

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
April 13, 2015, 6:00 PM.
City Hall Assembly Chambers**

Assembly Worksession - No Public Testimony

- I. ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF MINUTES**
- IV. AGENDA TOPICS**
 - A. HB 75 Letter at the Request of the Marijuana Committee**
 - B. Emergency Plan and Mitigation**
 - C. Ordinance 2015-23 An Ordinance Amending the Recreation, Parks and Community Centers Title to Add a New Chapter on Aquatics Facilities.**
- V. ADJOURNMENT**

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

HB 75 Letter at the Request of the Marijuana Committee

ATTACHMENTS:

	Description	Upload Date	Type
☐	DRAFT letter for Committee Review - HB 75	4/10/2015	Exhibit
☐	Maria Gladziszewski Amendment 4/13/2015	4/14/2015	Exhibit

OFFICE OF THE MAYOR

Telephone: (907) 586-5240; Facsimile: (907) 586-5385

Mayor@ci.juneau.ak.us

April __, 2015

Representative Cathy Tilton, Chair
House Community and Regional Affairs Committee
State Capitol, Room 411
Juneau, AK 99801

Dear Representative Tilton:

On behalf of the City and Borough of Juneau Borough Assembly, I wish to extend our support of CSHB 75(JUD)am.

This bill contains many important provisions that will assist the municipalities in our efforts to responsibly regulate the new marijuana industry moving forward. It importantly:

1. Defines “assisting.”
2. Addresses the “Administrative Procedure Act” issue from the initiative, allowing those municipalities that have an appeal process in place to utilize it.
3. Allows municipalities to impose criminal sanctions – in addition to civil sanctions – for time, place, and manner code violations, just as municipalities may do with respect to alcohol regulations.
4. Creates a registration protest process for the municipalities, again, very much like the process contained in Title 04.
5. It expands upon the types of “marijuana establishments” requiring a registration to operate to include marijuana clubs.

As you know, some of the task of regulating this new industry falls (appropriately) on the municipalities. We appreciate your efforts to provide us the tools necessary to do so effectively and reasonably.

Thank you for moving this legislation forward, and for affirmatively including us in the process.

Sincerely,

Merrill Sanford
Mayor

cc: Senator Dennis Egan
Representative Sam Kito III
Representative Cathy Muñoz
Borough Assembly

The CBJ Assembly requests the bill be amended to include a “dual registration” process with respect to marijuana establishments. The Assembly believes that having the ability to regulate marijuana establishments through a local registration process independent of the State will provide the CBJ with effective additional enforcement tools.

For your convenience, we include the statutory language from Colorado, below.

Col. Rev. Stat. § 12-43.4-301. Local approval--licensing

(1) When the state licensing authority receives an application for original licensing or renewal of an existing license for any marijuana establishment, the state licensing authority shall provide, within seven days, a copy of the application to the local jurisdiction in which the establishment is to be located unless the local jurisdiction has prohibited the operation of retail marijuana establishments pursuant to section 16(5)(f) of article XVIII of the state constitution. The local jurisdiction shall determine whether the application complies with local restrictions on time, place, manner, and the number of marijuana businesses. The local jurisdiction shall inform the state licensing authority whether the application complies with local restrictions on time, place, manner, and the number of marijuana businesses.

(2) A local jurisdiction may impose a separate local licensing requirement as a part of its restrictions on time, place, manner, and the number of marijuana businesses. A local jurisdiction may decline to impose any local licensing requirements, but a local jurisdiction shall notify the state licensing authority that it either approves or denies each application forwarded to it.

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THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Emergency Plan and Mitigation

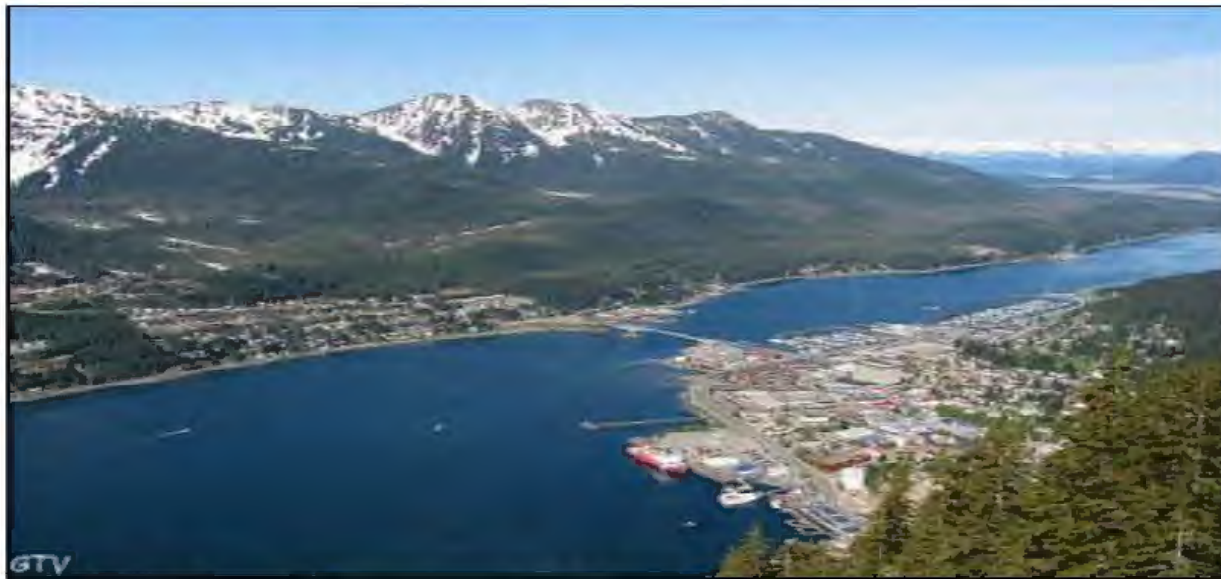
ATTACHMENTS:

	Description	Upload Date	Type
☐	Tom Mattice Presentation - Mitigation Considerations	4/10/2015	Presentation

Juneau Mitigation Funding Considerations

Tom Mattice- Emergency Programs Manager

The City and Borough of Juneau



All-Hazards Mitigation Plan

2012

FINAL

August 12, 2012

- The City and Borough of Juneau All-Hazards Mitigation Plan includes information to assist city agencies and residents with planning to avoid potential future disaster losses.
- The plan provides information on hazards that affect Juneau, descriptions of past disasters, and lists of activities that may help CBJ prevent disaster losses.
- The plan was developed to help CBJ Make decisions regarding natural hazards that affect Juneau.

Mitigation

- **Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters.**
- **Mitigation is taking action now—before the next event.**
- **Effective mitigation requires we understand risks, address choices and invest in community well-being.**
- **Without mitigation actions, we jeopardize safety, financial security and self-reliance.**

Swiss Avalanche Mitigation Study Recommendations

Berhards Avalanche Path Buyouts/ White Path Structural Mitigation



JUNEAU URBAN SNOW AVALANCHE PATHS

Avalanche Paths ©Bill Glude 2005 Southeast Alaska Avalanche Center

Base Maps USGS Juneau (B-2) SE & (B-1) SW Metric 1:25,000

Unlabeled Paths: J009 Other Gold Creek Paths

Unmapped Paths: Mudslide zones above Gastineau/South Franklin & the Highlands

REDUCED FROM 1:25,000 SCALE
1 0 1 2
KILOMETERS
0 100 200
METERS
CONTOUR INTERVAL 20 METERS

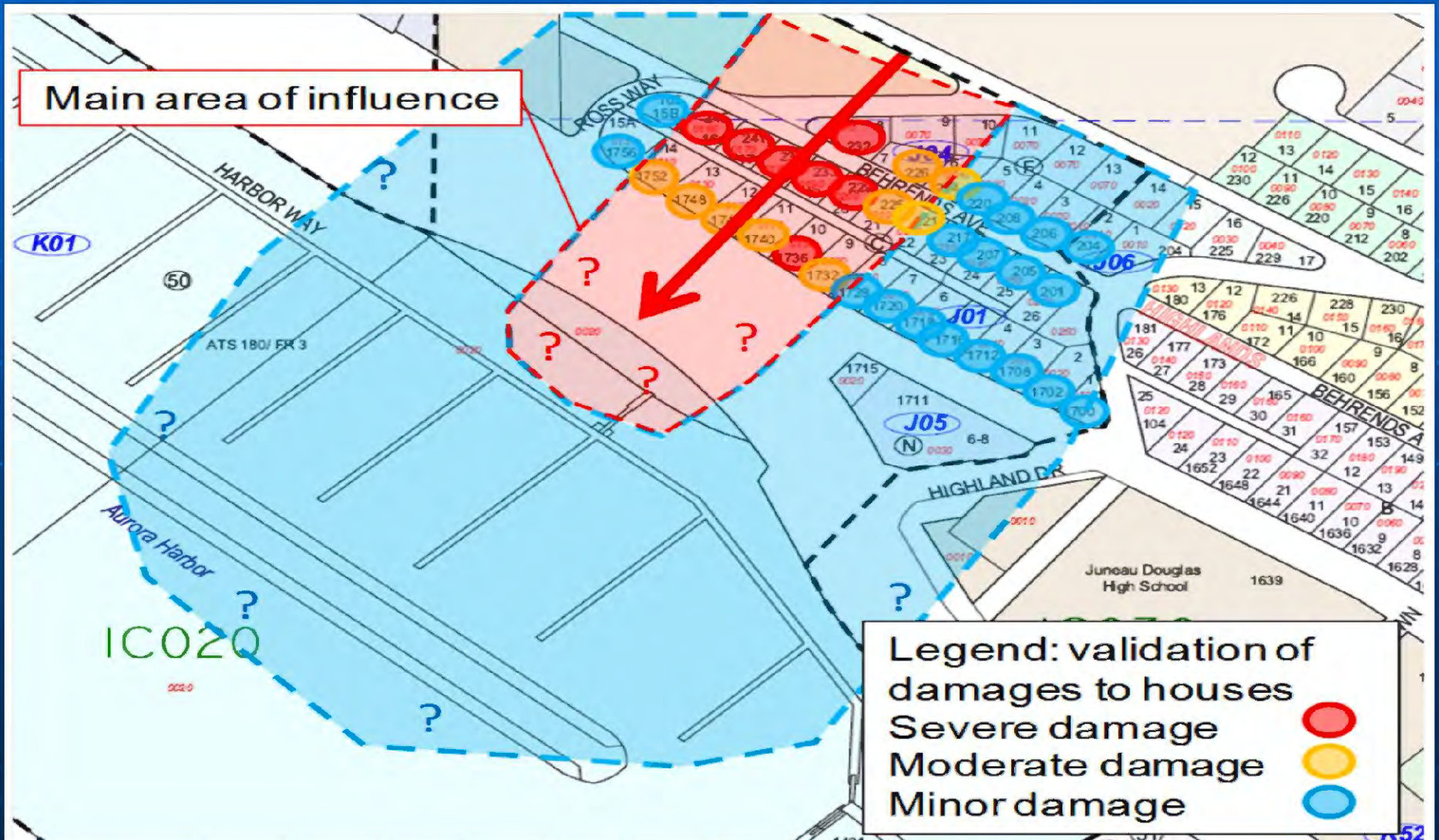
■ CBJ Avalanche Mitigation Ideas

- *Goal: Reduce the CBJ's vulnerability to avalanche hazards in terms of threat to life and property.*
- Prohibit new construction in avalanche zones.
- **Utilize appropriate methods of structural avalanche control.**
- **Enact buyout of homes in avalanche paths.**
- Update existing structures within avalanche zone to avalanche impact standards.
- Promote voluntary evacuation during periods of HIGH or EXTREME avalanche hazard.
- Install Automatic Weather Station at the elevation of the starting zones on Mt Juneau.
- Build a Second Gastineau Channel Crossing.
- *Goal: Promote public education and awareness regarding avalanche hazards.*
- Public education
- Maintain regular avalanche hazard evaluation and forecasting during the winter months.
- Attach "high hazard" designation to homes within avalanche zones

The Juneau Avalanche Mitigation Progression

- All-Hazards Mitigation Plan (Local/ State)
- Hazard Mitigation Grant Program (HMGP) Grant for Swiss Institute for Snow and Avalanche Research Mitigation Study was funded as a study needed for HMPG Update
- The study was designed to recommend mitigation methods which could also be funded by the HMGP Grant as well as the Pre-Disaster Mitigation Grant (PDMG)
- Both Valdez and Cordova have successfully mitigated avalanche hazard through these grant programs
- Ready to proceed with HMGP- With homeowner interest PDMG

Main area of influence



Pressing Recent Mitigation Inquiries

Glacial Lake Outburst Floods

- Home Flooding
- Bank Stabilizations Projects

■ CBJ Flood Mitigation Ideas/Strategies

-
- **Goal: Relocate and/or protect structures located in flood zones that are not eligible for NFIP.**
-

- Elevation of structures in flood plains.
- Several homes and properties in the Montana Creek Drainage located in flood plain should be considered for buyout and/or relocation. During periods of high water these properties are often inundated with water and uninhabitable.
- Maintain preparedness through the National Weather Service's Storm Ready Program.

- **Goal: Increase awareness of flood plains in Juneau.**

- *Installation of more USGS automated telemetry river gages.*
- *Improve and update existing flood maps.*
- *Public education.*

- **Goal: Reduce risk of flood damages**

- *Improve Doppler radar coverage.*
- *Upgrade culverts and bridges to accommodate large-scale flood events..*
- *Construct hillside drainage systems.*
- *Implementation of real time monitoring systems in Suicide Basin.*
- *New flood mapping above the 100 year flood levels.*

- ***missing bank stabilization**
- ***NFIP Cap \$250,000**

Addressing Mitigation in a Financially Responsible Manner

Many Mitigation Grants Exist so, What is the Cost to the Community?

- Grant Applications- Possible recapture of expenses if funded in first requesting cycle. Quite often this expense would not be covered.
- Grant Management- Reimbursement of Management Expenses allowable through some grants.
- Matching Grant Funds- Most grants require a match (local, state, pass-through?)
- Life of Grant Project- Some projects require applicant to maintain project through expected life-cycle of the project. (example of 15 years, 10 million dollars)

Big Picture Mitigation Planning

For the purposes of this conversation regarding mitigation funding and grants, simply stated mitigation has three primary benefits.

1. Individual Homeowner- No side benefits/ effects to protection of public resources.
2. Protection of Public Resources- No side benefits/ effects to protection of private resources.
3. Combined Mitigation Actions- Benefit Both Parties

Big Picture Mitigation Planning

Examples

1. Homeowner- A house is continually flooded but protection of this home provides only for the homeowner and not public land.
2. Public- A dead end road is continually flooded. Elevation of the roadway may protect the road but no side benefits to public exist.
3. **Combined- a section of river bank is seeing heavy erosion from flooding. If the riverbank continues to erode the home will be at risk. This home along the river is at the stream banks highest point through this area. Recognizing that the loss of this stream bank and home would jeopardize a larger section of homes, streets, and public infrastructure, this would be an example of a mitigation project with combined benefits.**

How do we choose where to invest time/ energy?

Funding Matrix Considerations

- Strength and Benefits of Project
- Ease of Application Process
- Grant to Fund Management of Project
- Low Cost Match (or State matched)
- High Value to ALL CBJ
- Low Risk on Sustainment/ Lifespan of Project
- The more it benefits all of the community the higher the priority for CBJ.
- Post Disaster Additional Considerations (Best not to repeat)
- % of successful applicants

*Hopefully with these factors and others in mind we can create a score sheet/ evaluation system to determine best practices for when to apply for and manage mitigation grants within CBJ.

Additional Considerations/ Homeowner Requests

- Grants require much time and effort to manage and have overhead.
- When grants are not the highest priority for CBJ additional consideration may be given to grant requests by homeowners who are willing to cover costs associated with applying for and managing the grants including cost match's.
- CBJ would have to determine if the risk/exposure of lifecycle maintenance was worth the benefit of the grant project.
- If lifecycle maintenance was not tied to the grant then as long as costs were covered it would still benefit CBJ to proceed.

In Closing

- Goal moving forward?
- Develop a Grant Funding Matrix for Consideration by CBJ as a template to allow CBJ to be responsive to mitigation needs
- Questions regarding the process?
- Additional Initial Considerations?

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2015-23 An Ordinance Amending the Recreation, Parks and Community Centers Title
to Add a New Chapter on Aquatics Facilities.

ATTACHMENTS:

Description	Upload Date	Type
☐ Kiefer Memo to COW re Aquatics	4/10/2015	Cover Memo
☐ Ordinance 2015-23	3/31/2015	Ordinance
☐ Empowered Board Memo	4/1/2015	Cover Memo
☐ Max Mertz Powerpoint 2/9/2015	4/9/2015	Presentation
☐ Kirk Duncan Memo 1/27/2015	4/9/2015	Cover Memo
☐ City Attorney Amy Mead Memo - Aquatic Facilities Ordinance	4/2/2015	Staff Report
☐ Loren Jones Proposed Amendmend 4/13/2015	4/14/2015	Liquor License

MEMORANDUM

CITY/BOROUGH OF JUNEAU

City & Borough Manager's Office
155 S. Seward St., Juneau, Alaska 99801

Kim.Kiefer@juneau.org



Voice (907) 586-5240

Fax (907) 586-5385

DATE: April 9, 2015

TO: Mary Becker, Chair
Committee of the Whole

FROM: Kimberly A. Kiefer 
City and Borough Manager

SUBJECT: Revitalizing the Parks and Recreation Aquatics Program

At the April 6, 2015 Assembly meeting you approved an ordinance creating an advisory board for the Treadwell Ice Arena and you are now determining whether to move forward with an empowered aquatics boards. I believe poor communication and the lack of a shared vision has been the reason that these boards are being considered. There has been limited communication between CBJ staff and the Aquatic Facilities Advisory Board, the Assembly, and the community. There has not been a dialogue that resulted in clear expectations in regards to cost recovery, decreased general fund support, increased numbers of and types of users, and feedback systems. The consultant reviewing the Parks and Recreation department came to the same conclusion and made recommendations that staff is working to implement.

In his January 27, 2015 memo, Parks and Recreation Director Kirk Duncan reported to the Committee of the Whole changes that have already been implemented. This memo provides a more detailed plan for the upcoming year.

Current Status

The aquatic manager position has been vacant since February. Mr. Duncan determined the best course of action is to contract with an aquatics consultant. Two aquatic consultants responded to an RFP and USA Pools was selected. USA Pools has been managing aquatic facilities for almost 30 years and they will share with us their knowledge of best practices based on their direct experience. They will also provide an on-site manager. USA Pools staff will be in town Monday, April 13th and will return full time in May to begin the six month contract. They will review policies, procedures, staffing requirements, and staff training. They will develop a staff training plan that will include professional development as well as guest service training.

Dimond Park Aquatic Facility Updates – Earlier this year the Glacier Swim Club hosted the largest swim meet ever held in Juneau. The swim meet was a very successful event, as was the

after meet party that took place at Dimond Park Aquatic Facility (DPAC). The participants left Juneau with a great impression of the DPAC.

Staff has received complaints regarding the cool temperatures in the leisure pool at DPAC. The water temperature has been increased by 2 degrees and the comments regarding the coolness of the water have greatly reduced as noted by the Aquatic Facilities Advisory Board members (AFAB), and the Parks and Recreation Director. New Monday hours, 6 am to noon, have been added to the DPAC schedule at the request of users. These additional hours have been absorbed within the existing budget.

Increase Revenue

The first step in addressing revenue is to develop a fees and charges policy that serves as the tool to evaluate services and establish appropriate fees and charges. The fees and charges policy will address all Parks and Recreation facilities and programs. Included in a fees and charges policy are cost recovery goals and what costs are calculated into that formula. For instance, should adults and youth both pay for 100% of the costs or should youth programs and activities have a lower cost recovery goal? Does the director's salary get spread to all fees? These are some of the questions that a fees and charges policy will address. This policy will provide a clear process for setting and reviewing fees, while providing flexibility for new programs to be included.

Parks and Recreation staff will work with the Parks and Recreation Advisory Committee (PRAC), AFAB, the new Treadwell Arena Advisory Board (TAAB) and the public, to develop the fees and charges policy by June 2015. When the policy is complete Mr. Duncan will present it to the Assembly Finance Committee. Once the policy is approved, Parks and Recreation staff will work with facility boards to evaluate current fees using the new criteria and potentially adjust rates.

Concurrently Parks and Recreation staff will work with the advisory boards to create an advertising policy for Parks and Recreation facilities. This policy would address paid advertising at recreation facilities, such as criteria for what can be advertised on the dasher boards in Treadwell, how to recognize donors, and create naming rights criteria.

Communication and Marketing

The Assembly appointed the AFAB to work with Parks and Recreation staff to improve operations and increase participation at the aquatic facilities. The communication between Parks and Recreation staff and the AFAB has been strained in the past and less than effective. CBJ staff is re-committed to working with the advisory boards as partners, involving them in short and long range planning, policy development, public involvement and engagement, marketing and advertising and budgeting. Staff now recognizes that the advisory committees are very valuable entities for communicating with the community and providing feedback to the Parks and Recreation staff.

In March a new financial reporting tool was presented to the AFAB and several members of the AFAB have commented to the Mr. Duncan that communication between the AFAB and Parks and Recreation staff is improving. Earlier this month two members of the AFAB were a part of

the selection committee for the Aquatics Consultant. Mr. Duncan will continue attending advisory committee meetings as we move into this revitalization process.

User Feedback - A new electronic and hard copy guest and facility services survey has been created and is currently in place at Treadwell and will be in place in the aquatic facilities by Monday, April 13. The results will be compiled in July 2015 and January 2016 and shared with the advisory committees. The results will be used to develop new and responsive changes in facilities.

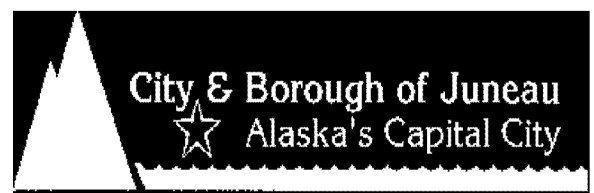
Guest Service Training - Mr. Duncan has completed the first phase of guest service training with the majority of the Parks and Recreation staff. USA Pools will develop a guest service training plan by June 2015.

Webpage update - To increase participation at Parks and Recreation facilities electronic information needs to be clear, concise and easy to understand. The aquatic websites are currently being updated to provide clear and understandable schedules and aquatic information. The Augustus Brown website will be updated by the end of May and the Dimond Park Aquatic Center's will be updated by the end of June. The AFAB will be working with CBJ on this project. The remaining Parks and Recreation facility webpages will be updated by the end of the year.

Marketing Plan – An aquatic marketing plan will be developed by June. The plan will have specific participation and revenue goals for each hour at each facility, if the identified goals aren't met then different strategies will be used to try to meet those goals. This plan will be implemented first at the aquatic facilities and then at Treadwell Arena.

An electronic newsletter will be developed with the first publication due out in June. The newsletter will be posted on the Parks and Recreation website and hard copies provided at facilities.

As I have already note, communication is the key to moving us forward not only with aquatics and Treadwell Ice Arena, but in all areas within the Parks and Recreation Department. We are capable and committed to managing the aquatic facilities, and all Parks and Recreation facilities and programs, in a cost effective, efficient, and community focused manner. I believe, based on Mr. Duncan's proven track record of increasing revenues and users during his tenure at Eaglecrest, he has the skills, knowledge and abilities to implement the course correction that is needed at this time to better serve the recreational needs of our community.



Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-23

**An Ordinance Amending the Recreation, Parks and Community Centers
Title to Add a New Chapter on Aquatics Facilities.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Adoption of New Chapter. Title 67 Recreation, Parks and Community Centers, is amended by adding a new chapter to read as follows:

Chapter 67.10

Aquatics Facilities

67.10.010 Board of directors.

(a) The Aquatics Board shall consist of seven voting members appointed by the assembly to serve without compensation for staggered three-year terms, plus the Parks and Recreation Director and one liaison from the Juneau School District. Neither the liaison nor the Parks and Recreation Director shall have the power to vote or be counted in determining whether a quorum of the board is present. Members of the board shall serve at the pleasure of the assembly. Terms shall commence on July 1. Appointments to fill vacancies shall be for the unexpired term. In the event a seat has six months or less remaining to the unexpired term,

1 the assembly, at its discretion, may choose to appoint the member to the remainder of the
2 current term as well as to the full term immediately following the expiration date of the
3 unexpired term. No board member who has served for three consecutive terms or nine years
4 shall again be eligible for appointment until one full year has intervened, provided, however,
5 that this restriction shall not apply if there are no other qualified applicants at the time
6 reappointment is considered by the assembly.
7

8 (b) No board member, or member of a board member's immediate family or household, may
9 be employed by an aquatics facility owned by the City and Borough. To the extent possible,
10 appointments to the Aquatics Board shall include persons having skills relevant to matters
11 concerning the aquatics facilities. No more than two members of the Aquatics Board shall be a
12 member of the board of directors of any local swim organization, or the immediate family
13 member of any employee or board member, of any local swim organization.
14

15
16 **67.10.020 General powers.**

17 (a) Subject to state laws and City and Borough ordinances, the Aquatics Board shall
18 generally exercise all powers necessary and incidental to the operation and maintenance of the
19 municipally-owned aquatics facilities according to the best interests of the public and in a
20 sound business manner. The Aquatics Board:

- 21 (1) Shall be responsible for the operation, maintenance, development and marketing of
22 the municipally owned and operated aquatics facilities, except as otherwise
23 provided by the assembly by resolution.
24
25

1 (2) Shall prescribe the terms under which persons and groups may use the aquatic
2 facilities under the board's management and establish and enforce standards of
3 operation.

4
5 (3) May adopt regulations pursuant to CBJ 01.60 necessary for the administration of
6 the aquatics facilities under the board's management.

7 (b) The aquatics facilities shall conform to the City and Borough Personnel Management
8 Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the City and
9 Borough Manager's Administrative Policies. The aquatics facilities shall utilize the services of
10 the Human Resources and Risk Management Department when hiring or terminating any
11 employee, when responding to grievances, in labor agreement negotiation, and in substantial
12 disciplinary matters.

13 (c) All legal services for the Aquatics Board and aquatics facilities shall be provided by or
14 under the supervision of the Municipal Attorney.
15

16
17 **67.10.030 Organization.**

18 The Aquatics Board shall elect annually from its members a chair and vice-chair and such
19 other officers as it deems necessary. The board may establish an executive committee with
20 authority to act on behalf of the board and may appoint such other committees as it deems
21 necessary.
22

23 **67.10.040 Vacancies.**

24 (a) A vacancy in the Aquatics Board shall exist under the following conditions:
25

- 1 (1) If a person appointed to membership fails to qualify and take office within 30 days
2 of appointment;
3
4 (2) If a member departs from the City and Borough with the intent to remain away for
5 a period of 90 or more days;
6
7 (3) If a member submits his or her resignation to the board or assembly;
8
9 (4) If a member is unable to attend regular board meetings for a period of more than 90
10 days;
11
12 (5) If a member misses more than 40 percent of the regular board meetings in a 12-
13 month period; or
14
15 (6) If a member is removed by the assembly, in its sole discretion, for the convenience
16 of the City and Borough.

17 (b) For the purposes of counting attendance, a member participating telephonically in
18 accordance with the Assembly Rules of Procedure shall be counted as present.

19 (c) The chair of the Aquatics Board shall notify the clerk's office of any vacancy on the
20 board. Upon notification, the assembly shall appoint a new member for the unexpired term.

21 **67.10.050 Meetings.**

22 The Aquatics Board shall meet at least once each month at an accessible location and time to
23 be designated by the board.

24 //

25 //

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1 **67.10.060 Membership in associations.**

2 The Aquatics Board may maintain membership in any local, state or national group or
3 association organized and operated for the promotion of swimming or for the safety of pools or
4 the advancement of the efficiency of pool system administration.
5

6
7 **67.10.070 Manager designated; appointment.**

8 The chief executive officer of the aquatics facilities shall be the Aquatic Facilities Director,
9 appointed by the Aquatics Board only upon the affirmative vote of a majority of the entire
10 board. For purposes of Chapter 44.05, the Aquatic Facilities Director shall have the status of a
11 department head. Personnel actions regarding the Aquatic Facilities Director, including hiring,
12 evaluation, discipline, and termination, shall be after consultation with the City and Borough
13 Manager.
14

15
16 **67.10.080 Aquatic Facilities Director; duties and responsibilities.**

17 The Aquatic Facilities Director is responsible for the overall supervision of the municipally-
18 owned aquatics facilities under the Aquatics Board's management. The Aquatic Facilities
19 Director's authority and duties shall include the following:

- 20 (1) To be responsible for carrying out all applicable laws, ordinances and regulations.
21 (2) To be responsible for carrying out policies established by the Aquatics Board.
22 (3) To prepare an annual budget as required by City and Borough ordinance.
23 (4) To attend all meetings of the Aquatics Board and its standing committees except as
24 otherwise directed by the board.
25

1 (5) To perform other duties as assigned by the board or as otherwise may be in the best
2 interest of the aquatic facilities.

3 (6) To perform any other duty that may be necessary in the best interest of the
4 aquatics facilities.
5

6
7 **67.10.090 Schedule of fees and charges.**

8 (a) A schedule of fees and charges for use of the aquatic facilities shall be approved by the
9 Aquatics Board annually or more often as the need may arise. All such board approvals shall be
10 forwarded immediately to the City and Borough municipal clerk who shall transmit them to
11 the assembly.

12 (b) All charges approved by the Aquatics Board shall become effective upon board approval
13 unless the board of directors sets a later effective date. The assembly, by motion or resolution,
14 may change any fee or charge approved by the Aquatics Board.
15

16
17 **67.10.100 Preparation and submission of budget.**

18 The Aquatic Facilities Director shall prepare the budget in accordance with approved City and
19 Borough procedure and shall submit it to the Aquatics Board for approval. The operating
20 portion of the budget submitted by the Aquatics Board shall, to the extent practical given
21 safety concerns and maximizing operating hours of the pools, minimize its general fund
22 subsidy. The Aquatics Board shall make its recommendations and submit the budget to the
23 City and Borough Manager for transmittal to the assembly in the same manner as general
24 government departments.
25

1 **67.10.110 Other fiscal matters.**

2 All other fiscal matters including custody of and expenditure of funds, accounting and collection
3 shall be governed by general City and Borough ordinance.
4

5
6 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
7 adoption.

8 Adopted this _____ day of _____, 2015.
9

10 _____
11 Merrill Sanford, Mayor

12 Attest:
13

14 _____
15 Laurie J. Sica, Municipal Clerk
16
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25

Memorandum

To: Loren Jones, Chair,
CBJ Human Resources Committee

From: Aquatics Board Working Group -- Jeff Bush, Kirk Duncan, Rosemary Hagevig, Matt Lillard, Max Mertz, Greg Smith

Through: Kim Kiefer, CBJ Manager

Date: March 3, 2015

RE: Responses to Questions Pertaining to an Empowered Aquatics Board for the Juneau Pools

At the meeting of Human Resources Committee (HRC) on February 23rd, you requested that the CBJ Manager appoint a working group to respond to several questions pertaining to the formation of an Aquatics Board to manage the Juneau Pools. The above working group members were selected to perform this task. We met on February 27th and March 2nd for approximately 3 hours each, and on March 3rd with you and in follow up for about two more hours. We met with Rorie Watt and interacted with Bob Bartholomew, and we separately reviewed and discussed various financial and other information as part of our work.

CBJ staff has prepared a draft ordinance related to the creation and management of the Aquatics Board that we read and is incorporated into our responses. That ordinance is similar to the ordinance for Eaglecrest and, we believe, would serve as a strong foundation for the formation of an Aquatics Board. The original draft ordinance and a memo from the CBJ attorney are attached.

1) HRC Question - Ordinance:

- a) Make up of Board? Skill sets?
- b) Now says no more than two members may be on a swimming related board. What about family members, or members of the swimming groups? How far does the prohibition go?
- c) Relationship to CBJ agencies (P&R, Law, HRC, Finance, Building Maintenance)?

Working Group Response: The Aquatics Board should have the structure set out in the draft ordinance in Section 67.10.010. We recommend, however, that the ordinance be amended to include the Parks and Recreation Director and a representative of the JSD Superintendent as appointed liaisons to the Board, as we believe that these liaisons will foster collaboration and communication with the Parks and Recreation Department and the Juneau School District.

We believe the ordinance would be strengthened if the limitation on Glacier Swim Club Board members in 67.10.010(b) were expanded to include immediate family members or household of board members of local swim organizations, and with the addition of employees of local swim organizations.

We recommend that the ordinance not be modified to require or prefer expertise or certain demographics of board members. Appointment of an Aquatics Board is an important function of the Human Resources Committee board member applicant review process and maximum flexibility of the HRC to select applicants is preferable.

Several sections of the draft ordinance will provide for a strong relationship with other CBJ Departments, including 67.10.020(b), 67.10.070 and 67.10.110. However, we recommend changing the language of 67.10.020(b) to read "...and the City and Borough ~~Manager's policies~~ Administrative Policies and Procedures."

2) HRC Question - Transition:

a) How might the transition process move forward with separation from Parks and Rec? Timing?

Working Group Response: We recommend that the Ordinance call for a six month transition period after the effective date of the Ordinance. The Aquatics Board should be seated within 60 days of the effective date. During the transition period, while the Board is working to hire an Aquatics Director, the Board should work with the Parks and Recreation Director who will provide pool management, marketing and other necessary and customary support services.

The Aquatics Board should work with the Human Resources Director to write the position description for the new Aquatics Director, work with the CBJ Finance Director to develop appropriate accounting and financial reporting structures and processes, and work with other CBJ departments as appropriate in other areas.

We recommend that the Assembly make its decision whether to proceed or not expeditiously (within approximately two to three months) in order to alleviate staff morale issues due to the uncertainty of not knowing how the pools will be managed. Please don't wait a year; make the decision now. This group recognizes the need to bring in outside management in the short run to provide technical expertise in pool management due to recent staffing turnover.

3) HRC Question – Staff:

a) Aquatics Board hires manager?

i) Who writes position description?

ii) Pay level?

b) Existing staff?

i) What rights transfer?

ii) Layoff – reductions?

iii) Pay Plan Amendments?

Working Group Response: As contemplated by 67.10.070 the Aquatics Director will be appointed by the Aquatics Board. Any personnel actions regarding the Aquatics Director will be made after consultation with the City Manager. The Aquatics Board will draft position descriptions for the

Aquatics Director and all other positions in cooperation with the CBJ Human Resources Director. The Aquatics Board will develop the staffing and organizational structure for pool operations.

We recommend that the CBJ Pay Plan be adopted, without amendment, for the pool staff, with Human Resources performing position classification in conjunction with the Aquatics Director.

There will be no change in employee rights. Staff restructuring and reductions that may be necessary in future periods as conditions warrant will be considered by the Aquatics Board and Aquatics Director. Section 67.10.100 calls for the Aquatics Board to submit its budget to the City Manager for transmittal to the Assembly. Through this very important oversight control, the Assembly will have review and approval authority over staffing proposals at the Aquatics Facilities.

4) HRC Question - Capital – Existing Facilities:

- a) Short and Long Term Capital needs? Who defines and prioritizes?
- b) Who handles routine daily maintenance? Who pays?

Working Group Response: Capital needs will be defined and prioritized by the Aquatics Director and Board in consultation with the CBJ Engineering Director. The cost of pool operations should include regular routine and minor maintenance.

Daily and routine maintenance will be performed as it is now by aquatics staff and Building Maintenance staff, with greater reliance on and utilization of aquatics staff as appropriate.

We recommend that Building Maintenance “direct bill” its services to the Pool Fund (see discussion on Pool Fund below). We further recommend that the Aquatics Director and Board evaluate, with input from the CBJ Manager, whether to have a full-time maintenance person at the pools with back-up of building maintenance as a cost savings measure.

We recommend that the Aquatics Director work with CBJ Engineering to create replacement schedules for the Pool building components and equipment in order to develop and guide reserves for replacement. There are funds in current and future CIPs and the Aquatics Board would work with CBJ Engineering to ensure those funds are available in future years.

Significant building condition issues exist for both DPAC and ABP. The items at DPAC relate to unresolved construction issues; issues at ABP are due to unattended to deferred maintenance. The Aquatics board will need access to capital to deal with these issues through the normal CBJ CIP process with Assembly oversight.

5) HRC Question – Budget:

- a) Expectation of cost recovery percentage?
- b) How long before that expectation is to be reached?
- c) Will Board pay full cost allocation? That pays for what?

d) Risk management costs?

Working Group Response: Eaglecrest is charged with building maintenance and full costing. It reports its results in the CBJ financial statements including all costs of operations. Because the pools' direct expenses are co-mingled with other CBJ activities in the accounting records, and do not including building maintenance or full costing and allocation of parks and recreation oversight of the pools, operating results have not clearly and consistently been reported to the CBJ Assembly and public. We recommend the pools report results using the Eaglecrest method. The following is an approximate calculation of cost recovery for the pools using the Eaglecrest model:

	Fiscal Year 2014 Actual		
	DPAC	ABP	Total
Actual Revenues	370,200	180,920	551,120
Direct Costs of operating pools	(1,142,401)	(801,391)	(1,943,792)
Expenses in Excess of Revenues (CBJ Subsidy)	(772,201)	(620,471)	(1,392,672)
Cost Recovery - Direct	32%	23%	28%
Unbilled Building Maintenance Expenses	(151,076)	(117,399)	(268,475)
Costs including Building Maintenance	(1,293,477)	(918,790)	(2,212,267)
CBJ Subsidy including Building Maintenance	(923,277)	(737,870)	(1,661,147)
Cost Recovery including Building Maintenance	29%	20%	25%
Approximate CBJ Overhead "Full costing" (only provided in total, not by pool)			(173,000)
Total costs to operate Juneau's pools			(2,385,267)
Total CBJ Pool Subsidy, FY 2014			(1,834,147)
Net Cost Recovery			23%

The above amounts do not also include an allocation of cost for the Parks and Recreation Director's and Receptions Superintendent's management time as well as other Parks and Recreation costs under the current management structure, as these amounts have not been determined.

The CBJ Assembly's policy has been to subsidize the Juneau School District use of the pools. CBJ management has valued this use at approximately \$320,000 (this amount is CBJ management's calculation and has not been independently audited or reviewed). When evaluating the pool's cost recovery, the Assembly should determine whether the subsidy should be considered in the pools' cost recovery targets.

There should be no difference in the cost recovery targets, that is the Assembly's expectations, with operation of the pools by an Aquatics Board as opposed to Parks and Recreation.

The Aquatics Board will bring a singular, passionate focus to achieve the pool's goals and provide a flatter organizational structure. Accessibility by the public to management and the Aquatics Board will be more apparent, giving the public a readily identifiable point of contact for specific concerns related to the pools.

We recommend that the Aquatics Board work to increase revenue through increased public participation and use of the pools. Its overall goal should be to reduce general fund support and have the best the cost recovery possible as contemplated by 67.10.100.

We recommend that the Aquatics board be tasked with setting clear and realistic goals within a year of operations. No set target for cost recovery should be currently made (through the ordinance); the Board should instead be tasked with making improvement from current cost recovery levels. Metrics for performance such as public use at each pool, revenues and total costs of operations should be established, and consistently tracked and reported.

With full costing a new cost recovery baseline will be identified and will become the new starting point for improvement of the pools.

We recommend a separate accounting fund for the pools be established similar to Eaglecrest. The Eaglecrest presentation is subject to annual audit, is transparent and includes all costs to operate the ski area. The Aquatics Fund should include direct revenues and expenses, costs incurred by Building Maintenance and costs of CBJ overhead.

CBJ – Committee of the Whole

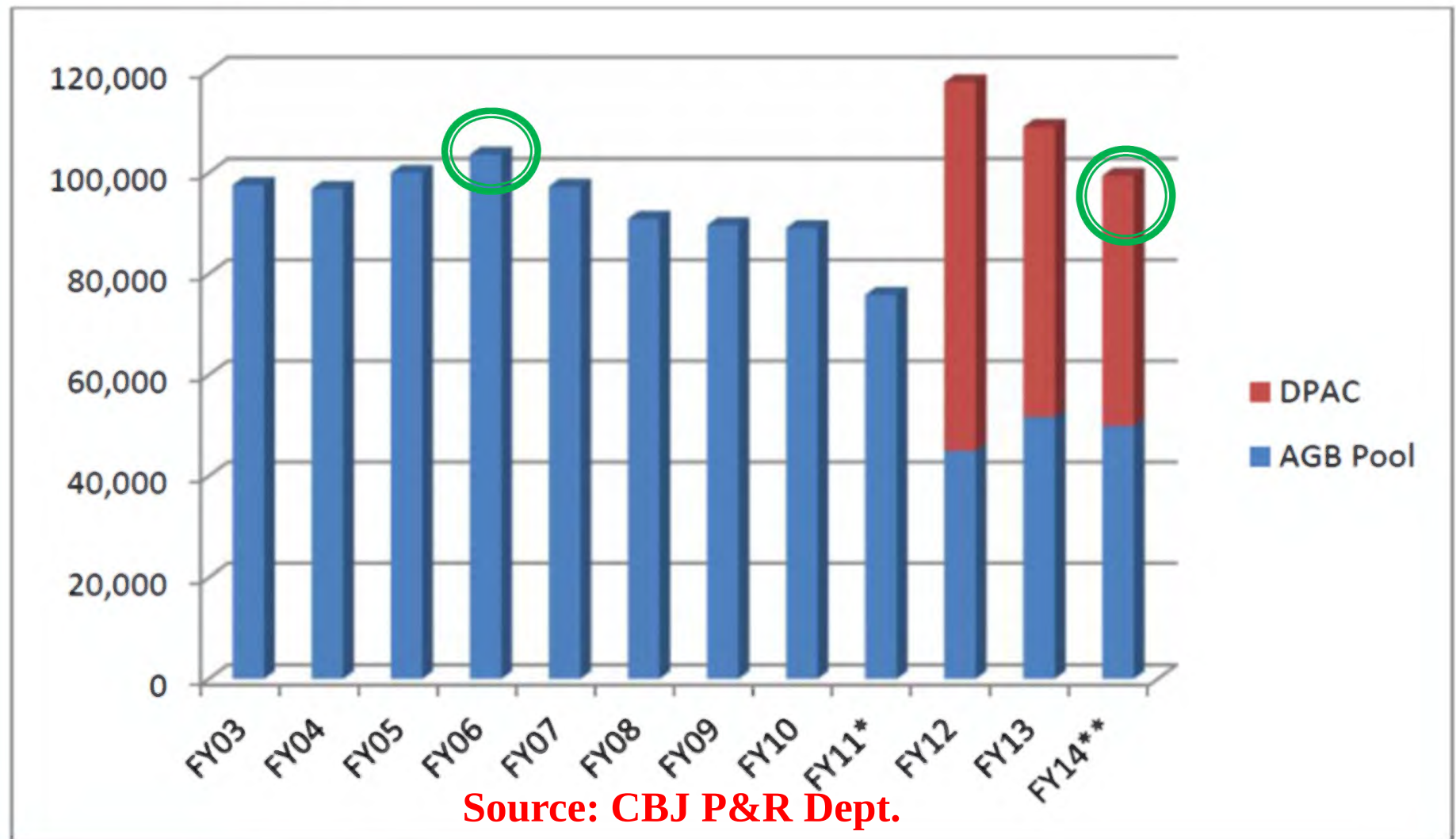
Max Mertz

February 9 2015





Historical Pool Use



Costs to Taxpayers

	Revenues	Expenditures	Net	% Cost Recovery	
2009					
Eaglecrest	1,680,879	2,333,294	(652,415)	72.0%	
Augustus Brown Pool	304,619	888,832	(584,213)	34.3%	
2014					2013
Eaglecrest	1,987,696	2,597,762	(610,066)	76.5%	78.2%
Augustus Brown Pool	180,920	801,391	(620,471)	22.6%	21.5%
DPAC	370,200	1,142,401	(772,201)	32.4%	37.4%
Combined Pools	551,120	1,943,792	(1,392,672)	28.4%	31.1%
Cost to Taxpayers compard to SMG Range					
Low			(971,294)		(969,647)
High			(564,633)		(544,059)

Source: CBJ CAFR and Controllers Dept.

Sports Management Group

Dimond Park Pool Cost Recovery Potential

	Low	Average	High
Cost Recovery Potential	70.8%	81.6%	93.7%
Annual Subsidy or Net Revenue	(\$430,000)	(\$256,500)	(\$83,000)
Probable Operating Costs	\$1,319,000	\$1,397,000	\$1,475,000
Potential Revenue	\$1,045,000	\$1,140,500	\$1,236,000

AUGUSTUS BROWN Cost Recovery Potential

	Low	Average	High
Cost Recovery Potential	38.3%	46.8%	56.4%
Annual Subsidy or Net Revenue	(\$673,000)	(\$547,000)	(\$421,000)
Probable Operating Costs	\$966,000	\$1,028,000	\$1,090,000
Potential Revenue	\$417,000	\$481,000	\$545,000

Transparency

CITY and BOROUGH OF JUNEAU

Non-Major Special Revenue Funds

EAGLECREST

Comparative Statements of Revenues, Expenditures, and Changes in Fund Balance (Deficit)

For the fiscal years ended June 30, 2014, 2013 and 2012

	2014	2013	2012
REVENUES			
State sources	\$ 70,788	66,783	51,278
Charges for services	1,341,034	1,347,872	1,357,668
Contracted services	130,983	114,514	71,593
Licenses, permits & fees	214,344	207,306	244,030
Sales	34,309	33,324	36,262
Rentals and leases	184,168	191,864	183,576
Donations & contributions	12,070	15,106	14,022
Total revenues	<u>1,987,696</u>	<u>1,976,769</u>	<u>1,958,429</u>
EXPENDITURES - Recreation	<u>2,597,762</u>	<u>2,528,769</u>	<u>2,468,678</u>
Deficiency of revenues over expenditures	<u>(610,066)</u>	<u>(552,000)</u>	<u>(510,249)</u>
OTHER FINANCING SOURCES			
Transfers from:			
General Fund	725,000	725,000	725,000
Roaded Service Area Special Revenue Fund	25,000	25,000	25,000
Total other financing sources	<u>750,000</u>	<u>750,000</u>	<u>750,000</u>
Net change in fund deficit	139,934	198,000	239,751
Fund deficit at beginning of the year	<u>(47,743)</u>	<u>(245,743)</u>	<u>(485,494)</u>
Fund balance (deficit) at end of year	<u>\$ 92,191</u>	<u>(47,743)</u>	<u>(245,743)</u>

Source: CBJ CAFR

CITY and BOROUGH OF JUNEAU

Major Special Revenue Funds

ROADED SERVICE AREA

Comparative Statements of Revenues, Expenditures, and Changes in Fund Balance

For the fiscal year ended June 30, 2014, 2013 and 2012

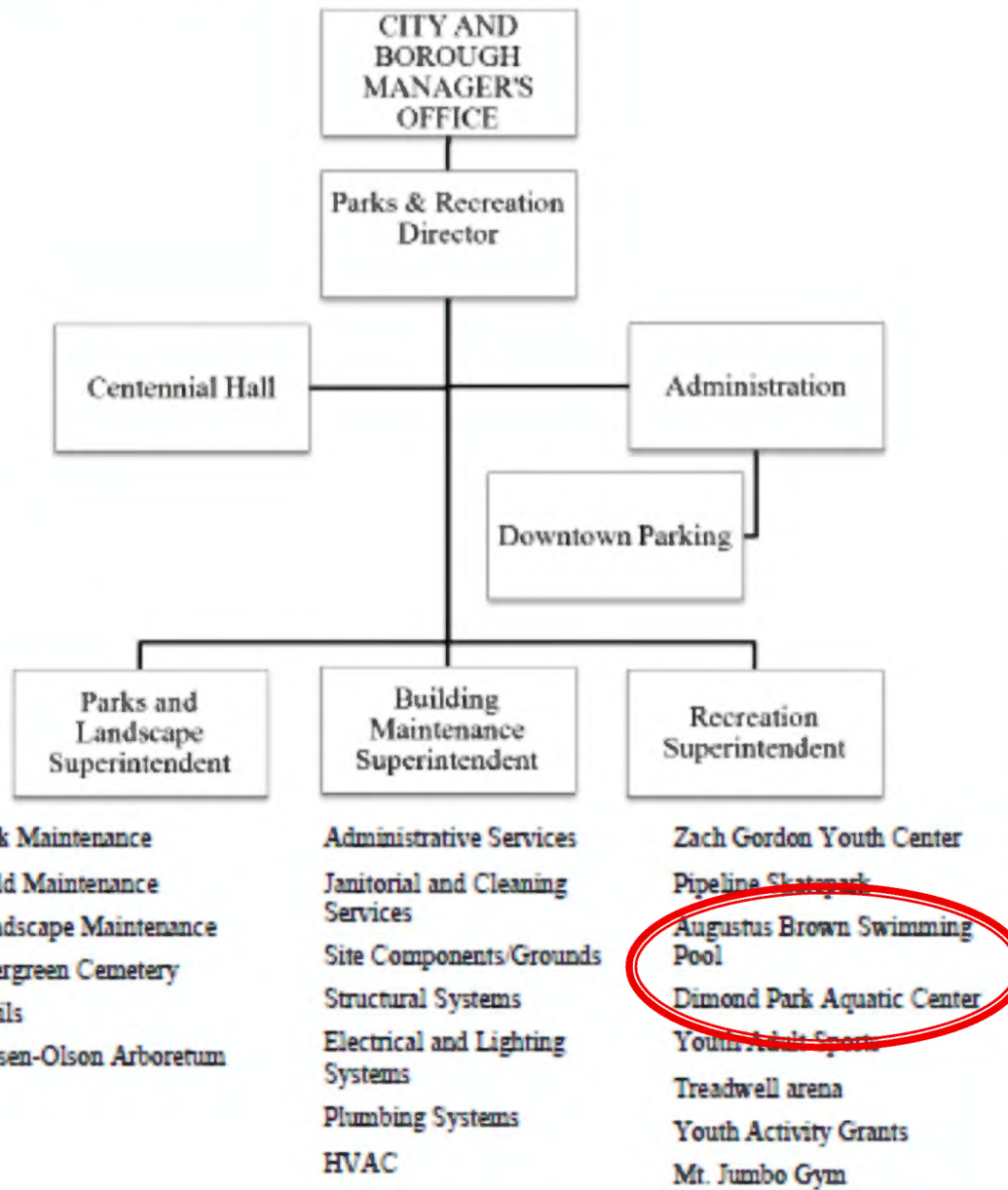
	2014	2013	2012
REVENUES			
Property taxes	\$ 8,562,312	8,314,185	8,156,094
State sources	4,905,907	5,942,126	5,324,698
Federal source	771,264	1,085,539	901,542
Charges for services	2,882,825	2,842,240	2,859,613
Contracted services	-	-	50,244
Licenses, permits and fees	135,208	157,940	160,758
Fines and forfeitures	297,551	303,620	388,417
Sales	34,411	38,554	32,071
Rental and leases	342,152	358,640	338,276
Donations and contributions	30,525	6,065	3,725
Investment and interest income	7,771	4,926	3,611
Other	227,965	(18,405)	124,390
Total revenues	<u>18,197,891</u>	<u>19,035,430</u>	<u>18,343,439</u>
EXPENDITURES			
Education	200,000	200,000	200,000
Parks and recreation	5,130,893	5,122,944	5,232,745
Public safety - police	13,047,067	13,538,491	13,342,640
Public works - roads and street maintenance	5,087,341	5,223,555	5,174,619
Public transportation	6,767,177	6,746,835	6,479,751
Total expenditures	<u>30,232,478</u>	<u>30,831,825</u>	<u>30,429,755</u>
Deficiency of revenues over expenditures	<u>(12,034,587)</u>	<u>(11,796,395)</u>	<u>(12,086,316)</u>
OTHER FINANCING SOURCES (USES)			
Transfers from General Fund, Special Assessments	-	-	30,000
Transfers from Special Revenue Funds:			
Sales Tax	11,139,000	12,994,000	10,231,000
Marine Passenger Fee	1,147,000	1,119,000	1,147,600
Transfers to:			
General Fund	(1,000,000)	-	-
Special Revenue Funds:			
Eaglecrest	(25,000)	(25,000)	(25,000)
Downtown Parking	(202,000)	(47,000)	-
Marine Passenger Fee	-	(30,474)	(9,425)
Total other financing sources (uses)	<u>11,059,000</u>	<u>14,010,526</u>	<u>11,374,175</u>
Net change in fund balance	<u>(975,587)</u>	<u>2,214,131</u>	<u>(712,141)</u>
Fund balance at beginning of year	<u>8,054,720</u>	<u>5,840,589</u>	<u>6,552,730</u>
Fund balance at end of year	<u>\$ 7,079,133</u>	<u>8,054,720</u>	<u>5,840,589</u>

Pool Cuts Effect

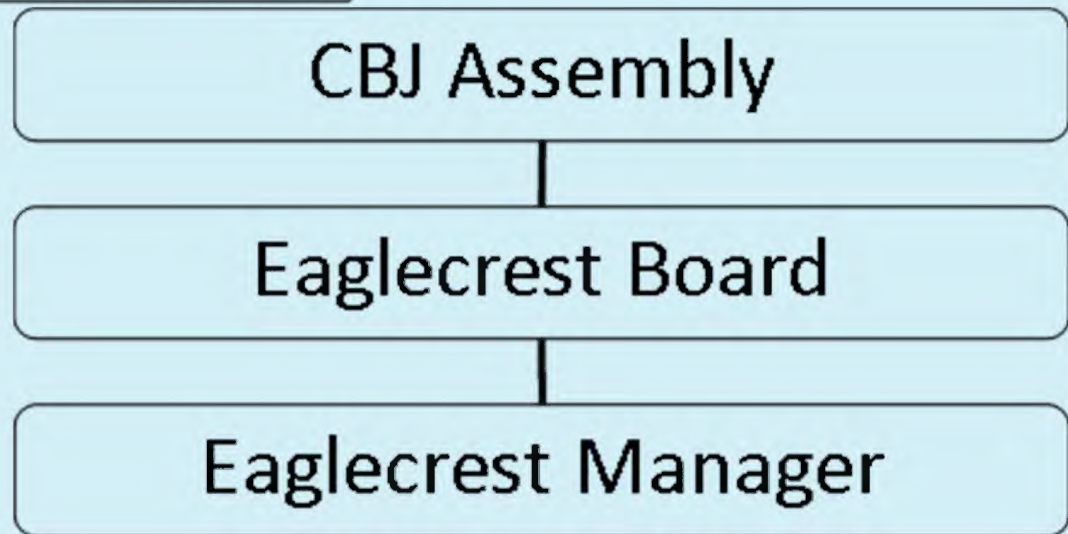
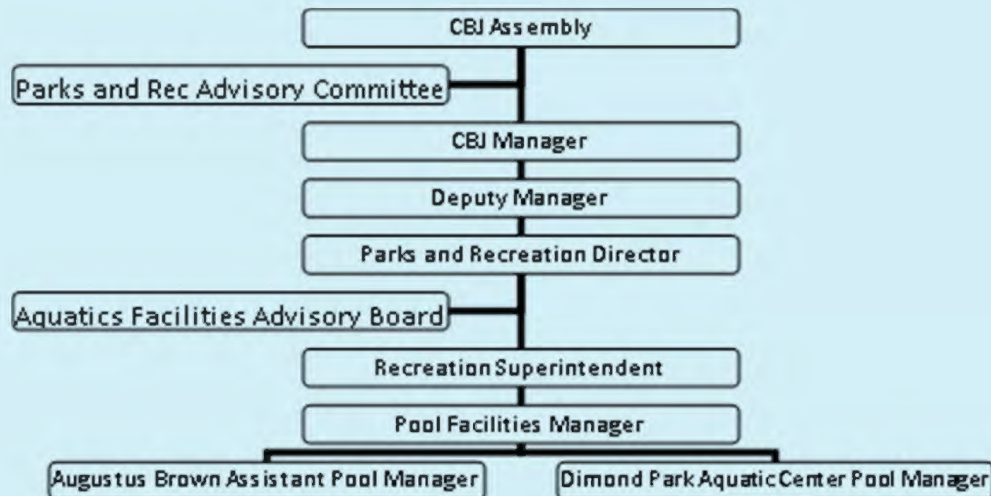
2014				
Augustus Brown Pool	180,920	801,391	(620,471)	22.6%
DPAC	370,200	1,142,401	(772,201)	32.4%
Combined Pools	551,120	1,943,792	(1,392,672)	28.4%
2013				
Augustus Brown Pool	172,618	802,084	(629,466)	21.5%
DPAC	457,469	1,224,502	(767,033)	37.4%
Combined Pools	630,087	2,026,586	(1,396,499)	31.1%
Change	(78,967)	(82,794)	3,827	-2.7%

Source: CBJ CAFR and Controllers Dept.

FUNCTIONAL ORGANIZATION CHART



Management Structures



Pool Board Benefits

- ▶ Focus
- ▶ Volunteer Empowerment and Engagement
- ▶ Leaner Management Structure
- ▶ Marketing
- ▶ Develop Fee Structure Policy
- ▶ Provide for Maintenance Needs
- ▶ Transparency
- ▶ Cost Control
- ▶ Improve Revenue
- ▶ Maximize Facility Use
- ▶ Provide for Scholarships.
- ▶ Keep the Pools Open!

Empowered Board Draft Ordinance

- ▶ 7 Members, Appointed by Assembly
 - Pool, Business, Community Expertise
 - Community Representation
- ▶ Hires Manager
- ▶ Develops Budget with Manager, Assembly Approved
- ▶ Develops Strategic Plans
- ▶ Markets
- ▶ Monitors Progress
- ▶ Reports to Assembly
- ▶ Holds Regular Public Meetings
- ▶ Carefully Crafted Transition Plan
- ▶ FOCUS ONLY ON THE POOLS

Pool Ballot Results

	<u>% Pass / Fail</u>
▪ 2005 Valley Pool	45.8%
▪ 2007 Valley Pool	55.0%
▪ 2014 Charter Amendment	59.0%

Source: CBJ Elections website

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

To: Ms. Mary Becker
Chair of Committee of The Whole

From: Kirk Duncan,
Parks and Recreation Director



Date: January 27, 2015

Re: Aquatics Facility Status Report



This is an update, as requested by the Assembly, on the progress that Parks and Recreation has made since the start of the current fiscal year to reduce the general fund support for aquatics and increase revenues.

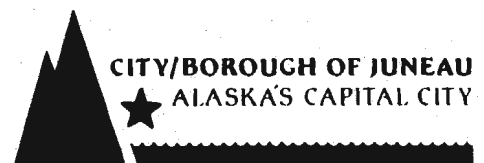
During the first six months of FY15, revenues at pools have increased by 6%, and expenses, primarily personnel costs, have decreased by 6%. General Fund support of the pools has decreased by 11% for a savings of \$69,684.

Staffing realignments have been started and will continue through the next year. Specifically the Aquatics Manager position has been eliminated, a full time head life guard has been eliminated, and hours have been reduced for a building custodian and an administrative assistant. The annual savings are expected to be \$234,000, on-going and sustainable.

Our next steps include:

- Work with the Aquatics Advisory Board, the Juneau School District, and other user groups to solicit ideas and formulate action plans to generate additional revenue for the operation, and discuss further potential cost savings. Ideas include, but are not limited to developing a new fee structure which could include a variable pricing model and the possibility of contracting out lesson programs. We will look at a point of sale program making it easier for people to purchase the products we offer and to allow us better tracking of what we sell, which leads to better information upon which to make pricing and product offering decisions. The first meetings have taken place and will continue because these partnerships are required to make successful changes.
- Create a positive attitude among the staff with a clear vision of guest service. We will explore how to empower pool managers and front desk staff to make decisions as needed to create a smooth operation as an effective, responsive organization. Employee training will begin in early March and continue until all employees have been through the training.
- Develop a marketing plan that includes website redevelopment, new printed materials, and on-site/online customer surveys. There will be a marketing plan in place by the end of May.
- Develop a sound cost recovery goal and other indicators of success that will allow for clear and unambiguous goals. Cost recovery and user participation goals will be in place by June.

The Parks and Recreation staff looks forward to producing an economically viable and guest services-oriented Aquatics operation.





**Law Department
City & Borough of Juneau**

MEMORANDUM

TO: Borough Assembly
Kim Kiefer, Manager
Rob Steedle, Deputy Manager

FROM: Amy Mead, Municipal Attorney

DATE: January 15, 2015

SUBJECT: Aquatics Facilities

If you decide to do so, an ordinance like the “2015-xx Aquatics Facilities” draft attached would be the vehicle used to create a new aquatics facilities chapter, establishing an Aquatics Board and outlining the board’s, and its C.E.O.’s, duties. This draft is intended to be used like a template should you decide to proceed. It is based off of the Eaglecrest Board’s enabling ordinances.

Below is a list of the general duties and responsibilities assigned the other enterprise boards. (Note this list is not exhaustive. It’s intended to provide you with a list of the general duties assigned across the boards.) At the end of this memorandum are a few additional comments for your consideration.

Comparison of CBJ Enterprise Board Ordinances

A. Liaisons

The Airport code provides for the appointment of an assembly and staff liaison to the board. (CBJ 05.01.050). Title 85 specifies that the assembly will appoint a liaison to the Docks & Harbors Board, but there is no mention of a staff liaison. (CBJ 85.02.045).

B. Board Duties

1. Submit to the assembly a report on operations and pending issues
Airport (CBJ 05.01.050)
 - Quarterly
D&H (CBJ 85.02.045)
 - Written review for assembly to be provided annually
 - Report to the committee of the whole semi-annually
2. Operate, maintain, develop and market facilities assigned to board
Airport (CBJ 05.01.070)
D&H (CBJ 85.02.060)
3. Operate in the “best interests of the public”
Hospital (CBJ 40.05.020)

- Eaglecrest (CBJ 67.05.020)
- D&H (CBJ 85.02.060)
 - And in a “sound business manner”
- Airport (CBJ 05.01.070)
 - And in “sound business manner”
- 4. Administer design and construction of CIPS located at its facilities
 - Airport (CBJ 05.01.070)
 - May apply for funding from state/feds
 - D&H (CBJ 85.02.060)
 - Unless otherwise provided by resolution
 - Must advise the assembly of its CIP recommendations
- 5. Issue regulations/standards of operation and enforce
 - Airport (CBJ 05.01.070; CBJ 05.01.080)
 - D&H (CBJ 85.02.060)
 - Eaglecrest (CBJ 67.05.020; CBJ 67.05.030)
 - Hospital (CBJ 40.05.020)
 - Additionally, adopt bylaws (CBJ 40.05.030)
- 6. Prescribe terms of use of its facilities
 - Airport (CBJ 05.01.070)
 - D&H (CBJ 85.02.060)
 - Eaglecrest (CBJ 67.05.020)
 - Hospital (CBJ 40.05.020)
- 7. Adopt safety policies consistent with CBJ risk management policies
 - Airport (CBJ 05.01.050)
 - D&H (CBJ 85.02.045)
- 8. Enter into memoranda of understanding and similar agreements with outside entities
 - Airport (CBJ 05.01.070)
 - D&H (CBJ 85.02.060)
- 9. Negotiate and enter into contracts for goods and services (while complying with Purchasing Code)
 - Airport (CBJ 05.01.070)
 - D&H (CBJ 85.02.060)
- 10. Administer grants
 - Airport (CBJ 05.01.070)
- 11. Approve a plan of organization and job classification plan for personnel
 - Airport (CBJ 05.05.010)
 - D&H (CBJ 85.02.090)

Hospital (CBJ 40.10.020)

12. Administer and dispose (lease) of land put under the board's authority per resolution
 Airport (CBJ 05.20.020)
 D&H (CBJ 85.02.060)
13. Establish and amend pay plan for employees
 Hospital (CBJ 40.05.020)
14. Approval of budget
 Airport (CBJ 05.05.020)
 - Self-sustaining operation without general fund subsidy, revenue to board D&H (CBJ 85.02.110)
 - Self-sustaining operation without general fund subsidy, revenue to board Hospital (CBJ 40.25.020)
 Eaglecrest (CBJ 67.05.110)
15. CIP plan to assembly
 Airport (CBJ 05.05.020)
 D&H (CBJ 85.02.060)
16. Approve fees and charges
 Eaglecrest (CBJ 67.05.100)
 - Subject to revision by assembly by motion or resolution D&H (CBJ 85.02.100)
 Airport (CBJ 05.05.050; CBJ 05.01.080)
 Hospital (CBJ 40.25.010)
 - Subject to "appeal" by assembly
17. Limitations on Board Authority
 D&H may not commit CBJ to long-range CIP without assembly approval (CBJ 85.02.065)

C. Director/Manager Duties

1. Carry out "all applicable laws, ordinances and regulations"
 Airport (CBJ 05.05.010)
 Eaglecrest (CBJ 67.05.090)
 D&H (CBJ 85.02.090)
 Hospital (CBJ 40.10.020)
2. Carry out board policies
 Airport (CBJ 05.05.010)
 Eaglecrest (CBJ 67.05.090)

D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)

3. Prepare a plan of organization and job classification plan for personnel
Airport (CBJ 05.05.010)
D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)
4. Prepare annual budget
Airport (CBJ 05.05.010; CBJ 05.05.020)
Eaglecrest (CBJ 67.05.090, CBJ 67.05.110)
D&H (CBJ 85.02.090; CBJ 85.02.110)
Hospital (CBJ 40.10.020, 40.25.020)
5. Prepare reports “as may be required on any phase of [facility] activity”
Airport (CBJ 05.05.010)
Eaglecrest (CBJ 67.05.090)
D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)
6. Attend board meetings
Airport (CBJ 05.05.010)
Eaglecrest (CBJ 67.05.090)
D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)
7. Select, employ, control, discipline and discharge facility employees
Airport (CBJ 05.05.010)
D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)
8. Represent board at hearings
Airport (CBJ 05.05.010)
9. Designate enforcement agents at facility
Airport (CBJ 05.05.010)
10. Assist in negotiating collective bargaining agreements
Airport (CBJ 05.05.040)
11. Other duties as directed or in best interest of facility
Airport (CBJ 05.05.010)
Eaglecrest (CBJ 67.05.090)
D&H (CBJ 85.02.090)
Hospital (CBJ 40.10.020)

Comments on the Draft

The starting point for the draft ordinance was an assumption that the Aquatics Board would be most like the Eaglecrest Board, as opposed to D&H or the Airport. The original draft was provided to me by Max Mertz and is also included in this packet.

Section 67.10.020(b) which begins “The aquatics facilities shall conform to the City and Borough Personnel Management Code....” is identical to similar provisions found in the other enterprise board’s enabling ordinances except:

1. Instead of requiring compliance with the “City Manager’s policies relating to personnel,” it requires compliance with the Manager’s “policies.” The purpose of the language change was to make clear that compliance with all of the manager’s policies is required, not just those policies related to personnel. If acceptable, this change should also be made as to all the other enterprise boards whose ordinances contain similar language.

2. As to this same paragraph found in other chapters relating to other facilities (for example, Eaglecrest CBJ 67.05.020 or the Airport CBJ 05.01.070), there is a requirement that the Personnel Director “annually certify that the [facilities’] classification plan conforms to that utilized for employees of the City and Borough Manager.” That language was not included in this ordinance as it suggests that employees of the aquatics facilities are organizationally different than the rest of the CBJ employees. (This language should be removed as to other board’s elsewhere in the code where that is not the intent.)

For the most part, the substance of the following sections are almost identical to those found in Title 67.05 (Eaglecrest), Title 05 (Airport), Title 85 (Docks & Harbors), and in large part, Title 40 (Hospital). There are stylistic and housekeeping changes that could be made to the following general sections but those changes should be made to apply to all:

1. Board of directors (67.10.010). (Though the number of required board members differs: 7 for the Airport and Eaglecrest, 9 for the Hospital and D&H.)
2. Organization (67.10.030). (With minor differences: Docks & Harbors requires a chair and vice-chair; the Airport a chair and secretary; and the Hospital and Eaglecrest, a president and secretary.)
3. Vacancies (67.10.040).
4. Meetings (67.10.050).
5. Membership in associations. (67.10.060).
6. Other fiscal matters. (67.10.110).

Proposed amendment to Ordinance 2015-23 designating the Parks and Recreation Department Director as the aquatics facility's manager/chief executive officer.

67.10.010 Board of directors.

(a) The Aquatics Board shall consist of seven voting members appointed by the assembly to serve without compensation for staggered three-year terms, ~~plus the Parks and Recreation Director~~ and one liaison from the Juneau School District. ~~Neither~~ The liaison ~~nor the Parks and Recreation Director~~ shall not have the power to vote or be counted in determining whether a quorum of the board is present. Members of the board of shall serve at the pleasure of the assembly. Terms shall commence on July 1. Appointments to fill vacancies shall be for the unexpired term. In the event a seat has six months or less remaining to the unexpired term, the assembly, at its discretion, may choose to appoint the member to the remainder of the current term as well as to the full term immediately following the expiration date of the unexpired term. No board member who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly.

(b) No board member, or member of a board member's immediate family or household, may be employed by an aquatics facility owned by the City and Borough. To the extent possible, appointments to the Aquatics Board shall include persons having skills relevant to matters concerning the aquatics facilities. No more than two members of the Aquatics Board shall be a member or employee of any local swim organization, or the immediate family member of any member or employee of any local swim organization.

67.10.070 Manager designated; appointment.

The chief executive officer of the aquatics facilities shall be the Parks and Recreation Department Director. ~~Aquatic Facilities Director, appointed by the Aquatics Board only upon the affirmative vote of a majority of the entire board. For purposes of Chapter 44.05, the Aquatic Facilities Director shall have the status of a department head. Personnel actions regarding the Aquatic Facilities Director, including hiring, evaluation, discipline, and termination, shall be after consultation with the City and Borough Manager.~~

67.10.080 Aquatic Facilities Director; duties and responsibilities.

The ~~Aquatic Facilities~~ director is responsible for the overall supervision of the municipally-owned aquatics facilities under the Aquatics Board's management. The ~~Aquatic Facilities~~ director's authority and duties shall include the following:

- (1) To be responsible for carrying out all applicable laws, ordinances and regulations.
- (2) To be responsible for carrying out policies established by the Aquatics Board.
- (3) To prepare an annual budget as required by City and Borough ordinance.
- (4) ~~To attend all meetings of the Aquatics Board and its standing committees except as otherwise directed by the board.~~

- ~~(5) — To perform other duties as assigned by the board or as otherwise may be in the best interest of the aquatic facilities.~~
- ~~(6) — To perform any other duty that may be necessary in the best interest of the aquatics facilities.~~

67.10.100 Preparation and submission of budget.

The ~~Aquatic Facilities~~ director shall prepare the budget in accordance with approved City and Borough procedure and shall submit it to the Aquatics Board for approval. The operating portion of the budget submitted by the Aquatics Board shall, to the extent practical given safety concerns and maximizing operating hours of the pools, minimize its general fund subsidy. The Aquatics Board shall make its recommendations and submit the budget to the City and Borough Manager for transmittal to the assembly in the same manner as general government departments.