ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA

July 11, 2018, 5:45 PM.
Assembly Chambers - Municipal Building

Immediately Following 5:30pm Special Assembly Meeting - Assembly Work Session - No Public Comment

I. ROLL CALL

Mayor Ken Koelsch called the meeting to order at 5:52 p.m. in the Assembly Chambers.

Assemblymembers Present: Ken Koelsch, Mary Becker, Rob Edwardson (teleconference), Maria Gladziszewski, Norton Gregory, Loren Jones, Jesse Kiehl (teleconference), Jerry Nankervis (teleconference), and Beth Weldon.

Assemblymembers Absent: None.

Staff present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, Municipal Attorney Amy Mead, Municipal Clerk Beth McEwen, CCF/R Chief Rich Etheridge; Deputy Chief Todd Cameron, Deputy Chief Ed Quinto; Finance Director Bob Bartholomew; Michele Elfers, Landscape Architect; Port Director Carl Uchytil; HRRM Director Dallas Hargrave; Port Engineer Gary Gillette.

II. APPROVAL OF AGENDA

Approved as presented.

III. APPROVAL OF MINUTES

A. May 21, 2018 Committee of the Whole Minutes

***MOTION* by Ms. Becker to approved the minutes with minor corrections.** Hearing no objection, the motion carried.

IV. AGENDA TOPICS

A. Capital City Fire Rescue Operational Review

The committee received a comprehensive report from Fitch & Associates following a lengthy review of the Capital City Fire and Rescue Department and its operations. Dr. Steve Knight and B.J. Jungmann provided a slide show with the major recommendations as provided in the packet materials.

The motion requested by the City Manager and CCF/R as found on page 136 of the packet was as follow:

A motion authorizing the Manager to hire an additional 4.0 FTE for CCFR and direction to prepare an appropriating ordinance allocating $350,000 in additional funds from the General Fund's Fund balance to CCFR operations.

Chief Rich Etheridge presented an introduction to the Fitch and Associates consultants and explained that the report included some short term as well as long term solution recommendations. He noted that most all the recommendations have price tags attached. This has been a long process going on since last November and CCF/R staff received the most recent draft of the report earlier in the afternoon. He also noted that subsequent to the start of this review, CCF/R has upgraded its data system so some of the data currently in use was not available at the onset of this process. As such, the data that was provided and reported upon by Fitch and Associates was data from 2017.

Consultants Knight and Jungmann provided a breakdown of the increase in call volume, how those calls were responded to by the various stations and the average travel time to respond to a call. They addressed Juneau's unique geographic restrictions as well as the modeling they used to examine the data provided. Due to Juneau's unique geographic isolation and road configurations, they did not use industry standards when modeling effective response times.

There are currently five stations within the CBJ with the Downtown Juneau (Station 1) and Glacier Station (Station 3) manned by career staff and three volunteer stations: Douglas (Station 2), Auke Bay (Station 4) and Lynn Canal (Station 5).

The consultants and the committee members discussed the modeling done and travel times for call responses as well as resource exhaustion levels and how those play out at individual stations vs. areawide responses. It was noted that policy decisions will need to be made regarding the balance of allocation of resources. They discussed the dual roles of the two division chiefs and suggested they look and having shift supervisors separate from the division chiefs as they play significantly different roles depending on the circumstances at hand.

Discussion took place regarding the recommendations moving forward. Ms. Cosgrove explained that there will need to be continuous conversations as there are no quick fixes but in the short term, they do feel that there is merit in recommending bringing on an additional ambulance crew. She noted that since they initially received this recommendation, they have heard additional information and need to compare pros/cons of a 12 hour vs. 24 hour shift. She explained that it is early in the fiscal year and they believe the personnel services funding is available if the Assembly grants them permission to add additional FTE positions. They are looking for feedback with a thumbs up on the FTE permissions so they can come back to the Assembly with more detailed cost information and a more concrete plan.

Mr. Watt noted that it was good to get an outside perspective on this and the recommended motion on page 136 (as noted above) needs additional discussion. This could become part of a discussion for an appropriation ordinance, or for a supplemental appropriation that could come back before them in early August. He said that he is not looking to force a decision tonight but rather find a path that will allow them to provide additional staff as soon as they are able to do that.

<u>MOTION</u> by Ms. Gladziszewski in support of the above recommendation to look at additional resources, with the minimum amount as being the 4.0 FTE but for the Manager to bring back all the information on all the options to the Assembly for consideration at a future meeting.

A point of order was requested and additional discussion took place regarding process and parliamentary procedures. Ms. Mead explained that the Manager already has the money to move forward with the staffing suggested. She said that this body was not taking official action but rather passing a motion in support of a plan that is already being addressed. She said there is nothing in the rules that would prohibit the COW from approving such a motion, there is only a rule that prohibits them from taking action.

Ms. Gladziszewski clarified that her motion was to provide a means to support staff in providing additional resources but that she understood that any appropriating ordinance would have to be drafted and come before the Assembly for introduction and then set for public hearing as usual.

Ms. Weldon objected to the motion and offered the following amendment:

<u>AMENDMENT</u> by Ms. Weldon to give the City Manager permission to establish 6.0 FTEs for 24 hour/7 days a week firefighters.

She explained that when she retired in 2012, the call volume was 3200-3300 and they are now receiving 5200 and have had no staffing increases except for ARF which they can't respond away from the Glacier Station. Ms. Weldon provided approximate dollar figures for those positions at $420,000. She said that would be just the beginning and that the Assembly will need to provide even more resources in the future but this would be a good place to start.

Additional discussion took place regarding the estimated expenses for the positions at the 24/7 staffing levels. Members expressed concerns about not having sufficient data/cost estimates for the amendment and the timing of these issues coming back to the Assembly.

Roll Call on the Amendment [Mr. Nankervis was no longer on the call.]

Aye: Edwardson, Jones, Kiehl, and Weldon
Nay: Becker, Gladziszewski, Gregory, Koelsch

Amendment failed 4:4

Ms. Gladziszewski clarified that her main motion, it was for the City Manager to bring back an appropriating ordinance with 4-6 staff positions for consideration by the Assembly.

Roll Call on main motion:
YEAS: Edwardson, Jones, Kiehl, Weldon, Becker, Gladziszewski, Gregory
NAYS: Koelsch

MOTION passed 7:1

B. **Waterfront Transportation Staging and Deck-Over Project**

After a brief recess, the meeting was called back to order at 8:00 p.m.
[Clerk's note: sometime during the discussion of this agenda topic, Mr. Nankervis was able to call back into the meeting.]

Port Director Carl Uchytil and Port Engineer Gary Gillette provided a presentation on the proposal to work with Archipelago LLC for a combined project with CBJ Docks & Harbors in which CBJ would develop plans for providing transportation staging and contiguous and associated open space on the waterfront.

The idea before the COW at this meeting was to look at the current ownership, proposed ownership, recommended budget and funding plan for the overall project and determine whether Docks and Harbors should continue to develop the project.

Mr. Gillette explained that the estimated project budget for the Waterfront Transportation Staging and Deck-Over would be as follows:

Design & Permitting	$ 1.9 Million
Construction	17.0 Million
Contract Admin/Inspection	1.2 Million
Land Acquisition	2.1 Million
Total Project Budget	**$ 22.2 Million**

Additional discussion and Q&A took place regarding the project and the city's role vs. that of Archipelago LLC as well as the Assembly's wishes relating to favorable negotiations on the project. Mr. Watt explained that for purposes of a land sale, in order for Docks and Harbors to be able to negotiate directly with Archipelago LLC, they will need a motion from the Assembly in accordance with the land sale code. Any sale or purchase that is done, will be fair market value for fair market value. He said if there are requirements or encumbrances or CBJ gets to use a staging area, that would be part of the appraisers fair market analysis.

Mr. Uchytil said that Archipelago LLC has been good partners to work with and they are committed to building world class facilities just like CBJ is committed to this. He said when CBJ requested certain elements, Archipelago was able to accommodate CBJ's request and they redesigned their plans to provide those accommodations.

<u>MOTION</u> by Ms. Weldon to authorize the City Manager to develop a purchase and sales agreement with the original proposer Archipelago LLC and return it to the Assembly for adoption. (This was the recommended action from page 155 of the packet.)

Mr. Watt explained that technically that motion needs to happen at the Assembly meeting on July 23 and what they were looking for from the COW was outlined on page 137 of the packet. ***Ms. Weldon withdrew her motion.***

Mr. Watt explained that the three pieces from packet page 137 that they are looking at include the following:

"Through hard work by both D&H and Archipelago Properties LLC, the proposed arrangement has become less complicated and now consists of these component parts for Assembly approval:

1. Land Sale/Purchase – In accordance with CBJ code, the Assembly must pass a motion to directly negotiate for the sale of CBJ property. This motion is tentatively calendared for the 7/23 Assembly meeting. Successful negotiations would result in an Ordinance that the Assembly would subsequently be required to approve.

2. Project Funding – A project close out transfer of \$3.3M has been requested by Docks & Harbors (with review at 7/9 PWFC). If forwarded out of Committee, this would be heard at the 7/23 Assembly meeting. If the transfer is approved, D&H staff intend to use some of these funds to continue the design development and preparation of a bid package.

3. Complete funding package. In order to proceed with the project, the Assembly will need to provide a complete funding package. Both State and CBJ passenger fees are eligible for consideration.

<u>Tonight's steps:</u>
At tonight's meeting, the COW should review the development concept and costs and determine whether D&H should continue to develop the project."

Additional discussion took place with Q&A between COW members and staff and Mr. Watt said it would be best to schedule this for a future Assembly Finance Committee meeting to align purpose with the appropriate funding source.

<u>MOTION</u> by Ms. Weldon for the Assembly to give direction to the Docks & Harbors staff to continue to develop the project.

Objection to the motion was noted.

Roll Call on motion:
Aye: Edwardson, Kiehl, Weldon, Becker, Gladziszewski, Gregory, Nankervis, Koelsch
Nay: Jones

MOTION passed 8:1

C. **Municipal Attorney Recruitment (Verbal Discussion)**

Mayor Koelsch said that he would like to appoint the same team of Assemblymembers who looked at Municipal Attorney Compensation last year to take up this issue this year. Those members were Mr. Jones, Mr. Nankervis, & Ms. Weldon.

Ms. Becker asked if they should first look at whomever the Assembly wished to hire before they determine a compensation amount for the new Municipal Attorney.

Mayor Koelsch stated that he had requested Law to send out a request for interest internally to see if that was something that they could verify whether or not anyone was interested in the position internally and he was told that there are. He said that the next questions the Assembly has to figure out is if they will be doing an external or an internal recruitment process. He said he would recommend an internal recruitment process first but would like the Assembly to discuss it.

Ms. Gladziszewski said she doesn't know what he means by "first" but she would prefer they put a public announcement out for anyone to apply to cast the net wide and interview all suited candidates.

Mr. Kiehl said he agrees with Ms. Gladziszewski and that he has received contact from former CBJ Law employees as well as private attorneys who are interested in applying.

Ms. Becker asked for clarification on what is meant by "internal" if that is limiting the scope to CBJ employees only or those persons living within the City and Borough of Juneau only. Mayor Koelsch clarified that he was referring to CBJ employees in the Law Department only.

Mr. Gregory said that he feels we have capable staff currently employed within the Law Department he would hate to limit the city by not interviewing all applicants so he is torn on this process. Ms. Weldon said she would agree with Mr. Gregory as she is also torn on which way would be best.

Mr. Nankervis said that he recalls when they appointed Ms. Mead, they looked internally and they had two internal applicants and they selected one of those and he feels they have capable candidates who already work for CBJ.

Mr. Kiehl said he recalls the events somewhat differently from Mr. Nankervis' recollection. Mr. Kiehl stated that Mayor Sanford had tasked him with chairing that search committee and his notes show that there were 8 applicants: 2 internal applicants and the rest were external applicants. He said they had interviewed four of those applicants: 2 internal and 2 external.

Mr. Edwardson said that he agrees with everyone who said they don't mind going outside for applicants. He shares everyone's viewpoint that we have a very capable Law staff but there are other highly capable people out there who may be interested in competing for the job.

Mayor Koelsch asked Mr. Jones if he wished to comment, to which Mr. Jones said he did not.

Ms. Becker said she was OK with looking only internally. She said that sometimes we spend a lot of time and money advertise outside while we know we have capable staff members and they end up choosing the internal staff person in the long run after all. She would be in favor of recruiting from

MOTION by Ms. Weldon to look for the City Attorney internally before we go outside.

Ms. Gladziszewski said she would object to the motion as she feels they should not limit the pool of applicants; we have great people but she doesn't think we should limit ourselves to just those currently employed.

On the motion to look for the City Attorney internally before we go outside [for recruitment].

ROLL CALL VOTE
Yeas: Gregory, Nankervis, Becker, Weldon, Koelsch
Nays: Gladziszewski, Jones, Kiehl, Edwardson
Motion passed 5:4

Additional discussion took place regarding the wording of the motion to "select applicants internally before going outside for applicants" vs. the intent of the maker of the motion to hire only from internally.

Ms. Cosgrove offered the committee an opportunity to have staff provide them with some additional information related to possible timelines, process etc...

Ms. Weldon said that the intent of her motion was to look at internally first to see if we had any viable candidates and to only go out again if we did not have any viable candidates.

Additional discussion took place and committee members asked staff to provide process clarification. Ms. Cosgrove said part of the process will be to determine how broad they wish to the net within CBJ as there may be staff members outside the Law Department who also hold law degrees. She said some of the pieces the committee may want to decide upon are:
How far do they want to cast the net? What timeframe do they want to work within? She noted that Ms. Mead will be out sooner than they hope and she also has some personal things to take care of before her departure. She noted that staff (Mr. Hargraves) can help the Assembly come up with clear timeframes and clear process.

Ms. Gladziszewski gave notice of reconsideration for the next meeting.
Ms. Gladziszewski said she feels pretty strongly that narrowing themselves so immediately is a mistake.

Mayor Koelsch asked the members if they wish to direct staff to come up with timelines. Ms. Cosgrove explained if they were to do an internal only process, it could happen relatively quickly. If they chose to do an external process going outside the confines of those individuals currently employed by the CBJ, they are looking at a 2-3 month process.

Additional discussion on effect of Notice of Reconsideration and when that might come back up before the Assembly since it isn't something typically done in a COW meeting. Ms. Mead said she feels the best way to interpret that motion for reconsideration would be to bring that back before the body at its next regular Assembly meeting. She said that once the underlying motion is accomplished, there cannot be reconsideration so if they go through and consider an internal applicant and wait until August 9 for the COW, it would be too late and they motion action will have already been done. Ms. Mead explained that the affect of the motion is to place everything on hold until the next time the Assembly meets as a body.

V. EXECUTIVE SESSION

A. Attorney Selection Process Discussion Continued (If Needed)

No executive session took place during this meeting.

VI. ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 9:38 p.m.

Submitted by Beth McEwen, Municipal Clerk