

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – April 22, 2013

MEETING NO. 2013-10: 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; Rorie Watt, Engineering Director; Brent Fischer, Parks and Recreation Director; Robert Barr, Library Director; Bob Bartholomew, Finance Director; Jane Sebens, Deputy Attorney; Amy Mead, Assistant City Attorney – Civil; Myia Whistler, Recreation Superintendent; Kathrin Millhorn, Aquatics Manager; Roy Johnston, Todd Cameron, Trevor Richards, Amanda Carlson – Juneau Fire Department; Glen Gelbrich, Juneau School District Superintendent; David Means, Director, Administrative Services, JSD.

II. SPECIAL ORDER OF BUSINESS

A. James G. (Jim) King Recognition

Mayor Sanford read a proclamation and Parks and Recreation Director Brent Fischer presented Jim King with a plaque honoring Mr. King for 45 years of service to the community. Mr. King was appointed to the first City's Parks and Recreation Advisory Committee in 1968 and has been a committed volunteer since that time. His 45 years of selfless hard work and dedication helped to create Juneau's trail system, recognized by City, State and Federal agencies as some of the grandest parks and some of the finest trails in the nation's trail system, improving the quality of life for residents and visitors to Juneau. Mr. King modestly accepted the recognition and proudly displayed the book "90 Short Walks Around Juneau," written by his wife, Mary Lou King, saying he had some help.

III. APPROVAL OF MINUTES

A. April 1, 2013 – Regular Meeting Assembly Meeting 2013-08

Hearing no objection, the minutes of the April 1, 2013 Regular Assembly Meeting 2013-08 were approved.

B. April 3, 2013 – Special Meeting Assembly Meeting 2013-09

Hearing no objection, the minutes of the April 3, 2013 Special Assembly Meeting 2013-09 were approved.

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

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ruth Danner spoke about the FEMA flood insurance study out for public review. She attended the public meeting at UAS with approximately 20 other participants. She was concerned with the methodology that was being used. The tides go to only 22 feet, and with storm surge, they may go a bit higher, but a study in the Netherlands was being applied and it was not a proven methodology. She said FEMA would try to force the Assembly to approve the maps to give their method validity. The public had not had sufficient opportunity to be involved and she only found out about the meeting by chance, and did not hear about it on the radio, which was her primary source of information. Any potentially controversial topic should get the funding for radio ads during prime time.

Mr. Nankervis asked Ms. Danner what her understanding was of the options that CBJ had regarding adoption. Ms. Danner said there was no representative from FEMA to explain the model, and CBJ should hire a consultant to explain how the model worked.

Mark Halstead spoke about the Sept 26, 2012 mudslide on city property adjacent to his home on St. Ann's Avenue. Since he spoke with the Assembly at a previous Assembly meeting, there were phone calls from city staff but he thought the issue was being over-studied. Ms. Kiefer arranged for the tree to be cut in his front yard as his responsibility in three days but this mudslide continued after 7 months. Nothing had been done by city staff to rectify the situation and he asked the Assembly to address what he felt was an unprofessional response by city staff. This situation had been a waste of time and city resources and the damage had increased dramatically since the initial problem.

Ms. Crane said she understood that he was not happy with the pace of action and the city manager was doing what the Assembly had directed her to do – to dig into the situation and not just review previous correspondence. The issue was being addressed and hopefully it would be resolved soon.

Mr. Nankervis said he was looking at the CBJ tree cutting policy.

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 2013-13

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of West Juneau Block D, Lots 11-14 Fraction, Lot 9 and 10 Fraction, Lots 7 Fraction and 8 Fraction, and Lot 6 and 7 Fraction, Located at the West End of the Douglas Bridge and Currently Zoned D-5, to D-18.

Administrative Report: Attached. The manager recommended Ordinance 2013-13 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2012-20(AM)

An Ordinance Transferring Of \$75,554 To The Open Space Waterfront Land Acquisition Capital Improvement Project From Unexpended FY12 Marine Passenger Fees Budgeted To The General, Visitor Services, And Roaded Service Area Funds.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AM) be introduced and set for public hearing at the next regular meeting.

c. Ordinance 2012-20(AN)

An Ordinance Transferring to the Manager the Sum of \$300,000 To Return Funds To The Waterfront Seawalk Capital Project Fund, Funding Provided By The General Fund Fund Balance.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AN) be introduced and set for public hearing at the next regular meeting.

d. Ordinance 2012-20(AO)

An Ordinance Appropriating To The Manager The Sum Of \$250,000 As Funding For The Auke Lake Wayside Boat Launch Ramp, Grant Funding Provided By The Alaska Department Of Commerce, Community And Economic Development.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AO) be introduced and set for public hearing at the next regular meeting.

e. Ordinance 2012-20(AP)

An Ordinance Transferring to the Manager the Sum of \$800,000 To Transfer Funds To The 2009 Special Capital Projects 1% Sales Tax Fund Fund Balance, Funding Provided By The Capital Improvement Projects Fund.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AP) be introduced and set for public hearing at the next regular meeting.

f. Ordinance 2012-20(AQ)

An Ordinance Appropriating to the Manager the Sum of \$300,000 as Partial Funding For The Eagles Edge Utility Local Improvement District Capital Improvement Project, Loan Funding Provided by the State of Alaska Department of Environmental Conservation.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AQ) be introduced and set for public hearing at the next regular meeting.

g. Ordinance 2012-20(AR)

An Ordinance Appropriating to the Manager the Sum of \$9,399 as Funding For The Purchase Of Three Early Literacy Interactive Computer Stations, Grant Funding Provided by the State of Alaska Department of Education and Early Development.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AR) be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2644

A Resolution Extending the Sunset Date for the Aquatic Facilities Advisory Board, and Repealing Res. 2532(b).

Administrative Report: Attached. The manager recommended adoption of Resolution 2644.

b. Resolution 2645

A Resolution De-Appropriating \$372,700 From The General Fund, Roaded Service Area Fund, Fire Service Area Fund, Lands and Resources Fund, Downtown Parking Fund, Visitor Services Fund, Airport Fund, Harbors Fund, Dock Fund, Waste Management Fund, Water Fund, Wastewater Fund, Fleet Services Fund, Risk Management Fund and Special Assessment Funds Fund Balances.

Administrative Report: Attached. The manager recommended adoption of Resolution 2645.

3. Transfers

a. Transfer Request T-945

A Transfer of \$100,000 from Bear Creek Road Drainage and Dam CIP W75-045 to a new CIP for Harbor Way Water Improvements.

Administrative Report: Attached. The manager recommended approval of Transfer T-945.

VII. PUBLIC HEARING

A. Resolution 2640

A Resolution Adopting the City and Borough Capital Improvements Program for Fiscal Years 2014 Through 2019, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2014.

Administrative Report: Attached. The manager recommended Resolution 2640 be heard and referred to the Finance Committee for adoption by June 15, 2013.

Public Comment:

Ruth Danner said the Assembly considered putting \$6.3 million in sales tax funding to build infrastructure into Peterson Hill in order to build more housing. She said it was important to build new infrastructure and support housing, but not at the expense of existing infrastructure needs in the community. She referred to riverine flooding impacting Jordan Creek and

throughout the valley. There were inadequate culverts and drains that needed improvements that if repaired would remove some properties from the flood zone.

Assembly Action:

MOTION, by Crane, to refer Resolution 2640 to the Finance Committee. Hearing no objection, it was so ordered.

B. Ordinance 2012-20(AK)

An Ordinance Appropriating To The Manager The Sum Of \$132,635 As Reimbursement For Improvements To the Alaska Office Building Exterior; Grant Funding Provided By The State of Alaska.

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

Public Comment: None.

Assembly Action:

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

C. Ordinance 2012-20(AL)

An Ordinance Appropriating to the Manager the Sum of \$144,683 As Additional Funding For The Capital Transit Program, Grant Funding Provided By The Alaska Department Of Transportation And Public Facilities.

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

Public Comment: None.

Assembly Action:

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

D. Ordinance 2013-09

An Ordinance Adopting an Amended Official Road Classification Map With Changes Regarding the Auke Rec Bypass Road.

Administrative Report: Attached. The manager recommended Ordinance 2013-09 be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2013-09.

Ms. Crane asked about the public notice to property owners in the area and if there were any comments or objections recorded with the Planning Commission.

Planning Commissioner Dennis Watson said the issue was properly noticed in the routine methods and there was no response from the public on the issue. The Planning Commission viewed the change as an improvement because by changing the way the old highway was designated the ability to access property along the road would be improved.

Hearing no objection, it was so ordered.

E. Ordinance 2013-10

An Ordinance Appropriating Funds From The Treasury For FY14 School District Operations.

Administrative Report: Attached. The manager recommended the Assembly designate the amount of funding to be provided to the Juneau School District (JSD) and to refer Ordinance 2013-10 to the Finance Committee for further review, with adoption by June 15, 2013.

Public Comment:

Dennis Watson said Juneau was one of the three boroughs in the state that provided funding to the maximum cap and that was admirable. He asked about House Bill 182, in which the State of Alaska had turned back to the Borough approximately \$2 Million last year, this year and for the next ten years. He asked where those funds were, did they go into the school district budget or were they used for general operating funds?

Mr. Kiehl said the \$2 Million was a reduction in what the CBJ was required to put into schools and because CBJ funded to the cap, it was also a reduction in what CBJ was allowed to put into schools. Last year, the \$2 Million was made up by the state general fund, and so in essence, CBJ used those general funds in the CBJ budget last year. This year, because the student counts had not changed and the base student allocation had not changed, but because the property values had gone up, instead of \$2 Million, the amount would be about \$1.5 Million. In essence, CBJ put another \$.5 Million into the schools that the state did not, and the net result to the JSD was a wash, and unfortunate. It was \$.5 Million that CBJ did not have to balance its budget.

Mr. Watson said through 2032, CBJ would continue to receive about \$1.5 Million to \$2 Million.

Ms. Kiefer clarified for the Assembly that her recommendation was to notify the school district of the funding level the Assembly would provide, to the cap, and the ordinance would return to the Finance Committee to review items outside of the cap.

Assembly Action:

MOTION, by Wanamaker, to provide \$24,134,400, the maximum amount allowed under the State's Education Foundation Funding Formula, for local funding for the Juneau School District. Hearing no objection, it was so ordered.

MOTION, by Wanamaker, to refer Ordinance 2013-10 to the Finance Committee. Hearing no objection, it was so ordered.

F. Ordinance 2013-11

An Ordinance Appropriating Funds From The Treasury For FY14 City and Borough Operations.

Administrative Report: Attached. The manager recommended that Ordinance 2013-11 be referred to the Finance Committee for review, with adoption by June 15, 2013.

Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to refer Ordinance 2013-11 to the Finance Committee for review. Hearing no objection, it was so ordered.

G. Ordinance 2013-12

An Ordinance Establishing The Rate Of Levy For Property Taxes For Calendar Year 2013 For The Budget For Fiscal Year 2014.

Administrative Report: Attached. The manager recommended that Ordinance 2013-12 be referred to the Finance Committee for review, with adoption by June 15, 2013.

Public Comment:

Ruth Danner distributed a three-page spreadsheet to the Assembly and reviewed the information contained therein. She referred to the State Assessor's audit of the CBJ Assessor's Office in 2011, which made a number of recommendations, one of which was to place the Assessor Office into Departmental status, but the decision was made to retain the Assessor in the Finance Department. The challenge was a conflict of interest. Regarding the methodology for the assessment, the assessments were weighted heavily towards land. She said the Assessor stated that land values had previously stagnated, but she shared her home's land value that had risen from \$35,000 in 2004 to \$70,000 in 2012, which was a 9% increase annually. She said when the same Department was responsible for setting taxes as for spending money; there was a reason to want to set taxes to cover expenses. Taxes could be set by the mill rate or by setting the assessed value. Ms. Danner read Charter Section 9.7 (c) that limited the mill rate to 12 and any levy over that would require a public vote. The former city manager and former finance director had a stake in the game to keep the mill rate flat so they could claim the high ground of not increasing taxes, and over the same period of time her property value increased, the city's expenditures increased by 9%. The city was responsible for the lack of affordability in the community and the assessments consistently increasing, creating the new market rate.

Mr. Kiehl said the Assembly discussed the State Assessor's recommendations and his perception of a conflict. Mr. Kiehl asked Ms. Danner if she believed that on appeal, the state courts would uphold property tax assessments based not on relationship to the market or the factors of professional assessing, but on some perceived desire for revenue, and if she thought that would hold up in court.

Ms. Danner said the reason why the fair value for property was as it was, was because the community perceived that the assessment was the value of the property. Because there was such limited availability, high asking prices above the assessed value set a perceived market value.

Roy Johnston, Firefighter, IAFF 4303, said the Juneau Career fire fighters were opposed to the proposed cuts to the Fire Department and asked the Assembly to keep the funding levels as set in the FY14 approved budget. He referred to the recent fire at the Gastineau Apartments downtown, the response, and the fact that during the fire there were only four people left to respond to any emergency that was called in. He provided statistics regarding the current operations of the Fire Department and noted that Juneau's response level rivaled or exceeded many large communities. The Department was already doing more with less.

Mr. Dybdahl asked if Mr. Johnston supported a 10.89 mill rate. Mr. Johnston said his only stand was to support the Fire Department and other essential community services.

Mr. Dybdahl said it seemed there was some misunderstanding regarding the information from the City Manager at the Finance Committee, which was simply a request for information in response to an Assembly question. By putting it out the way the Assembly did, this had caused the public a lot of alarm.

Tom Rutecki proposed that the Assembly support the FY14 budget as planned with a modest mill rate increase. The average increase to homeowners would be about \$100 and the budget reductions would adversely affect citizens, especially kids. Some Assemblymembers participated in the program called "Getting to Graduation" and the dropout rate began in elementary school, not in high school. Cuts affected scholarship availability and the Youth Activities Board provided a lot of bang for the buck. Alaska was one of the least taxed states, it did not have an income tax, and reducing the mill rate was an ideological issue.

Mayor Sanford asked about the tax levy per mill rate. Mr. Bartholomew provided an example that for a \$250,000 home, the .23 mill rate increase would equal an additional \$58.00 for that property.

Todd Cameron, Firefighter, IAFF 4303, asked the Assembly not to cut the Fire Department budget. The Fire Chief had submitted a budget with a 10% reduction already. He asked the Assembly to maintain the FY14 proposed budget and to support fire fighters.

Amanda Carlson, Alaska State Firefighters Association, Juneau Chapter, which included Career and Volunteers, asked the Assembly to reconsider the proposed cuts to the CCFR budget for FY14. She distributed a letter, which referred to the 2012 CBJ Budget Survey by McDowell Group, which listed Police as the most important, and Fire and Rescue the second most important departments to maintain.

Barbara Sheinberg, spoke in favor of retaining the .23 mill rate increase to 10.9 mills. She distributed a spreadsheet with information obtained from "Alaska Taxable 2012," which listed the mill rate of the 15 boroughs reporting property taxes. Of the 15, 11 had higher mill rates than Juneau. She said the Juneau economy was blessed with mining, tourism, and a health care industry, and had the tax base to support a mill rate increase. Juneau had a good track record of supporting services and was not afraid to pay for things citizens enjoyed.

Mr. Nankervis asked which of those 15 boroughs also collect sales tax and what the rates were. She said she would provide that to the Assembly.

Beth Weigel, Executive Director, Discovery Southeast, and a resident, agreed that the list of potential cuts was pretty alarming, with almost half for public safety and youth services. In a month, schools would be out and parents were counting on youth programs funded by Youth Activities Grants. A cut there would put a big crunch on childcare in the community. Many of the organizations provided hours of service to youth and gave CBJ a “big bang for the buck.” She supported the FY14 proposed mill rate levy.

Arnold Liebelt, President of the Juneau Douglas Ice Association, supported the Youth Activities Grants and was concerned about the proposed cuts to youth programs. He sent an email outlining his concerns, including performance outcomes, tax exemptions, demographics and decreasing state revenue, in context of the mill rate. He did not think it was fair to discuss the mill rate increase separate from valuation of properties. He did not understand the continued increased rates in property valuation. Just looking at the mill rate was a shallow approach. A task force studied 39 tax exemptions and some of those should be reviewed. He referred to the senior property tax exemption of \$150,000. The median age now was 39 and by 2035 was projected to be 53. Seniors were the largest growing segment of the population. The middle class would not be able to afford this. He encouraged the Assembly to put all issues on the table and encouraged full funding of ice programs for youth in the community.

Mayor Sanford encouraged the public to attend a training session for the Board of Equalization on Tuesday, April 23, at 5 p.m. in the Assembly Chambers.

Mr. Kiehl said the \$150,000 senior and disabled property tax exemption was required by state statute and was not optional.

Steve Quinn said the Youth Activity Grants were a sound investment. He was a volunteer coach and board member of Juneau Douglas Ice Association. The grants came with a structure and appropriate oversight – they provided a sound fiscal foundation for the programs. He spoke about the benefits of the programs, teamwork, sportsmanship, and exchanges between communities. There were children growing up playing hockey in Juneau now. He invited all to watch the games next winter.

Debbie White, Broker/Owner of Southeast Prudential Real Estate and a former Board of Equalization member, said she could not make sense of the new assessment models. With client permission, she disclosed a few examples of sales, asking prices and the associated assessments. One assessment was \$180,000 over the last asking price. Another example was a recent property sale at \$60,000 with an associated assessment of \$164,400. She said that she had seen examples of assessments that were incredibly higher, and incredibly lower, than what a willing seller and a real estate professional had agreed to in marketing a home. She requested a site visit by the Assessor for a sale property as she felt the assessment was too high, and the new assessment was still more than \$30,000 over the last asking price. She urged property owners to dispute the assessments and did not want to see CBJ’s budget based on flawed data.

Charles Rohrbacher supported raising the mill rate so that essential services could be paid for, including public safety, youth programs and libraries. He spoke against cutting library hours, which decreased the use, and could become a reason to decrease more hours or close facilities.

He was willing to pay more in property tax to pay for making the community worth living in and to support the common good.

Trevor Richards spoke about his role in the community, his family who had moved here, and his expectation and desire that if any of them that needed the services of CCFR, they would be able to receive the services. The department had done more with less and the provision of services had been delayed on occasions based on cuts to the department. He spoke about a family emergency in which an ambulance was called and if there had been any delays, a life may have been lost. CBJ needed to grow the community, add jobs, and provide these services.

Robert Sewell said the amount of money in the mill rate change was modest and for a typical owner, similar to one month of an internet charge. Most of the heat on this had to be ideological. Cuts to stay away from were Youth Activity Grants, the libraries, and he spoke in favor of the youth hockey program. He enjoyed the quality of life in Juneau and asked the Assembly to maintain and perhaps enhance the mill rate.

Darrel Tseu said he was happy to pay his share of services and supported a modest increase in the mill rate. He supported youth activity programs and thanked the Assemblymembers for making difficult decisions.

Thea Howard said that the list of potential cuts provided to the Finance Committee were not hypothetical to the people affected by the cuts. Her children took part in programs all over town, including the library in Douglas and the pool in the valley. All parents would be fundraising even more if the cuts took place, and most citizens supported the programs and do not mind or even notice when the funds came from taxes. Many adults present at the meeting and in the community were recipients of the funding provided to youth programs by CBJ in the past and now they were working, contributing residents.

Steve Brockman, President, Board of Trustees of the Glacier Swim Club, said most residents chose to live in Juneau because of the lifestyle here, not the weather. The range of activities for children was great and sports taught life skills. The potential cuts from hitting the mill rate could affect a program in direct ways. The Youth Activity Grants helped make the programs viable and helped low-income children to participate. Cutting hours of operation in the facilities also affected programs. He asked the Assembly not to rescind the mill rate proposed.

Chris Mertil supported additional mill rates for services. He had a house fire in Thane a few weeks ago and it was not a total loss thanks to the great response from the fire department. His family was thrilled with the support they received in the community and Juneau was a community that cared. Cuts to organizations were damaging and CBJ needs to provide good opportunities. He served on the Parks and Recreation Advisory Board and CBJ needed programs for kids. He asked the Assembly to maintain the higher-level mill rate to support services and not to support any cuts proposed.

Assembly Action:

MOTION, by Wanamaker, to refer Ordinance 2013-11 to the Finance Committee for review. Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS

Report from Subcommittee on City Manager Evaluation Process:

Mr. Smith said the subcommittee met and reviewed how the City Manager evaluations were done in the past and discussed a third party evaluation and best practices. They heard a presentation from a consultant, Almond Associates from Tacoma Washington.

Chair Crane said her concern remained the same, that there was a cost for an outside party to do an evaluation, the Assembly did not need to incur the cost and should be able to perform an evaluation itself.

Mayor Sanford said CBJ had a 360 evaluation available through its own HR department, which the outside consultant proposed to do for \$20,000 - a cost that he was not ready to afford. Ms. Kiefer wrote a report of her duties and accomplishments within the last year. He said with this report, the Assembly's stated goals, and the list of traits the Assembly asked for when hiring a city manager, there was sufficient information to meet with the manager in open session, followed by an executive session with the manager and then just the Assembly. Following this, the committee or the Mayor could draft a written evaluation for the manager.

Mr. Smith asked how the process had worked in the past, and Mayor Sanford said the process was similar to the process he just described, perhaps with more initial input from the Mayor and less input from the Assembly. He said the manager's evaluation was one of the most important duties of the Assembly.

Mr. Nankervis said he liked the thought of outside third party and not having a subordinate (HR department) be involved. He thought the funds spent on the organizational cultural survey could be redirected to this purpose. Ms. Kiefer said the HR staff performed the survey through the use of "Survey Monkey" and it took only a few minutes for each employee to answer. The 360 survey was also a "Survey Monkey" tool, and Ms. Kiefer had been evaluated using that survey three years ago.

Ms. Becker asked if the committee felt the manager was given a thorough job description upon which to base a performance review. Mayor Sanford said the Assembly Goals advised the work assignments. The report provided by the manager regarding accomplishments and the basic traits and characteristics of being a city manager could be evaluated by individual members. Ms. Becker said she would like specific, clear instructions and standards - she was not sure how good this evaluation could be. Mayor Sanford said this evaluation could be good and the process could get better. A good end-result was an understanding between the city manager and the Assembly about goals, wants and needs.

Mr. Kiehl said cost was a factor for not hiring an outside evaluator, and he looked forward to the discussion between the Assembly and the manager. There were varied background experiences among the Assemblymembers, which could add to the evaluation process.

Ms. Crane said an evaluation was not done last year because the city manager retired.

Mr. Dybdahl said there was a big evaluation involved with the hiring process and he supported having the Mayor more integral to the review, based on his daily experience working with the manager. He did not support a third party evaluation.

Mr. Wanamaker said he was experienced with evaluation of CEO's, which was what the city manager essentially was, and there were lots of tools and processes. The most objective, critical and helpful method was the third party evaluation process – it was far superior to all other processes. The Assembly was able to find funds when it had something it really wanted to do. It was the Assembly's duty to the public and to its fiduciary responsibility. If the Assembly did a search, it could get a volunteer if necessary as a community service. This did not preclude the Assembly's participation.

Mr. Smith said the process needed to be fair, balanced and effective. It should bring value to the Assembly in its ways of interacting. Some sort of third party review was in the Assembly's future. The Assembly recently hired a third party to do a rate study for water rates.

Mr. Jones said he did not support a third party review – he had been through it with several other boards he had served on, and said it allowed members to abdicate their own role, allowed a third party to set the rules, did not question their methods, and the Assembly needed to do this job itself. The Assembly could and should do it.

MOTION, by Jones, to conduct the evaluation of the city manager in house, within three months, with its own resources, in the manner outlined by the subcommittee.

Roll call:

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

Nay: Nankervis, Smith, Wanamaker

Motion passed, 6 ayes, 3 nays.

IX. NEW BUSINESS – None.

X. STAFF REPORTS

Mr. Hartle announced his pending retirement June 30, 2013. Mayor Sanford expressed his appreciation for Mr. Hartle's work and service.

The Assembly discussed a hiring process for the city attorney and a subcommittee of Mr. Wanamaker, Mr. Kiehl and Mr. Jones was formed. Mayor Sanford asked for staff assistance, to include Mr. Hartle's perspective.

The Assembly discussed exit interviews for employees.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford welcomed the Tlingit and Haida Central Council Assembly and the Alaska Federal Retiree Employees Convention recently in Juneau. He announced a trip north to Skagway to meet with Haines and Skagway Assemblies and representatives from the City of Whitehorse, Yukon. Ms. Kiefer, Ms. Sica and five Assemblymembers would attend.

B. Committee Reports

Ad Hoc Housing Subcommittee: Chair Becker said the committee met and discussed a matrix of ideas presented to the committee to establish priorities. The committee identified increasing zoning density, reevaluating major/minor subdivisions and reviewing property tax incentives. They discussed CDD culture and felt that some changes to the code may help facilitate cultural changes for the department and clients.

Mayor Sanford asked if staff reviewed who should work on those topics. Ms. Becker said the next meeting of the subcommittee was set for Thursday, April 25, at 1:30 p.m. in the City Hall Conference room, and would provide more information to the Committee of the Whole on April 29.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting was set for April 29 at Noon.

Human Resources Committee: Chair Kiehl said the May 13 meeting would be rescheduled to Noon that day due to an appeal hearing that evening. A tentative date of June 6 was set for the Full Assembly to sit as the HRC for interviews and appointments to the Airport Board, Docks and Harbors Board and Eaglecrest Board.

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

Fisheries Development Committee:

Thomas Fletcher was reappointed and Abe Tahna appointed for terms expiring January 31, 2016.

Sales Tax Board of Appeals:

John Gaguine and Tim Cottongim were reappointed to terms expiring December 31, 2015, and Gary Jenkins was reappointed to a term expiring December 31, 2014, or until his seat could be filled, as he indicated he had served for a significant time.

Finance Committee: Chair Crane said there was no meeting set for Wednesday, April 24. Mayor Sanford asked to add property assessment methodology to the Finance Committee's agenda.

Lands and Resources Committee: Chair Smith said the Committee would next meet on Monday, April 29, and he welcomed new Lands Manager Greg Chaney to the staff.

C. Liaison Reports

Planning Commission: Liaison Smith said the Planning Commission was ready to bring final comments to the Assembly on the changes to the Comprehensive Plan.

Mr. Jones said the last published minutes on line were from March 14 and asked about the delay. Mr. Steedle said the service was contracted and the contractor was being contacted to accelerate their schedule.

Airport Board: Liaison Dybdahl said the Board had been meeting but the meetings conflicted with the Assembly's Finance Committee meetings, so he would attend in July.

University of Alaska Campus Council: Liaison Becker spoke about commencement, which would be held on May 5. The Council heard a report about creating conditions for student success and the next meeting was set for May 13.

Alaska Committee: Liaison Becker said the Alaska Committee held its retreat and was continuing to work on its work program. The next meeting was set for May 8.

Chamber of Commerce: Liaison Becker said the meetings were moved to the Moose Lodge for the summer and the next meeting was set for May 1.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Crane asked when the recommendations for Auke Lake use would come before the Assembly as the summer season was approaching. Ms. Kiefer said she would coordinate with Ms. Becker to schedule the topic for a COW agenda.

Mr. Smith said he looked forward to the meeting in Skagway. Reaching out to neighbors was an important thing to do and he hoped this kind of activity would continue. Mayor Sanford thanked the staff of each community for their work to set this up and he would like to do this in other areas of Southeast Alaska.

Mr. Wanamaker asked for information about adjustments to property assessments due to a disaster. Ms. Kiefer said she would find the information and follow up.

Mr. Kiehl said he toured the hangar of Airlift Northwest. The added a Turbo Prop airplane to their fleet for use on shorter runways, which was a great improvement for the region.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Halstead reported his concern about the resurfacing of the ball fields in Savikko Park, and said that the type of material put down contained known carcinogens. He asked the Assembly to have staff look into this situation and follow up, because he was concerned about field dragging, winter winds, and long-term respiratory problems for park workers, park users and the neighborhood.

XIV. EXECUTIVE SESSION

- A. Contract Negotiations
- B. Personnel Issue
- C. Continuation of Deliberation of Veteran's for Peace Appeal

MOTION, by Becker, to enter into executive session to discuss matters, the immediate knowledge of which could have an adverse effect on finances (Contract Negotiations); a matter which could tend to prejudice the reputation or character of a person (Personnel Issue) and a matter which did not, by law, require disclosure in a public session (Deliberation on an Appeal Hearing).

Hearing no objection, the Assembly entered into executive session at 9:55 p.m. and returned to regular session at 10:55 p.m.

MOTION, by Wanamaker, to accept the decision as prepared by the Law Department, on the Veteran's for Peace Appeal of USE2012-0016.

Roll call vote:

Aye: Wanamaker, Becker, Kiehl, Nankervis, Smith, Sanford

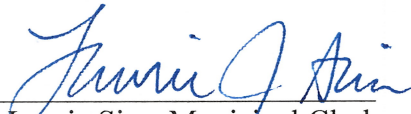
Nay: Crane, Jones.

Abstain: Mr. Dybdahl was excused as he had not participated in the initial appeal hearing.

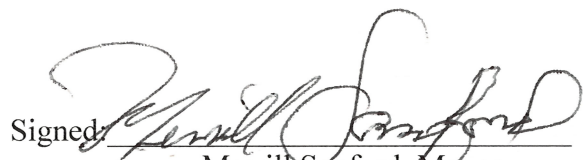
Motion passed, 6 ayes, 2 nays, 1 abstain.

XV. ADJOURNMENT: 10:58 p.m.

Signed:


Laurie Sica, Municipal Clerk

Signed:


Merrill Sanford, Mayor