

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**
September 23, 2019, 5:00 P.M.
City Hall, Assembly Chambers

I. ROLL CALL

Chair Becker called the meeting to order at 5:00pm.

Members Present: Chair Mary Becker, Maria Gladziszewski, Michelle Hale, Alicia Hughes-Skandijs

Members Absent: None

Liaisons Present: Chris Mertl, Parks and Recreation; Paul Voelckers, Planning Commission

Liaisons Absent: Chris Dimond, Docks and Harbors

Other Assembly Members Present: Mayor Beth Weldon,

Some Members of the Public Present: Charles Murphy, KINY Radio Reporter, Courtney Wilkins

Staff Present: Greg Chaney, Lands Manager; Dan Bleidorn, Deputy Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Mike Vigue, Public Works Director; Jeff Rogers, Finance Director; Beth McEwen, City Clerk;

Teresa Bowen, Assistant Attorney III, Rorie Watt, City Manager, Director; Mila Cosgrove, Deputy City Manager

II. APPROVAL OF AGENDA

Mr. Chaney added an item to the staff reports, "possible lot disposal"
The agenda was approved as presented.

III. APPROVAL OF MINUTES

Chair Becker called in with a few minor corrections, the June 10, 2019 Draft Minutes were approved.

IV. PUBLIC PARTICIPATION

Ms. Hale moved to accept public participation later in the meeting. Motion approved.

At 5:10pm, Courtney Wilkins came in to speak to the Lands Committee about her property at 1760 Evergreen Avenue, Juneau. The top portion of her property borders City land. Ms. Wilkins reported that according to a 1955 easement, the City is responsible for managing storm water runoff onto her and her neighbor's property. The water coming off Mt. Juneau is creating an unsafe situation for the houses below, including hers. Ms. Wilkins stated that

she believes that this management is not being cared for. There is significant damage done to the pipes and infrastructure that was put in place in the 1950s. Ms. Wilkins referenced an asbuilt survey that documents the easements. Ms. Wilkins had originally contacted Tom Mattice with Emergency Management about safety of this issue, who instructed her to contact Engineering. Ms. Wilkins subsequently had contacted them to try to resolve this situation to protect her property and that of her neighbors. Ms. Wilkins commented that she is unable to invest any funds into her property for remodeling or home projects. She commented that the City said they are planning to vacate the easement, which is a legal process that involves contacting the property owners.

Chair Becker asked if the City told Ms. Wilkins that they wanted to vacate the easement. Ms. Wilkins replied that the City told her that they abandoned the easement and that their intention was to legally vacate the easement. Ms. Wilkins stated that from her research, an abandonment of an easement could not occur if there is a sale of the property in the easement and if the easement has stayed active when the property has turned over but if there has been no acknowledgement about that easement overtime then the City can abandon it. She stated that there was reconstruction and a turnover of that easement.

Ms. Gladyszewski commented it would take her time to understand what Ms. Wilkins had presented and wanted to get staff to work with her. Ms. Wilkins commented that she is two years into this project and had been working with Mr. Vigue. Ms. Gladyszewski asked if she had worked with Mr. Vigue for a while but had not reached a resolution. Ms. Wilkins confirmed, and is appealing to the Lands Committee for resolution. Ms. Wilkins does not live in Juneau full time and her property is a mess where she cannot have any renters due to the water runoff issue of flooding.

Ms. Gladyszewski asked Mr. Vigue to speak on this matter. Mr. Vigue commented that the easement that Ms. Wilkins is referring to is one that was done in 1955 before statehood. The easement was provided to the City of Juneau on behalf of the Federal Department of Public Works, who constructed the drainage, not the City. In the 1980s, the City reconstructed Evergreen Street and there has been subsequent projects since then. The storm water system had been rebuilt in the street ROW at this time. Mr. Vigue commented that Ms. Wilkins has a few issues with her property that includes the cistern under her garage, where there was originally a private water system for her neighborhood. At some point, not sure exactly when, after the City water system was built that cistern was no longer used. Under her garage floor there is a big water tank that was built in the 1930s or 1940s. Ms. Wilkins started having conversations with the City's Risk Department, which is when Mr. Vigue was brought in. As Ms. Wilkins has indicated, she does not live here full time, so she was here a little while last fall in which there had been conversations with her. Mr. Vigue had not heard anything from her until recently when she had come back to town.

Ms. Gladyszewski asked Mr. Vigue if he is still working on this issue. Mr. Vigue confirmed and that he had several conversations with the Law Department in the past several weeks.

The City's view is that the Federal Government, who had built the drainage system, granted the easement for the construction. The view is that the City does not have perpetual responsibility to maintain this system effectively. As Ms. Wilkins stated, the easement was abandoned when the Evergreen road was rebuilt and the storm water system was constructed. We are still having conversations about this issue.

Chair Becker commented that Ms. Wilkins mentioned that there is no way to abandon the easement legally. Mr. Vigue replied that it should have been vacated back in the 1980s, and it appears that did not happen. As far as the City knows, there has been no maintenance in this area and no one from the City has been working on that draining system in fifty years.

Ms. Gladziszewski looked for clarity on what exactly was the question that needed to be resolved. Mr. Vigue replied that there is water coming off the hillside and the Federal Bureau of Public Works wanted to capture that water and move it, so they built the drainage system for collection and movement. Mr. Vigue was not certain how that relates to Ms. Wilkins private water system and water reservoir she has under her garage. Mr. Vigue feels these are two separate issues.

Chair Becker asked Mr. Vigue and Mr. Chaney to work with Ms. Wilkins and the City Attorney to identify what the problem is and what a request for solution is, whether that is a possibility. It seems if water is going to continue to run off, then if there is any obligation that the City has to retain that water and keep it from running off and hitting her house, then that would be a step, seeing that the easement has not been vacated. Maybe the resolution may be to keep her house whole or not to have water running off to hit her house.

Ms. Hale asked for an update at the next Lands Committee meeting. Mr. Vigue commented that he would try to provide an update by the next Lands Committee meeting and is committed to finding out what the City's responsibilities are. Chair Becker asked that the update be on the next Agenda.

V. AGENDA TOPICS

A. Spring 2019 Land Sale Recap

Mr. Bleidorn provided a recap from the recently completed sealed competitive bid land sale for four lots in the South Lena Subdivision. Through this sale, two lots were sold. The winning bids for these lots were for Block B, Lot 1A, \$106,500 and Block B, Lot 1C, \$ 96,500. Lots 1B and 1D did not receive any bids and were made available for over the counter sales. A public notice went out advertising the sales on Monday September 16th and the City has since received an offer on Lot 1D for \$90,000. The City is still accepting offers on lot 1B for \$100,000. All lot values have been determined by appraisal. This lot has access via Ocean View Drive and is 23,892 square feet.

There are also two lots remaining in the Renninger Subdivision. These two lots are large multifamily residential lots and are available through the over the counter land sale process. Lot 4 is 3.78 acres with a maximum density of 57 units, with a price of \$412,000. Lot 5 is 4.38 acres, predominantly wetlands and has a maximum density of 66 units. The price for Lot 5 is \$382,000.

Ms. Hughes-Skandijs asked about how the City advertises land sales. Mr. Bleidorn replied that there is City code about advertisement. For the sealed competitive bid land sale, Lands advertised with the Juneau Empire, on Facebook and with public notices. These lots did not have a whole lot of advertising given there was only 4 lots. We have not done any recent advertisements for the Renninger lots, but considering a more proactive advertisement approach for these lots. We are beginning to discuss the Pederson Hill advertisement schedule and should have something together within the next few weeks.

Ms. Hale asked if the Renninger lots are expected to be apartment buildings given the number of units. Mr. Bleidorn replied that there are no expectations about what could be built there. The original intent from the City was to have multi-unit buildings or condominiums. Lands has been working with the School District, who purchased Lot 3, and are doing a number of tiny homes. Mr. Bleidorn commented that it would be up to the purchaser's preference on how they choose to develop those lots.

Ms. Gladziszewski asked about tiny homes, if that meant literally tiny homes. Mr. Bleidorn replied that he should rephrase that they are building small houses. Ms. Gladziszewski followed up about obstacles around tiny homes. Mr. Chaney replied that this is an interesting issue in many communities that have minimal house sizes. There are some subdivisions that have private covenants against small houses, but the CBJ does not have any barrier to small homes. The only problem is that when small homes are built they do not comply with the building codes by fitting too much into a small space. However, if one follows the rules they can build one.

VI. STAFF REPORTS

A. Pederson Hill

Mr. Chaney commented about the recent Pederson Hill ribbon cutting event, and that it was a great turnout. He listed a tentative lot sale schedule:

09/16/2019	Monday	Sale Ordinance Approved
10/17/2019	Thursday	Sale Ordinance Effective (30 days)
10/17/2019	Thursday	Begin 45 Day Advertising Period
12/01/2019	Sunday	End 45 Day Advertising Period
12/10/2019	Tuesday	Fair Market Value Land Lottery
12/17/2019	Tuesday	Sealed Competitive Bid Land Sale

Mr. Chaney handed out the fair market appraisal values for the lots, by appraiser Julie Dinneen. The appraisals came in higher than expected, which is a reflection of the market. This phase of the subdivision has the largest lots. The next phase will have smaller lots.

Ms. Hale asked about the comparisons of the Lena and Pederson Hill lots, the square footage and questioned the pricing between the two. Mr. Bleidorn replied with square footage sizes. Mr. Chaney further replied with the difference between the Lena and Pederson Hill lots. The Lena lots are raw land, have not been cleared, do not have sewer,

nor streetlights or other infrastructure that the Pederson Hill subdivision has. Mr. Bleidorn commented that the Lena lots do not have Corp of Engineers fill permits and are predominately wetlands. There are also more slope gradient issues for the Lena lots. Third party appraisers appraised both subdivisions. The Pederson Hill lots have a Corp permit and have already been filled, and are ready to build on.

Chair Becker wanted to confirm that there are 17 lots for sale. Mr. Chaney confirmed.

B. Update on Juneau Compost! Expansion

Mr. Chaney commented that the owner is very motivated about her business and wanted to expand an additional $\frac{1}{4}$ acre for a total combination of $\frac{1}{2}$ acres. This request is within the lease agreement that allows for an expansion up to one total acre without a formal request to the Lands Committee.

C. Recent Film Permits

Mr. Chaney mentioned that film permits are a fun feature in Lands and had a number of recent permits over the summer that included:

1. Holland America Line. They were filming a nature excursion and downtown Juneau
2. BuzzFeed Motion Pictures. Filming an adventure wedding with clips of Juneau and the couple coming back from a glacier on a helicopter
3. Diners, Drive-Ins and Dives
4. Von Brunn Media. Filming a family moving from Switzerland to Juneau, Alaska

D. "Possible land sale" – Surprise parting gift for Mary Becker

Mr. Chaney surprised Chair Becker with a "deed" for CBJ land and a glass jar of soil to honor her time serving as Chair on the Lands Committee and 18 years of public service. All thanked Chair Becker for her leadership on this committee and she will be greatly missed.

VII. COMMITTEE MEMBER / LIASISON COMMENTS AND QUESTIONS

No Liaison reports.

VIII. ADJOURNMENT

Chair Becker adjourned the meeting at 5:45PM.