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

February 27, 2017, 6:00 PM.
Municipal Building - Assembly Chambers

Assembly Work Session - No Public Testimony

I. ROLL CALL

Assemblymember Mary Becker called the meeting to order at 6:00 p.m. in the Assembly Chambers.
Assemblymembers Present: Mary Becker, Maria Gladziszewski, Norton Gregory (teleconference), Loren Jones, Jesse Kiehl, Ken Koelsch, Jerry Nankervis, Beth Weldon and Debbie White.
Assemblymembers Absent: Mayor Ken Koelsch
Eaglecrest Board Members Present: Bruce Garrison, Lee Henry, Kayla Harmon, Wayne Stevens.
School Board Members Present: Dan DeBartolo, Josh Keaton, Brian Holst, Emil Mackey, Sean O'Brien, Andy Story, Steve Whitney.
Staff present: Rorie Watt, City Manager; Amy Mead, Municipal Attorney, Laurie Sica, Municipal Clerk; Bryce Johnson, Police Chief; Bob Dilley, Lead Community Services Officer; Jennifer Adams, CSO; Sarah Dolan, CSO; Bob Bartholomew, Finance Director; Kevin Jardell, CBJ Lobbyist.

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved as presented.

III. APPROVAL OF MINUTES

A. February 6, 2017 Committee of the Whole Minutes

Hearing no objection, the minutes of the February 6, 2017 Committee of the Whole meeting were approved.

IV. AGENDA TOPICS

A. Joint Meeting with Eaglecrest Board

Matt Lillard gave a brief report of current operations at Eaglecrest. There are 29 operating days left to the season. This year was shaping up to be better than the past two years, with good snow conditions and more skiiers. He said the budget should end up stable this season. This season they were up 6% in “units” and 11-12% in dollar value after poor seasons in 2014 and 2015 in which the ski area was down 24% in dollar value. They will have a spring sale starting tomorrow. The mid-week visits were down with the exception of school use and much of that was based on snow conditions. Many of the schools are participating in a learn-to-ski program. If there is a decent March, it will boost pass sales for the next season. He said there is a fund balance of $100,000 and it is assigned to inventory and accrued leave. There is a negative balance of $217,000, but this includes inventory and accrued leave balance in their budget which they are looking after. They have a goal of 7% cost recovery good years offset lean years.
He said he had three days left in his tenure and the board is taking applications for his position of Ski Area Director. The board will start to review applications on March 10. Nate Abbott, Operations Director, is the interim manager and has been with Eaglecrest for 12 years now and he will be helping close out the season. He spoke about staffing issues and their lower pay plan than other ski areas or other CBJ positions and the board is working to get the wages up. The physical plant is in good shape. The Porcupine Lodge has been a great addition. They day lodge is old but serviceable and

overall the plant is in good shape. They have been guided by the master plan of 2012. The board will review this plan every five years and is on track for review in the off season. The beer and wine issue will be before the Assembly soon, we are looking at other opportunities for the ski area to help the bottom line.

The Assembly asked questions about wages, the school ski program, lighting and alcohol at the ski area. Mr. Lillard spoke about the electrical power capabilities at the ski area. He said the first step is getting power to the Black Bear Chair and getting that off of diesel power. Mr. Lillard said alcohol sales would not be a silver bullet but additional revenues would help the bottom line. He said skiing is a fun, community event and this alcohol sales are common at ski areas and would be a nice, social addition. He said there some amount of risk, but we think it is low.

Mr. Jones said the HRC had a discussion on the topic of alcohol sales at Eaglecrest. We asked for a resolution to amend the one adopted in the 1970's regarding alcohol sales and use at private rentals of the ski area. There are some issues regarding risk management and Mr. Jones would attend the upcoming Eaglecrest Board meeting to discuss this. The second piece to review is alcohol sales to the public at the ski area. We would like the full Assembly to weigh in on this topic, then review issues with the board. Mr. Jones did not object to further investigation, and no Assemblymember voiced opposition to further review.

Ms. Becker thanked the Eaglecrest Board for their service and for coming to the meeting to update the Assembly on issues affecting Eaglecrest.

B. **Joint Meeting with Juneau School District Board of Education**

Superintendent Miller spoke about the needs to balance teacher training and education with the need to update curriculum due to changing times and technology. In addition they have to constantly update how the material is delivered based on science and research about how the body and brain function as a whole in learning.
Mr. Holst said the Assembly was a critical stakeholder in delivering education in the community. Graduation rates are the highest in recent years.
Ms. Story spoke about a concern for improvements in education for Native students and the efforts being taken to incorporate Tlingit culture into the program delivery. She spoke about an effort by teachers and para-educators to personally acknowledge each student in order to personalize the learning experience.
Mr. Holst spoke about the community partnerships with the United Way's "Any Given Child;" the STEM program on science, technology, engineering and math; the variety of social service agencies helping to address children with trauma issues; the State Library/Archives/Museums and Native Associations contributions; the efforts to initiate Pre-K programs; the free breakfast program for all students; the Community Schools BAM program; and other community efforts to enrich the school experience.
Mr. Keaton said a challenge was a lack of readiness for school, which is tied to the need for Pre-K education. There are statistics regarding the lack of school readiness causing life-long learning issues. Recent assessments show that Juneau school readiness is declining. Class sizes in Kindergarten are 23-25 students. There is an effort to implement universal Pre-K programs and he discussed the rate of return on investment. 38% of Juneau students are "ready," whereas 78% of Dutch Harbor students are "ready" due to implementation of pre-K programs. He spoke about the ACES program, addressing awareness and support for students with childhood trauma. He spoke about the messages the students are given regarding drugs, alcohol and smoking. The Teen Health Center's mission has changed over time and a primary focus for them now is mental health. JSD counselors are primarily school counselors, not drug and alcohol counselors, and they are spread thin.
Mr. DeBartolo thanked the Assembly for the recent authorization of $250,000 in the budget. Budget uncertainty is a challenge for the board. It would be helpful for the Assembly to be a "rock," as things in the legislature are still an unknown.
The Board asked the Assembly to recognize that funding to the cap is a real number and to provide

the Board with its intentions. JSD does not have significant savings.

Mr. O'Brien spoke to the importance of the Assembly funding the School District to the cap. The Board has seen significant progress in education results despite continued budget cuts. The school is facing more challenges in the area of drug use and childhood trauma and it lands with the school to educate students despite these challenges. The teachers have done amazing jobs with large classrooms and fewer supplies due to a high level commitment from teachers. They are teaching smarter and we are providing for teacher education and better curriculum. He said that JSD has done an amazing job, despite the "band-aids," and even so, we are close to a breaking point. He has never seen a time when the revenue is more desperately needed. He appreciates the Assembly's efforts to fund to the cap and sometimes beyond.

Mr. Whitney said the board met Saturday and would like to explore sharing positions with the city. One model is the hospital sharing an attorney position. Another position could be a grant writer, and an important grant to seek is funding for drug and alcohol counseling. Mr. Holst distributed the school's legislative priorities and said another area of collaboration could be the use of Kevin Jardell's time lobbying for JSD issues as well as those of CBJ.

Mr. Mackey said a highlight is the 100% graduation rate at Thunder Mountain. This year is the first time JSD has earned the Advanced Placement award. He thanked the Assembly for its contributions to their efforts. Ms. Weldon said the situation is bare bones but the school wants to spend $4.5 million on early childhood education.

Mr. Holst said universal pre-K affects the district and is a benefit to the entire system. They can't add this now within the existing budget, but they pay for the consequences for years into the future for not having kids ready for school. There are people in the community asking for this and we know how this program has a high return on the cost. JSD was not asking for this funding to come from the school district's existing budget. If there is foundation funding for this program from the state they would like to see how this can be incorporated.

Mr. Keaton said the JSD is not making a specific ask – he was addressing a challenge and said that there is community interest in addressing this as a goal.

Ms. Gladziszewski asked for a link to the data about school readiness.

Ms. White said she was concerned about straying too much from basic spelling and writing and into computers because she sees a lack of basic skills from students in their writing on-line. She spoke about her support for middle school sports and a concern about the travel ban. She said this decision to not travel was showing its effects in the villages, with students not getting off of their islands, and an increase in drug use and other negative effects. Mr. Keaton said that issue was on the next Board meeting's agenda. Mr. O'Brien said that there were more sports activities locally now, even though there was a travel ban.

Mr. Miller said that Alaska's school funding schema is very different from those districts he has worked in in the lower 48. He sees this setup as a trust relationship in which the Assembly gives the authority to the Board to budget in the best way the Board's sees fit. Mr. Kiehl said he appreciated that comment and said there were many issues raised by each board member. He is concerned about the ability to capitalize on opportunities for the next few years and asked about a contingency plan for the budget.

Mr. Holst said they are building a zero based budget and this is the second year of doing this approach. We have a good sense of what our needs are and this requires us to prioritize, and determine what goes first if there is a big cut. The most money is spent on personnel, which relates to class size.

Mr. DeBartolo said the Board has outlined its priorities and will not have to re-budget if there is a drastic change in state funding.

Mr. Mackey said that for every one percent cut in BSA, this related to 4-5 teachers. Cuts to budget equals higher class size.

Ms. Becker thanked the board for its work.

C. **Senate Bill 14 - An Act relating to transportation network companies and transportation network company drivers.**

Mr. Watt said that there is concern that Juneau's Commercial Passenger Vehicle (CPV) regulations can be upset by proposed Senate Bill relating to UBER/LYFt and other transportation network companies. He does not think Juneau is ready for UBER type of businesses because of the seasonal tourism business. He introduced Kevin Jardell, CBJ's lobbyist.

Mr. Jardell said that this bill has some momentum. Wyoming passed this legislation recently making Alaska one of the last states to authorize the state to authorize this industry. This takes local authority out of the regulation of this business. In its broadest context there could be an inability to regulate parking for a transportation network, or tax it. The bill is not written for the specific companies that are in existence, but any transportation network. AML is opposing this legislation as it takes away local control over the industry. Part of the concern which led to the bill is that the industry does not want to be tracking a variety of regulations from multiple communities when the network drivers travel through a number of communities on a route, such as in the Railbelt area, where the communities are closer together. Mr. Jardell asked if the Assembly wants the power to stop UBER from coming to Juneau we need to get rid of section 7 altogether. If the Assembly is ok with this business, section 7 could be made more nuanced, and we need to determine how to have some control over these businesses within a range of regulations. There is a concern over leveling the playing field with taxis that are regulated, regulating traffic flow, a transportation network of tour buses as a potential, and the legislators are hearing many of these issues. There is a companion bill in the house HB 132. Juneau should identify how and if to engage.

Mr. Watt asked for broad direction as the issue is evolving and we need to be able to research issues as they arise.

Ms. Gladziszewski said she has used UBER and it seems like a great idea but she has no idea of if it would be great for Juneau, given that the CPV is a giant and complicated regulation. She thought that Juneau should oppose Section 7, which states that a municipality may not enact or enforce an ordinance regulating a transportation network.

Mr. Jones said that much of this has come from UBER's attempt to go into Anchorage. We should support AML in not supporting this due to section 7 and the loss of local control. We should not get cross-wise with Anchorage, and perhaps look at this in light of "not on the road system." Background checks are ones we authorize, not the ones that UBER authorizes and we need to see if we can get into a national database.

Mr. Nankervis asked if there is a means for a community to opt out of this. Mr. Jardell said that network companies want a larger market to make it work and there are communities without taxi services that could benefit. It is not all or nothing – there are ways to argue for some local control. A lot of people want this service in parts of Alaska. Mr. Nankervis said he would like communities to be able to decide if they want it or not.

Mr. Kiehl said Juneau needs to be concerned about vehicle and driver safety. The bill doesn't guarantee that and we shouldn't let the state say to use that we should just trust the companies.

Chief Johnson said that JPD did not have an opinion but if this passes the CPV regulations will need to be re-opened. This bill would be difficult for CBJ to enforce, as the cars are not marked. Officer Dilley said this would be a complete departure on how the Assembly does business regarding CPV.

Ms. Gladziszewski said she is interested in local control. The CPV regulation is complicated. It could be made better by someone, and what UBER could do to the transportation structure in Juneau in the summer is unclear. She does not want the state telling CBJ that we have to allow this business model.

Ms. White asked about the requirement for ADA accessible transportation to be available in Juneau and this bill does not address this concern. Mr. Jardell said the way the bill is currently written, Juneau cannot prohibit smoking in a cab. The state could make that requirement, but not the Assembly.

Mr. Watt said he would continue to follow the issue and understood the lack of enthusiasm for this bill. Mr. Jardell said he would do the best he could to try to protect the community's interests.

V. EXECUTIVE SESSION

A. Cruise Line Industry Association of Alaska (CLIAA) Lawsuit Update

<u>MOTION</u>, by Kiehl to enter into executive session to hear and update from the City Attorney on pending litigation, specifically the Cruise Line International Industry of Alaska lawsuit.

Hearing no objection, the Assembly recessed into executive session at 8:04 p.m. and returned to

regular session at 9:07 p.m.
Upon returning to regular session, Mr. Kiehl stated that the Assembly had heard information from and provided direction to the City Attorney.

VI. ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 9:08 p.m.

Submitted by Laurie Sica, Municipal Clerk