting was cancelled and there had been some staff changes in the Lands Department, so there was not a schedule of pending meetings. Mr. Steedle said he could staff the committee in the interim until there was a Lands Manager. Mayor Sanford said it was important to keep the committee moving forward as an integral part of the Assembly's activity.

C. Liaison Reports

Docks and Harbors Board: Liaison Jones said the Gitkov lease was set for public hearing at the next Assembly meeting, March 4.

Juneau Economic Development Council: Liaison Jones said the JEDC sponsored Innovation Summit was happening this week at Centennial Hall and he encouraged people to attend.

Alaska Municipal League: Liaison Jones said the AML Board met earlier in the day and was holding its annual Legislative meetings at the Baranof Hotel with the reception on Wednesday, February 13.

Juneau Commission on Sustainability: Liaison Nankervis said the Commission met and discussed solid waste with CBJ Solid Waste Coordinator Jim Penor, who was an enthusiastic, engaging speaker about solid waste issues. He said that the current recycling effort was only

reducing the amount of waste going into the landfill by about 5 – 7%, which extends the life of the landfill a small amount.

Parks and Recreation Advisory Committee: Liaison Nankervis said the PRAC met on February 5th to make recommendations on the Auke Lake Management Plan that was forwarded from P&R staff. They arrived at two recommendations, one based on no additional funding for Parks and Recreation, and one based on additional funds to be provided by the Assembly. There are no proposed changes to the following ordinances in place regarding hours of operation, prohibited area of operation, violation of wake restriction and refueling.

The following ordinance changes were recommended: to repeal vessel size limitation and create rules regarding limiting motorized vessels to a maximum of 10 horse power (would not apply to aircraft), prohibiting rinsing or flushing of vessels/trailers, prohibiting towed devices (i.e. inner tubes), and prohibiting the molesting of buoys.

The PRAC approved the draft Auke Lake Management Plan as written by P&R staff with some revision, including notation that although numerous opinions and desires were expressed by the public, Parks and Recreation was limited in making recommendations due to available funding and the plan should be a “living document” that is reviewed and possibly revised over time. PRAC recommended that operators complete a boater education course and that Auke Lake watercraft users wear approved USCG Personal Floatation Device.

In response to public comment (34 people testified and 30 of those were for allowing motorized vessels) the PRAC recommended that with additional funding for education certification and adequate enforcement: increasing vessel length to 20 feet with no horsepower restriction, operators must have passed an 8-hour boater safety education course certification, only water skiing and wakeboard allowed with boats designed for towing, no towing by jet skis, no more than 4 active vessels (includes boats and jet skis) on the lake at a time, riders/operators under 16 years of age are required to have a certified chaperone over the age of 18 during use, recommend Auke Lake watercraft users required to wear approved USCG PFD (per state requirements), PRAC will establish an Auke Lake Management advisory subcommittee, which may include professionals, Auke Lake users and residents, to revisit this Auke Lake Management Plan yearly, to evaluate the Plan and carrying capacity using available studies, to report and make recommendations to the Assembly.

Mr. Nankervis said the PRAC recommended that with no additional funding, they supported the staff recommendations for the Auke Lake Plan, but with additional funding, enforcement and education were the primary needs.

Planning Commission: Liaison Smith said the Community Development Department published a public meeting schedule to review the update of the Comprehensive Plan. He encouraged the Assemblymembers to attend a session on February 19, at 5:15 p.m. in the Assembly Chambers with the Planning Commission.

Airport Board: Liaison Dybdahl said the next meeting was set for February 20, 6 p.m. in the Alaska Room at the Airport.

Eaglecrest Board: Liaison Kiehl said the board met last week and heard a budget update. It appears to be a good year fiscally so far, depending on continued snow. The Snow Sports School enrollments and receipts were good. He mentioned the upcoming winter festival at

Eaglecrest and the Board asked Mr. Kiehl to announce that no public funds were used for the fireworks display.

Affordable Housing Commission: Liaison Kiehl said the next meeting was set for February 13.

School Board: Liaison Wanamaker said the School Board met February 5 and continued its budget discussions with the public, adopted the 2013-14 school calendar, the draft 2014-15 calendar and adopted a resolution honoring Elizabeth Wanamaker Peratrovich day.

Alaska Committee: Liaison Becker said the committee was booking legislative reception dates through 2018 at Centennial Hall

Chamber of Commerce: Liaison Becker said Chamber meetings moved to the Hangar Restaurant during the legislative session. At the last meeting, Wayne Jensen presented information on architectural work to be done on the Capitol during the next four years. She would like him to speak at an upcoming Assembly COW meeting on the topic.

D. Presiding Officer Reports

1. Veterans for Peace Appeal of USE2012-0016 – Juneau Mercantile and Armory

Presiding Officer Jones said a second Pre-Hearing conference was scheduled for February 12 and no settlement had been reached by the parties to date.

2. Dau Appeal of USE2012-0019 – Lemon Creek Gravel Extraction

Presiding Officer Crane said a Pre-Hearing conference was scheduled for February 15.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Jones referred to the resolutions from Petersburg and Sitka regarding their opposition to the U.S. Food and Drug Administration's approval of genetically modified salmon and asked if the Assembly wanted to consider a similar resolution. The Assembly discussed and requested the law department to draft a resolution for consideration at a Special Assembly meeting agenda on February 20.

Mr. Dybdahl suggested that any meeting with the Petersburg Assembly should be scheduled during the "Little Norway Festival."

Mr. Wanamaker reported on his attendance and public speaking at the Alaska Miners Association meetings.

Mayor Sanford noted that a few Assemblymembers were also attending the Juneau Economic Development Council's Innovation Summit and reminded the members to turn in receipts to the clerk for registration reimbursement. He noted that Southeast Conference's Mid-Session Summit was scheduled for February 26 – 28 and members should register with the clerk.

Ms. Becker said she attended a reception for the Consul General of Canada, along with Ms. Crane, Mr. Kiehl and Mr. Jones. She attended an open house at Sealaska Heritage to see their artifacts along with Ms. Crane, Mr. Kiehl and Mr. Jones. She also attended an information

session on the CBJ Comprehensive Plan at the Nugget Mall, as did Ms. Crane, Mr. Kiehl and Mr. Jones. She attended the Innovation Summit, as did Mr. Wanamaker, and found it of great interest.

Mayor Sanford asked Mr. Hartle to review the Open Meetings Act about attendance at meetings if not publicly noticed. Mr. Hartle said the OMA – Alaska Statute 44.62 – applied to all meetings of the Assembly, its committees and its appointed boards and committees. If there was to be a meeting, the clerks should be told in advance to ensure the proper notice would be given. CBJ did a good job following the act in letter and in spirit. No more than three Assemblymembers could meet without giving the proper notice. If members found themselves at a place with more than three members, there should be no discussion of CBJ business. The definition of a meeting was a gathering of members of a governmental body, more than three members, or a majority of the members, present, and a matter, upon which the governmental body was empowered to act, was considered collectively. He noted the exceptions outlined in the act for executive session and for the Assembly meeting as a quasi-judicial body.

Mr. Dybdahl suggested that any member seeking additional meetings should be punished by the Mayor and assigned to more committees.

Mr. Jones said at the public meeting on the Comp Plan at the Nugget Mall there were four Assemblymembers present. Mr. Hartle said it was properly noticed and beyond that, it was a minor informality. Mayor Sanford said in that situation the members would not gather and discuss any issues that would come before the Assembly.

Mr. Hartle said the same act applied to email discussions and correspondence was best funneled through the clerk as public records.

Mayor Sanford shared some correspondence he received from Junior Girl Scout Troop 4021 of Douglas, with recommendations and offers to help the community. They recommended more crosswalks and safer sidewalks, with lots of ice melt. They thought there should be more trails so people could get more energy from walking and running. They passed on their concerns about people not picking up after their dogs. Mayor Sanford said the girls were on top of some of the current problems facing the CBJ.

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

XIV. EXECUTIVE SESSION

A. Airport - Contracting

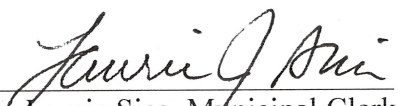
MOTION, by Becker, to enter executive session, in order to discuss a matter, the immediate knowledge of which could have an adverse effect on the finances of the City and Borough of Juneau, namely, airport contracting.

Hearing no objection from the public or Assemblymembers, the Assembly entered executive session at 8:40 p.m. and returned to regular session at 9:00 p.m.

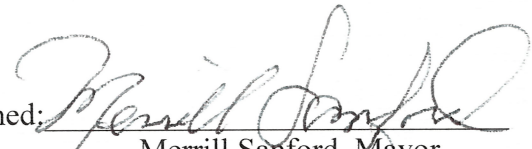
Mayor Sanford said the Assembly discussed an airport contracting issue with staff in executive session.

XV. ADJOURNMENT - 9:05 p.m.

Signed:


Laurie Sica, Municipal Clerk

Signed:


Merrill Sanford, Mayor