

**ASSEMBLY STANDING COMMITTEE
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

June 11, 2018, 5:00 PM.

Municipal Building Assembly Chambers

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. March 19, 2018 Minutes

B. May 21, 2018 Minutes

IV. PUBLIC PARTICIPATION

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

A. Indian Point Update – Mayor’s Communication with Aak’w Kwaan Members

B. Process for CBJ Acquiring Eagles Cemetery

C. Biennial Status Report to the 2016 Land Management Plan

VI. SUPPLEMENTAL MATERIALS - RED FOLDER ITEM

A. June 11, 2018 Presentation

VII. STAFF REPORTS

VIII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

IX. 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 STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

March 19, 2018 12:00 P.M. (Special Meeting Time)
City Hall, Assembly Chambers

I. ROLL CALL

Chair Mary Becker called the meeting to order at 12:00pm.

Members Present: Mary Becker; Beth Weldon; Rob Edwardson; Jerry Nankervis

Liaisons Absent: Paul Voelckers, Planning Commission; Weston Eiler, Docks and Harbors; Chris Mertl, Parks & Recreation

Staff Present: Greg Chaney, Lands Manager; Dan Bleidorn, Deputy Lands Manager; Rachel Friedlander, Lands and Resources Specialist

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved.

III. APPROVAL OF MINUTES

The minutes were approved as amended.

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Rainforest Telecom Request for a Utility Easement

Mr. Bleidorn addressed the Lands Committee concerning his March 14th, 2018 memo and summarized the application was for a power and fiber-optic cable easement across City property so that the applicant could access their tower on US Forest Service property. Mr. Bleidorn introduced the applicant, Mr. Wayne McKeown, who was sitting in the audience and available for questions. Mr. Bleidorn noted to the Committee that this agenda topic could have been considered an informational staff report and that he therefore wished to strike his recommendation in the memo. Mr. Bleidorn said Assembly action is required for easements and that any permissions granted to the applicant will occur through a resolution after Planning Commission review. Mr. Bleidorn said his primary goal for today's meeting was to notify the Committee of Rainforest Telecom's application, and to gather Committee questions.

Ms. Weldon said that in the application, the cable will be "ground laid" and "settle into the forest floor" and asked if that was normal. Mr. Bleidorn replied that was something he was looking into and will gather direction from Planning Commission and CDD staff. Ms. Weldon said it does not look like there are trails or if hunters use that area and Mr. Bleidorn said as a part of the review process, staff will request comments from the Engineering and Community Development departments, especially because this easement runs on the same property as Stabler Point quarry. Mr. Bleidorn said the applicant already has an existing, permitted tower on

Forest Service property but are looking for an easement so that their utilities can travel on Forest Service property as well.

Chair Becker asked if this was a new line and Mr. Bleidorn replied it will be an additional use through Forest Service and City property. Mr. Bleidorn said the tower is currently powered through a solar and propane generator, so this easement will allow the tower to incorporate additional uses. Mr. Bleidorn said co-location, where one tower services multiple providers, has been of interest to the City. By securing this utilities easement, Rainforest Telecom can then allow multiple services to exist and use its tower said Mr. Bleidorn. Mr. Bleidorn let the Committee know that after he had produced the packet, KTOO provided a letter of support saying they would be using Rainforest Telecom's tower as a sublessee.

Mr. Edwardson asked if in general the City receives a cut if one tower has multiple subleases and Mr. Bleidorn replied if the tower was on City property, then the answer would be yes and that the City usually has a cost sharing arrangement, however there is no such arrangement in this case because the tower is not on City property.

B. Vertical Bridge Request to Lease City Property – South Lena

Mr. Bleidorn addressed the Lands Committee concerning his March 13th, 2018 memo and summarized the application was for a 100 foot by 100 foot lease of City property located adjacent to the water tower found at South Lena. Mr. Bleidorn said this application is in the beginning stages of City review and that there will be a process to evaluate the cell tower itself, in addition to allowing for a lease, as this item makes its way before the Planning Commission and CDD staff for review. Title 49 has a full section on cell tower wireless facilities that this application will be vetted through said Mr. Bleidorn. Mr. Bleidorn said the next step for this application will be taking this item before the full Assembly where the Assembly can make the decision to lease the property, to work with the original applicant, or open it up to additional applicants who may be interested in leasing this very site. All of these steps will be followed by a City State Project review by the Planning Commission and will then come back before the Assembly to be adopted by ordinance. Mr. Bleidorn updated the suggested motion from the packet to state: "Lands staff is requesting the Lands Committee to adopt a motion of support to the Assembly directing the Manager to work with the original applicant, Vertical Bridge."

Ms. Weldon asked if there would be a problem with any sort of light on the tower and Mr. Bleidorn said the FAA will decide if a light is needed, and that the Planning Commission and CDD staff will be evaluating this as well, through the conditions outlined in Title 49.

Mr. Edwardson said Mr. Bleidorn's recommended motion requests that the Lands Committee send this agenda topic to the Assembly with support. Mr. Edwardson

said he would not have a problem sending this item over to the Assembly, but that he is uncomfortable with the word “support” not having the information necessary to make that determination. Mr. Bleidorn replied that he had updated the motion to not have the word support. Mr. Edwardson said Vertical Bridge’s application requested a lease of 60 feet by 60 feet but that staff’s memo requests 100 feet by 100 feet, and Mr. Bleidorn replied after the applicant submitted their application, they sent a follow up email for additional square footage. This occurred after the Lands Committee packet was finalized, said Mr. Bleidorn. Mr. Bleidorn said the City has a current lease with Vertical Bridge with a cost sharing arrangement for their sublessees so through negotiations the City could have something similar to that tower.

Mr. Nankervis said there is already a light on the NOAA property that looks exactly like the tower on Spuhn Island. Mr. Nankervis then said when he was at the Police Department and did a site visit with the radio tech, they went to a tower. Mr. Nankervis was curious if this tower was by the water tank and Mr. Bleidorn replied he believed JPD’s tower was on the FAA property. Mr. Nankervis asked if the City would be interested in working with the applicant at that location for what the Police Department has up there already and Mr. Bleidorn replied that is definitely something the City looks into with tower requests. Mr. Bleidorn said one of the first things he does is consult the CBJ’s MIS Division to make sure they do not have any infrastructure needs that could be built into negotiations.

The Lands Committee unanimously passed a motion to work with Vertical Bridge Holdings LLC towards a lease of City property located in South Lena.

VI. STAFF REPORTS

A. Foreclosure of 333 West Ninth Street. (Casey Shattuck Block 202 Lot 4)

Ms. Friedlander notified the Committee that the CBJ received a Clerk’s Deed for this property in January of 2018, and that this item will appear before the full Assembly to determine if it should be retained for a municipal purpose or sold. Mr. Chaney had already checked in with CBJ Leadership, and it was determined there was no municipal use of the building, said Ms. Friedlander.

Ms. Weldon asked how long Ms. Sylvia Johnson had been deceased. Ms. Friedlander replied that Ms. Sylvia has been deceased for at least 3 years but that Lands staff was just made aware that she was deceased last week. Property taxes have gone unpaid for the past three. Mr. Weldon then asked if the City has reached out to the current inhabitants of the property to see if they could pay the property taxes and Ms. Friedlander replied Lands staff has notified the current residents of the property of the foreclosure and of tonight’s meeting, and that the Collections

Division has patiently tried to work with the descendants of Ms. Johnson for some time without progress, which is why the City now has the Clerk's Deed.

Chair Becker asked if the foreclosure was the result of unpaid taxes and Ms. Friedlander confirmed it so. The longer the property taxes go unpaid, the more fees accrue, which the City will retain from the amount the property sells for, said Ms. Friedlander.

Mr. Nankervis asked if the property has water and sewer and Ms. Friedlander replied she believed the water was shut off but that there was still sewer. Mr. Chaney said he was told the current residents just had the water turned on after it was turned off for an extended period.

Mr. Edwardson said somebody would be able to pay off the back-taxes all the way up to sale and asked what part of the sale would that be. Ms. Friedlander replied that at last year's foreclosure sale, the City was going to dispose of the property through outcry auction and after that experience, Lands staff is leaning more towards sealed competitive bid. Mr. Edwardson then asked at what point would it be too late for someone to pay the back taxes and Mr. Chaney replied the property could be repurchased up until the close of business the day before the sale. Mr. Chaney said unfortunately at this time, there is no clear heir to the property but that the City will sort this out so that the eligible heir is aware of this option prior to the sale.

Ms. Weldon asked if the City has looked at eviction and Mr. Chaney replied the situation is unfortunate, that Lands staff has looked at the standard practices of other Alaskan municipalities like Anchorage and Fairbanks, and that neither of these municipalities evicts prior to sale and that the person purchasing the property is responsible for determining if the current residents should stay or be evicted. Mr. Chaney said that in some cases, the residents turn into renters.

VII. COMMITTEE MEMBER / LIASION COMMENTS AND QUESTIONS

Ms. Friedlander let the Committee know that the two outstanding lots in Renninger Subdivision (Lot 4 and Lot 5) did not sell in the most recent sealed competitive bid sale so staff will now be offering the parcels through an over the counter sale with the announcement date yet to be determined.

Ms. Weldon asked what the difference was between an over the counter sale and a sealed competitive bid sale and Ms. Friedlander replied an over the counter sale makes lots available for purchase at a set fair market value price and unlike a sealed competitive bid sale where the public can increase the value, an over the counter sale can only become tense for the City if there is a line of applicants all wanting to purchase the lot on the day the over the counter sale opens. Ms. Friedlander then said that the process Mr. Chaney developed to determine who the first eligible person would be to

purchase the lot involved selecting the card with the highest number and suit from a deck of 52 cards. Mr. Chaney then said that through an over the counter sale, the City is offering the lots at a set price and that anyone coming in has the opportunity to purchase that lot at the given price. Mr. Chaney said there is no end date until the property is sold, and that normally the City does not have a line of people wanting to purchase an over the counter lot, but if that did occur, the City would then use the deck of cards. Ms. Friedlander said if a lot does not sell at a given price, staff would consider reappraising the properties.

Chair Becker asked if the size of the lots would stay the same in an over the counter sale, and Ms. Friedlander confirmed it so.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:21pm.

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

May 21, 2018 5:00 P.M.
City Hall, Assembly Chambers

I. ROLL CALL

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

Members Present: Mary Becker; Beth Weldon; Rob Edwardson; Jerry Nankervis

Liaisons Present: Chris Mertl, Parks & Recreation; Paul Voelckers, Planning Commission; Weston Eiler, Docks and Harbors

Staff Present: Greg Chaney, Lands Manager; Rachel Friedlander, Lands and Resources Specialist; Rorie Watt, City Manager

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved.

III. APPROVAL OF MINUTES

The minutes from the March 19th, 2018 meeting will be reviewed at the next Lands Committee meeting.

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Alan and Ellen Rogers Land Trade Proposal

Mr. Chaney addressed the Lands Committee with his May 15th, 2018 memo by first describing the current location of the Rogers property, the upland City parkland proposed for trade, existing sheds that are currently encroaching on City property, and that the buildable quality of the lot is challenging given the predominant steep slopes on the Rogers parcel, which is why they have come before the City with their proposal.



Mr. Chaney then showed the Committee photos and diagrams of the area. Mr. Chaney emphasized that a majority of the park property the Rogers family would like to acquire already exists within the access and utility easement and has been developed. The Rogers family proposal would exchange undeveloped waterfront so that they may officially own the land encumbered by the access and utility easement. Mr. Chaney then posed the question to the committee that tonight's meeting was to determine if it is appropriate for

the City to consider the Rogers proposal or seek alternative proposals from the public.

Mr. Chaney then shared with the Committee that this project was reviewed by the Parks and Recreation Advisory Committee (PRAC) and was approved with a 5 to 2 vote determining the proposal was generally acceptable. Mr. Chaney said the two dissenting PRAC members felt the proposal was not beneficial to the public. Mr. Chaney then concluded that the current decision before the Lands Committee is directed by CBJ§53.09.230(a):

“Prior to considering a land exchange, the Assembly must determine if it is appropriate to work ‘by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the manager may commence negotiations for the...exchange...of City and Borough land.”

Mr. Chaney said if the Lands Committee finds this equal land trade appropriate, staff advises the Committee to find the equal value land trade proposed by Alan and Ellen Rogers to be generally acceptable and recommends working with the original proposers; that the proposal be forwarded to the Full Assembly with a positive recommendation; and that the authorizing ordinance stipulate the transaction be completed within two years.

Mr. Edwardson asked how steep and wide the grade is for the strip of Rogers property that the City would receive and Mr. Chaney replied the width is about 12 feet and that it is pretty steep.

Ms. Weldon asked if there was anywhere else to build on the Rogers lot and Mr. Chaney replied if you are not on the beach, the property is very steep and that someone would need an unusual type of foundation work to support construction on a grade like that. Ms. Weldon then asked if anyone else uses that driveway and Mr. Chaney replied that the driveway is used exclusively by the Rogers family but the main access easement is used by the other homeowners in the area. Ms. Weldon asked why such a steep piece of property would be significantly more valuable than City property and Mr. Chaney replied that it “is the golden touch of the waterfront” and that even though a majority of the land is upland, the high value is the result of the waterfront, which was confirmed by the appraiser. Ms. Weldon then asked what the plans were for the original beach house and Mr. Chaney replied it is on the applicants’ property so he assumes they will use it. Ms. Weldon then shared her concerns that the property owner would subdivide the lot and then try to sell it. Mr. Chaney said that would be difficult to do under current code because there is no right-of-way frontage on the beach cabin property. Ms. Weldon replied she knows the PRAC had two dissenters, one concerning this proposal would be of no benefit to the City and the other being subdividing the lot and selling that lower piece. Mr. Chaney replied the property is large enough and that it has enough area where the lot could be subdivided but there are other challenges like not having frontage on a right-of-way and that he hasn’t looked at this issue in detail.

Mr. Edwardson asked about access to the right-of-way and Mr. Chaney said the Rogers have a private easement along City parkland and that this is not right-of-way, which may not be sufficient for a subdivision. Mr. Edwardson asked what the public purpose would be for this project and Mr. Chaney replied the advantage to the City is the acquisition of

private waterfront in exchange for City land that is already encumbered by a private access and utility easement. Mr. Chaney emphasized that this is a lot of discussion for something that is fairly minor for what would actually occur on the ground, and that there is a slight benefit for the public for the City to acquire the waterfront since this is where the public recreates.

Chair Becker asked if the public would access City property through the Rogers' lot and Mr. Chaney replied no and that a vast majority would use the beach to access this point.

Mr. Nankervis asked what the City land use designations were for the two large lots that comprise the Mendenhall Peninsula and Mr. Chaney replied the southern portion of the Peninsula is a natural area park and the northern portion is City property but not managed as parkland. Mr. Nankervis then requested that Mr. Mertl elaborate on the discussion held by the PRAC. Mr. Mertl shared he was one of the two dissenting votes at the PRAC meeting but that he supports the PRAC's positive recommendation. Mr. Mertl said there was concern with the 2.5 to 1 ratio, along with the question of how far away from the beachfront does one consider property "waterfront" and considering a very skinny 12 foot wide swath, at what point are you not considered waterfront. Another concern considered flat developable land versus steep land, and that in Mr. Mertl's opinion, flat developable land can have more done to it than steep land. The last concern asked how was this proposal of benefit to the public and if the proposal was really in the public's best interest.

Ms. Weldon said she would move that the Lands Committee forward the proposed land trade to the full Assembly.

Mr. Nankervis then requested clarification on information provided by Mr. Chaney concerning the two decisions before the Committee: continue the negotiations with the proposer or open up this topic for other proposals. Mr. Nankervis was curious if Ms. Weldon had a preference and Ms. Weldon said she is being specific to the land trade proposed by Alan and Ellen Rogers.

The Lands Committee unanimously recommended forwarding the proposed land trade involving Alan and Ellen Rogers with a recommendation to work with the original proposers to the full Assembly.

B. Indian Point Update/Information

Mr. Watt apologized for not being able to give the Committee information in April as originally stated. Mr. Watt gave a quick verbal overview of the five points outlined in his May 17, 2018 memo that were meant to address the Committee's concerns raised in January 2018:

- **Zoning:** Mr. Watt's memo addressed the development process Indian Point would have to go through and said the City has put preservation measures in several existing plans for this area.
- **Role of the federal government:** A meeting with Aak'w Kwa'an representatives was hosted by the Mayor. In attendance was Fran Houston, Marie Olsen, Janine Canul and others by phone. In a follow up phone call Janine Canul offered to follow up on communication with Alaska's congressional delegation.
- **Land conveyance methods or land protections:** Mr. Watt said land conveyance methods or land protections can run the full gamut and there are many ways one could limit development, convey, or jointly own it.
- **Greater Juneau Borough land selection intent:** Mr. Watt shared that staff was unable to find intent by the Greater Juneau Borough when it selected the land. Mr. Watt said testimony had been found that speculated why the land had been selected but no historical information prior to why Indian Point was selected was found.
- **Public testimony:** Mr. Watt reminded the Committee that at some point they had discussed the desire to get public testimony at a joint PRAC meeting.

Mr. Watt advised the Lands Committee to think of their goals when it comes to this project and what the City is hoping to achieve. A question posed by Mr. Watt was if the City chooses to protect the land, who would be the most appropriate to own the land in perpetuity and make sure those protections are enforced and enacted.

Mr. Voelckers asked Mr. Watt to elaborate on the meeting held between the Mayor and the Aak'w Kwa'an clan. Mr. Watt replied the clan had reached out to Cathy Munoz to help advance the conversation, along with the Mayor, Elder Marie Olson, and Fran Houston, and that the meeting was collegial. Mr. Watt said the Aak'w Kwa'an are not a federally recognized tribe so there was discussion amongst the clan to form a formal entity, and in the past, Goldbelt (Heritage Foundation) has been suggested as a custodian for Indian Point. Mr. Watt said the meeting was not conclusive however it was positive, and that the meeting was held at the request of the Aak'w Kwa'an clan. Mr. Voelckers asked Mr. Watt for his opinion on the formation of a group by the Aak'w Kwa'an to enter into a land agreement and Mr. Watt replied that right now there is discussion amongst the group of forming a non-profit organization, and if there was a conveyance of a land right, the City would have to think about successors and heirs in perpetuity. Mr. Watt said the group could receive some rights but they are not ready yet.

Ms. Weldon asked what joint ownership would look like and Mr. Watt said there are properties with percentages owned by a lot of parties. Mr. Watt said if you do something like this, you should envision decision making, what happens if property owners do not agree, and the potential for dispute. Mr. Watt then shared stories that concerned multiple property owners for one lot and how messy it can be. Mr. Watt reminded the Committee to go back to goals and if preservation was the focus, that equal shared ownership might work.

Mr. Mertl asked if Mr. Watt had asked about the National Park Service's intent with their lot and Mr. Watt replied he had not. Mr. Watt said once the meeting was requested with the Mayor by the Aak'w Kwa'an clan, he figured that was sufficient given land negotiations with the federal government can take time, so he was happy to yield the lead on that task.

Ms. Weldon asked where the shaman graves were and Mr. Watt replied it would not be appropriate to say in order to avoid calling attention to these cultural heritage sites but that they are confirmed to be on the premises.

Mr. Voelckers asked about time issues associated with Indian Point and if he thought the public process so far has been sufficient. Mr. Watt said he did not perceive a time issue and that the City's stance is 'no action' which might end up being the preferred outcome for many years and that on the City side, there is nothing Mr. Watt needs to move forward. Mr. Watt said the proponents of a land transfer or further conservation measures probably see this differently because they made a request and may feel like they've been patient and the ball is in the Assembly's court. Mr. Watt said there are different views but that another way to look at it could be disposal or trade of City property, and any time the City does that, there is a rigorous City process and it always errs on the side of deliberation. Mr. Watt said the hurdle for any development activity or active use of the land will be pretty high and unlikely in any time horizon he could see.

Mr. Edwardson commented there has been a request from the Aak'w Kwaan, and that the City spent a couple months on the Hurlock facility but there was no request yet there seemed to be urgency in getting it done, and that he would like to see the Lands Committee schedule public testimony for the possible conveyance of this lot to the Aak'w Kwaan. Mr. Watt then commented on the pregnant pause that followed Mr. Edwardson's comment and said he thinks that is accurate. Mr. Watt said the job is to round up all possible information and to have a public testimony component. Mr. Watt said its either staff find more information or hear from the public.

Mr. Mertl asked if Mr. Watt had spoken with the Southeast Alaska Land Trust regarding a conservation easement and Mr. Watt said he had not and thought there was a request from elders in the Aak'w Kwaan and that it did not seem appropriate to bring another non-profit entity into the mix, or maybe it is. Mr. Mertl commented that maybe partnerships is a way to help out if the group is not a nonprofit. Mr. Mertl said the Land Trust does allow special uses of the property. Mr. Watt replied this topic had not occurred to him.

Mr. Mertl asked Chair Becker if the City is ready for public testimony. Mr. Nankervis said he was a part of the conversation held between the Aak'w Kwaan and the Mayor and when they left that meeting, they were advised by members from the Aak'w Kwaan that they would get in touch with the federal delegation and then get back to the City. Mr. Nankervis said he has yet to hear back and it would be premature to have public testimony until the Awk'k kwaan report back.

Mr. Voelckers asked what the question to the federal delegation concerned and Mr. Nankervis said it had to do with how the land came to be Juneau's and whether the federal government would be willing to look at lands in exchange for that, with the feds deeding traded land over. Mr. Nankervis asked the Mayor (in the audience) for his input and the Mayor agreed with Mr. Nankervis's interpretation of the meeting.

Ms. Weldon asked if there are any recreational trails on this property and Mr. Schaaf said there are informal trails but no publically designated or maintained trails.

Mr. Edwardson asked Mr. Nankervis if there were any minutes from that meeting and Mr. Nankervis so indicated no minutes were kept. Mr. Edwardson said he is uncomfortable moving forward with the memory of the meeting that does not have minutes. Mr. Edwardson said if there is another meeting, it should be with the Lands Committee for the Aak'w Kwaan to represent themselves. Mr. Nankervis replied the Aak'w Kwaan requested the meeting with the Mayor and that they could have taken minutes if they wanted to. Mr. Nankervis said numerous meetings occur where a group requests a meeting with the Mayor and no minutes are taken.

Ms. Weldon asked if the City could reach back out to the Aak'w Kwaan clan and ask where they are with their questions for the federal delegation and Mr. Watt replied he would be happy to do that. Mr. Watt then said he could reach out and report back at the next Lands Committee meeting.

c. Discussion of Douglas Cemeteries, guest speaker – Merrill Sanford

Chair Becker said the Assembly was asked by one member of the Douglas community who has a cemetery in his possession that has a number of his family members in it, as well as the Douglas Advisory Board, to look at all the cemeteries on Douglas. Chair Becker said the purpose of this discussion would be to take over maintenance of the cemeteries, which was her intent when she requested funding during a City Finance Committee meeting for the cemeteries.

Mr. Chaney then used a map detailing the locations of the graveyards to distinguish the cemeteries in question and said former mayor Merrill Sanford would then give an overview of the cemeteries. Mr. Chaney said a report outlined that there are 514 burial sites but only 157 known grave markers. Mr. Chaney speculates there are graves in these areas that are no longer marked.



Mr. Sanford said he was the proud owner of the Eagles cemetery, which was transferred to him last week. Mr. Sanford said the three trustees of the cemetery transferred the property to him because they were concerned their late age would leave the cemeteries without a caretaker once they pass. Mr. Sanford said his family pays

between \$600-700 a year to have the grass mown at the Eagles cemetery and that he and a couple family members work on the fence. Mr. Sanford met with the Douglas Advisory Board, which is taking care of the Douglas Catholic cemetery and the first half of the City plot. The Douglas Advisory Board recently received a letter from the Catholic dioceses of Juneau wishing to give up their rights to the cemetery, said Mr. Sanford. The Douglas Advisory Board was hopeful that when Juneau annexed Douglas and transferred the land, that part of that transfer would entail taking care of the cemeteries. Mr. Sanford said he and the Douglas Advisory Board would like the City to look at each one of these cemeteries and ultimately acquire them.

Ms. Weldon asked Mr. Sanford what he meant by “take over” and Mr. Sanford said he would hope that if the City took over, it would let the descendants volunteer so that a lot of the work could be done by the volunteers. Mr. Sanford said that since he is now the sole owner of the Eagles Cemetery, he would like to quitclaim deed the cemetery to the City to maintain it for a long time to come. Ms. Weldon asked Mr. Chaney who owns the City cemetery and Mr. Chaney replied the ownership concerning several of these cemeteries is obscure, with nothing clear coming out of City records. Mr. Chaney said staff could try to go through the process of trying to obtain title to these cemeteries, many of which were started hundreds of years ago with the people starting them being deceased themselves. The City could sponsor a petition to obtain ownership, said Mr. Chaney.

Mr. Mertl said these pieces of property hold an important part of Juneau’s history, and the City needs to do the best it can to maintain these opportunities. Mr. Mertl said he thinks it’s a great idea that the City take over these cemeteries, but that this can and will influence the City’s Parks and Recreation Department budget. Mr. Mertl said cutting grass is the highest maintenance cost for Parks.

Ms. Weldon said she believes the City gave \$10,000 to maintain the Douglas cemeteries and Chair Becker replied it was put in the budget but then they were told to take the issue to Lands for a final recommendation.

Mr. Voelckers said he agrees with Mr. Mertl’s sentiment. Mr. Voelckers asked Mr. Chaney to confirm that the Catholic dioceses was also interested in a transfer to the City and Mr. Sanford instead replied the Catholic Community Administrator wrote to the Douglas Advisory Board that they are interested in pursuing this matter with the City but Mr. Sanford was unsure what this meant. Mr. Sanford said the Ross Estate ownership could not be determined, which means the City would need to go through quiet claim to take those pieces of property that way.

In the interest of time, Ms. Weldon moved that the City find title to these properties and go from there. If the title cannot be found, the City should try to own them, said Ms. Weldon.

Mr. Edwardson said rather than try to find the titles, there might be a combination of quiet title actions, quit claims, and clouded titles and that the Lands Committee should direct staff to find out what the scope would be of taking over each one of these to see what size the project would be, along with cost estimates.

Chair Becker asked Ms. Weldon for a motion, and Ms. Weldon said she did not think this item needed a motion but instead only to provide direction to staff. Chair Becker emphasized staff does not have to have all the information at one time, but instead can work one cemetery at a time. Mr. Chaney said staff will provide an update to the Committee. Chair Becker asked Mr. Chaney for his recommendation on the Eagles property and whether the City should take that over now. Mr. Chaney said he would discuss this with the City Manager and come back with a recommendation.

VI. STAFF REPORTS

There were no staff reports.

VII. COMMITTEE MEMBER / LIASION COMMENTS AND QUESTIONS

There were no committee member/liaison comments and questions.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:04 pm.

MEMORANDUM

CITY AND BOROUGH OF JUNEAU

Lands and Resources Division Office
155 S. Seward St., Juneau, Alaska 99801
Greg.Chaney@juneau.org
(907) 586-0205

TO: Assembly Lands Committee

FROM: Greg Chaney, CBJ Lands Manager

SUBJECT: Proposal for CBJ to Accept Ownership and Maintenance of Douglas Island Eagles Cemetery

DATE: June 6, 2018

Introduction

At the May 21st 2018 the Lands Committee meeting, former Mayor Merrill Sanford offered to donate the historic Eagles Cemetery on Douglas Island to the City and Borough of Juneau. In recent years the cemetery has been maintained by family members and volunteers. Maintenance work has become more difficult as those who are involved have advanced in years. Since this is a historic site with graves of people who helped build the community, Mr. Sanford offered to transfer the Eagles Cemetery without charge to the CBJ with the understanding that the City would continue to maintain the property.

The Eagles Cemetery is a somewhat unique historic cemetery in Douglas because it has clear title and is being actively maintained. With the exception of the Catholic cemetery, ownership of the other historic cemeteries in Douglas is unclear.

Process for CBJ to Accept Land Donations

If the Assembly is interested in accepting the donation of the Eagles Cemetery, Tile 53 establishes a straightforward process for the CBJ to acquire property that is offered to the CBJ for no cost:

CBJ§53.04.030 - Grants and gifts.

Real property to be acquired as a grant or as a part of a program of grants or which is offered to the City and Borough as a gift, or at less than fair market value and which is not required for an approved project, may be accepted only upon the approval of the assembly by resolution.

If the Lands Committee believes it is appropriate for the CBJ to take over ownership of the Eagles Cemetery, the Lands Committee should direct the Manager to draft a resolution accepting the donation of the Eagles Cemetery. The resolution would then be forwarded to the full Assembly for further consideration.



MEMORANDUM



PARKS & RECREATION
155 S. Seward St., Juneau, AK
99801
Phone (907) 586-5226
FAX (907) 586-5677

DATE: June 7, 2018
TO: Assembly Lands Committee
FROM: George Schaaf, Parks & Recreation Director
SUBJECT: Acquisition and Maintenance of Private Cemeteries in Douglas

Introduction

Former Juneau Mayor Merrill Sanford has proposed donating the Eagles' Cemetery in Douglas to the City & Borough of Juneau. In addition to the Eagles' Cemetery, Mr. Sanford asked the Lands Committee to consider acquiring seven other cemeteries in Douglas that are privately owned or whose owners are unknown (Catholic Cemetery, Russian Orthodox Cemetery, Masons Cemetery, Native Cemetery, Asian Cemetery, Servian Cemetery, and the "City" Cemetery).

The purpose of this memo is to provide information regarding the estimated cost to maintain these cemeteries if they are acquired by CBJ.

Background

The Parks & Recreation Department clears brush from the Odd Fellows Cemetery on a monthly basis. After construction at Gastineau Elementary School disturbed human remains in 2012, the city manager's office directed the Department to provide weekly maintenance of the Douglas Indian Cemetery.

The other cemeteries in Douglas receive varying amounts of maintenance. Of the eight cemeteries under consideration, only the Eagles' Cemetery and Catholic Cemetery receive regular maintenance from volunteers. The other cemeteries are overgrown with dense vegetation, including berries, alder, spruce, and hemlock.

Owner	Cemetery	Area (ft ²)
Unknown	Servian Cemetery "City" Cemetery	35,393
Merrill Sanford, Trustee	Eagles Cemetery	5,230
Corp of Catholic Bishops of Juneau	Asian Cemetery Native Cemetery Catholic Cemetery Russian Orthodox Cemetery	46,928
Exceptions to the Ross Estate Ownership unknown	Masons Cemetery Odd Fellows	18,885
Total		106,436 (2.44 acres)

Maintenance Costs

Maintenance costs depend on the level of service provided. It would be very costly to restore most of these properties to a high standard, such as the Eagles' Cemetery. Most of the graves are sunken and unmarked, making it difficult to establish and maintain grass. A private contractor would need to clear brush in most of the cemeteries, as the Parks & Recreation Department does not have the staff capacity for this work.

The following estimate reflects one-time contract costs to clear the cemeteries and increased staff to provide a minimal level of maintenance. This level of service includes keeping the area clear of brush and saplings, but does not include turf or gravesite restoration and maintenance. Attachment "A" contains examples of different service levels for cemeteries in Juneau.

Since 2013, the Parks & Recreation Department has assumed responsibility for a significant amount of additional landscaping, including Statter Harbor, Mendenhall Valley Public Library, Dimond Park Aquatic Center, and Mayor Overstreet Park. This additional workload has made it difficult to maintain existing facilities and parks.

Cemetery	Initial Clearing (Contractor)	Labor (FTE)	Labor Costs (FY19)
Servian Cemetery "City" Cemetery	\$5,000	0.09 FTE	\$6,480
Eagles' Cemetery	\$0	0.02 FTE	\$1,440
Asian Cemetery Native Cemetery Catholic Cemetery Russian Orthodox Cemetery	\$3,000	0.14 FTE	\$9,360
Masons Cemetery	\$2,500	0.05 FTE	\$2,880
TOTAL	\$10,500	0.30 FTE	\$21,600

Incrementally acquiring these properties without a corresponding increase in staff would steadily erode the Department's ability to maintain other parks and facilities. It is not practical to hire an employee to work 41 hours per year (0.02 FTE), for example, so an additional position is necessary to maintain these cemeteries without reducing service levels elsewhere.

Conclusion

Based on the information available, the Parks & Recreation Department can maintain the Douglas Cemeteries with additional resources, including contract costs for initial clearing and an increase in staff of 0.30 FTE for ongoing maintenance.

The Department is unable to absorb this additional work with existing resources, without reducing service levels elsewhere.

Attachment A – Examples of Maintenance

High

Eagles' Cemetery



Medium

Douglas Indian Cemetery



Minimal

Odd Fellows Cemetery



No Maintenance

"City" Cemetery



MEMORANDUM

CITY AND BOROUGH OF JUNEAU

Lands and Resources Division Office

155 S. Seward St., Juneau, Alaska 99801

Greg.Chaney@juneau.org

(907) 586-0205

TO: CBJ Assembly Lands Committee

FROM: Greg Chaney, Lands and Resources Manager

SUBJECT: Biennial Status Report for the 2016 CBJ Land Management Plan

DATE: June 4th, 2018

The 2016 Land Management Plan was formally adopted by the Assembly May 23rd, 2016 through Ordinance 2016-18. CBJ Code 53.09.180 states *"biennially, the manager shall present to the assembly a report on the status of City and Borough land disposals and acquisitions"* and outlines the specific topics addressed below.

53.09.180(a)(1) A list of City and Borough lands that have been sold or otherwise conveyed out of City and Borough ownership during the previous two years

Land ID #	Disposal #	Legal Description	Price	Purchaser
LND-0143	LD 2016-01	Lot 18, Block A, South Lena Subdivision	\$125,643.59	Trego
LND-0144	LD 2016-02	Lot 20, Block A, South Lena Subdivision	\$151,400	Frenette
LND-0141	LD 2016-03	Lot 4, Block B, South Lena Subdivision	\$140,500	Efird
LND-0147	LD 2016-04	Lot 8, Block A, South Lena Subdivision	\$126,007	Gray
LND-0806	LD 2016-05	Lot 6, Renninger Subdivision	\$144,000	AHDC
LND-0807	LD 2016-05	Lot 7, Renninger Subdivision	\$122,000	AHDC
LND-0803	LD 2017-01	Lot 3, Renninger Subdivision	\$95,000	Juneau Housing Trust
LD 2017-02	LD 2017-02	USS 3808, Lot 1A	\$27,000	AP&T
LND-0802	LD 2017-03	Lot 2, Renninger Subdivision	\$204,000	AHDC
LD 2017-04	LD 2017-04	Tract 1, Savikko Park	Land Trade	Ruth Pedersen
LD 2018-01	LD 2018-01	Lot 10, Block A, South Lena Subdivision	\$110,000	Kraft

53.09.180(a)(2) Priorities for disposal for the next two years

The disposals outlined below have been established from the direction outlined in the 2016 Land Management Plan and the 2016 Implementation Strategy.

- 1) Pederson Hill Subdivision Phase I (17 Lots)
- 2) Lots 4 and 5, Renninger Subdivision
- 3) Fractions of USS 3559 (adjacent to Bonnie Brae and Sundown Drive)
- 4) A fraction of USS 381 (9290 Hurlock Ave)
- 5) South Lena Subdivision, Block B, Lot 1 (4 lots)
- 6) Juneau Townsite, Block 115, Lot 5 (2017 Siddon request)
- 7) USS 3559, Lot 2 (2017 Williams request)
- 8) Juneau Townsite, Block 11, Lots 2 & 3, fraction of Lot 8 (North Franklin Parking Lot)
- 9) Tract A, SSG Subdivision, (industrial property)
- 10) USS 3379, Lot 11 (484 Basin Road)
- 11) USS 3051 Lot 10A (Matsumoto request)

53.09.180(a)(3) A description of planned land disposal activities for the next two years and an analysis of the land fund's ability to support those activities

- 1) Pederson Hill Subdivision Phase I:

The Pederson Hill CIP had a budget of \$6.4 Million. Phase 1 is currently under construction and there is \$2.4 million remaining in the project's CIP. Any funds remaining in this CIP after Phase I is completed will be utilized for Pederson Hill Phase II.

- 2) Lots 4 and 5, Renninger Subdivision:

The Renninger Subdivision was completed in 2016 and 4 of the 6 lots have been sold. The 2 remaining lots are currently advertised for disposal as an over-the-counter sale. Since all associated development costs have already been addressed, the sale of these lots will positively impact the Land Fund's ability to move forward with additional development activities.

- 3) A fraction of USS 3559 (adjacent to Bonnie Brae and Sundown Drive):

The Land management Plan provided direction to subdivide this parcel into fractions. Some of the smaller parcels will be suitable for future disposal. The 2019 Lands and Resources Division budget allocated funds for the creation of a future subdivision at this location. In the long run, sale of lots created by this subdivision will increase the Land Fund.

4) A fraction of USS 381 (9290 Hurlock Ave):

In the 2016 Land Management Plan, this property was designated for retention. After Juneau Youth Services vacated their lease in early 2018, the Assembly provided direction to dispose of this property to Alaska Legacy Partners. The disposal of this property will positively affect the Land Fund.

5) South Lena Subdivision, Block B, Lot 1:

The 2016 Land Management Plan designated this property for disposal. Prior to disposal this property will be subdivided into four lots. The disposal of this property will have a positive effect on the Land Fund.

6) Juneau Townsite, Block 115, Lot 5 (2017 Siddon Request):

The Siddon's approached the City in 2017 with a request to purchase the City owned parcel adjacent to their home. All costs associated with this disposal will be borne by the applicant. The disposal of this property will positively affect the Land Fund.

7) USS 3559, Lot 2 (2017 Williams Request):

Mr. Williams approached the City in 2017 with a request to purchase City land adjacent to his personal property. All costs associated with this disposal will be borne by the applicant. The disposal of this property will positively affect the Land Fund.

8) Juneau Townsite, Block 11, Lots 2 & 3, fraction of Lot 8 (North Franklin Parking Lot):

The Assembly provided direction to dispose of the property to Eagle Rock Ventures (ERV), a development firm, in order to construct workforce housing in the Downtown Core. ERV is currently problem solving the various financial constraints associated with the development of this property. The Assembly directed all revenue from the sale of this lot into a future Parking CIP. This action will negatively impact the Land Fund's ability to move forward with future development activities.

9) Tract A, SSG Subdivision:

This strip of industrial property is located in Lemon Creek. It has been retained for future road alignment options, but considering the current road network in Lemon Creek, this land may be more appropriately used for industrial purposes. Due to the parcel's physical constraints, adjacent property owners would be the most realistic purchasers. An evaluation of the cost of subdividing this property in comparison with the potential sale price has not yet been conducted. It is anticipated that sale of this property will provide a net gain for the Land Fund.

10) USS 3379, Lot 11 (484 Basin Road)

This vacant parcel on Basin Road will be evaluated for disposal. If the site is suitable for residential construction, the sale of this property would be beneficial for the Land Fund.

11) USS 3051 Lot 10A (Matsumoto request)

Ms. Matsumoto approached the City 2017 with a request to purchase the City owned parcel adjacent to her personal property. All costs associated with this disposal will be borne by the applicant. This lot is managed by the Parks and Recreation Department, prior to selling this lot, the Parks and Recreation Advisory Committee will need to be consulted and Assembly approval will be required. If approved, the sale of this lot will be positive for the Effect Fund.

53.09.180(a)(4) A list of properties acquired by the City and Borough during the previous two years

Property File #	Legal Description	Price	Seller
LND-0323	Fraction USS 1500 and Alaska Tideland Survey 415	N/A- Land Donation	General Services Administration

53.09.180(a)(5) A list of priorities for land acquisitions for the next two years

The Lands and Resources Division will continue to acquire private property or property owned by other governmental entities in instances when acquisition of a specific parcel has been identified in the Comprehensive Plan, the Capital Improvement Plan, the Parks and Recreation Comprehensive Plan, or any other plan adopted by the CBJ, and is identified as a benefit to the Juneau community.

In addition to those parcels identified for acquisition in adopted plans, the CBJ will occasionally undertake the acquisition of property not previously identified in order to respond to a unique opportunity. Timing and opportunity are unpredictable factors in the land acquisition process. The opportunity to purchase property often arises unexpectedly and must be acted on quickly or risk being lost.

Property Currently Being Acquired:

1. Tidelands Addition, Block 68, Lot 14 (Former Public Safety Building)

Acquisition of this property is underway, with funding being provided by a State Parking Grant. Current proposal is to acquire the building in 2018 and demolish the building in early 2019. The short-term proposed use for this property is to provide parking to the State. The long-term plan is to use the property to achieve the goals of Chapter 5 of the Willoughby District Plan as incorporated in the Comprehensive Plan.

June 11 2018

CBJ Assembly
Lands Committee





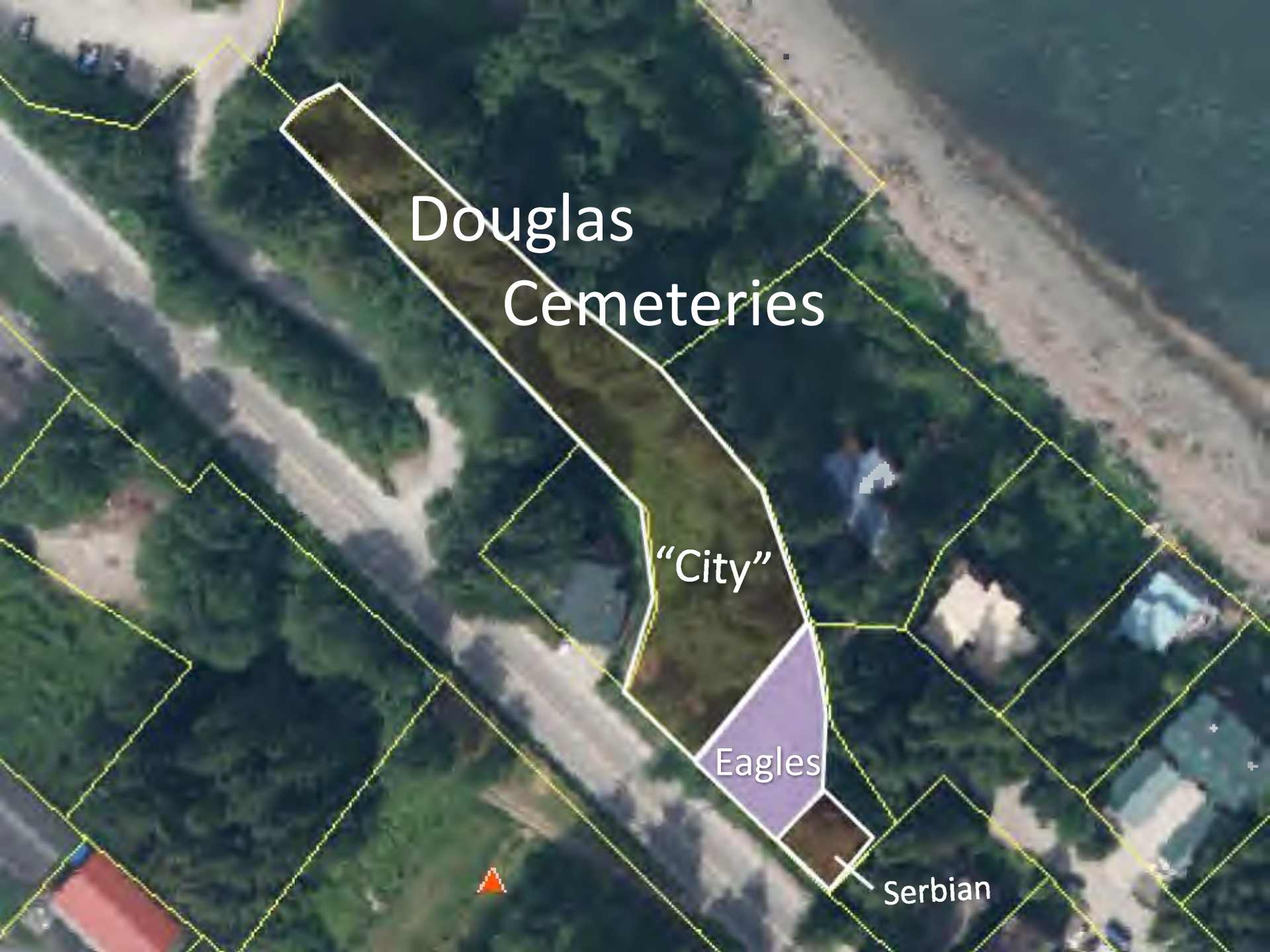
Douglas Cemeteries

Serbian
Eagles
City

Douglas Native Cemetery

Catholic
Russian Orthodox
Masons
Odd Fellows
Native
Asian



An aerial photograph of a cemetery area with several colored overlays and labels. A large green area is outlined in white and labeled "Douglas Cemeteries". Within this area, a smaller green section is outlined in yellow and labeled "City". To the right of the "City" section, a purple section is outlined in white and labeled "Eagles". Below the "Eagles" section, a small brown section is outlined in white and labeled "Serbian". A red triangle is located in the bottom left corner of the image. The background shows a mix of green trees, a road, and a body of water in the top right corner.

Douglas Cemeteries

"City"

Eagles

Serbian

CBJ§53.04.030 - Grants and gifts.

Real property to be acquired as a grant or as a part of a program of grants or which is offered to the City and Borough as a gift, or at less than fair market value and which is not required for an approved project, may be accepted only upon the approval of the assembly by resolution.

An aerial photograph of a cemetery area with yellow dashed lines delineating various plots. A large, elongated section is highlighted in orange and labeled "Douglas Cemeteries" and "'City'". A smaller, purple-shaded section at the bottom right is labeled "Eagles". A small, dark red-shaded section at the very bottom right is labeled "Serbian" with a white line pointing to it. A small orange triangle is located in the lower-left quadrant of the image.

Douglas Cemeteries

"City"

Eagles

Serbian

Douglas Cemeteries

Masons

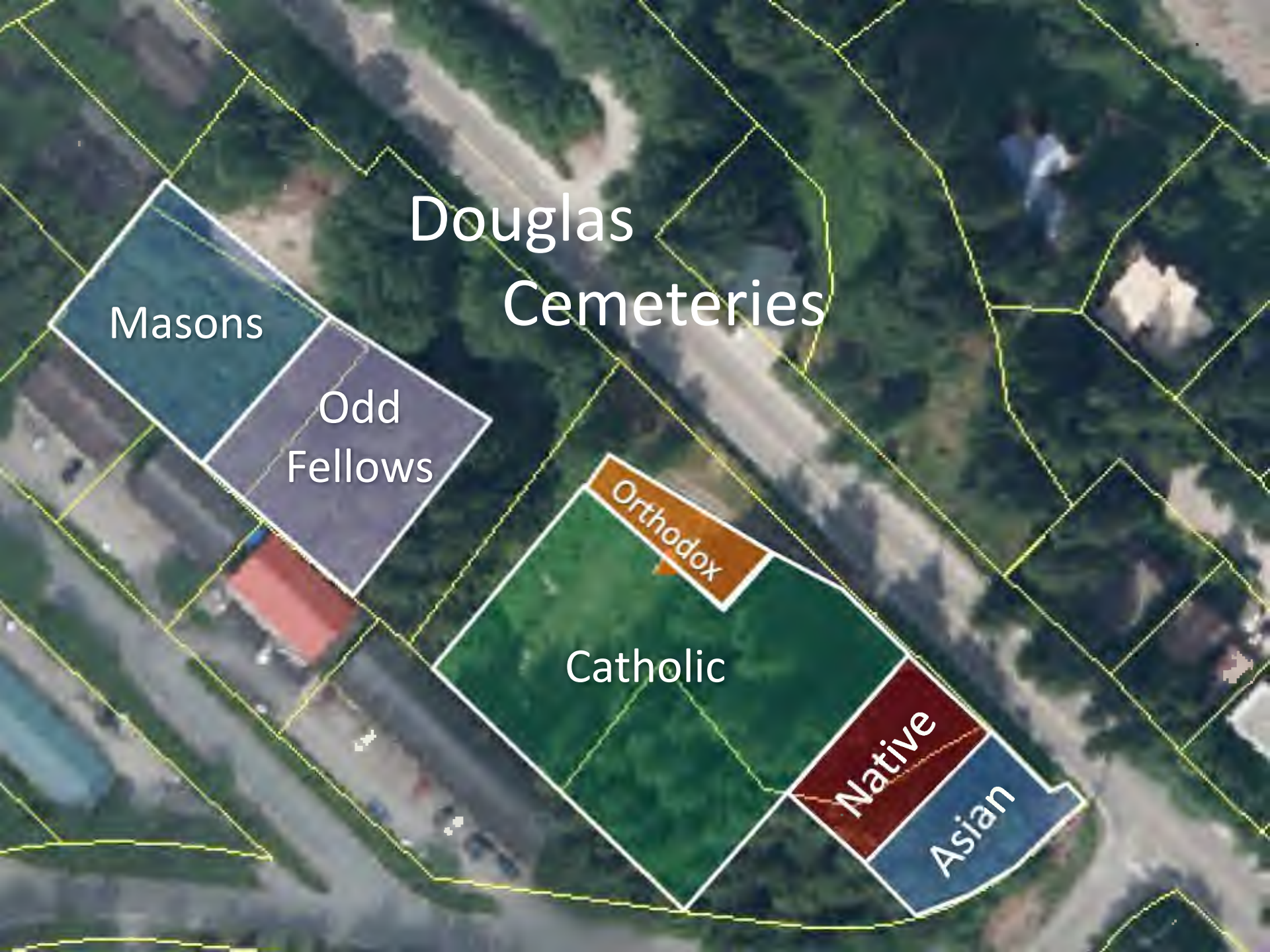
Odd
Fellows

Orthodox

Catholic

Native

Asian



High



Medium



Minimal



No
Maintenance



Estimated Cost of Maintenance

Cemetery	Initial Clearing (Contractor)	Labor (FTE)	Labor Costs (FY19)
Servian Cemetery "City" Cemetery	\$5,000	0.09 FTE	\$6,480
Eagles' Cemetery	\$0	0.02 FTE	\$1,440
Asian Cemetery Native Cemetery Catholic Cemetery Russian Orthodox Cemetery	\$3,000	0.14 FTE	\$9,360
Masons Cemetery	\$2,500	0.05 FTE	\$2,880
TOTAL	\$10,500	0.30 FTE	\$21,600

2018
Biennial Status Report
For The
2016 Land Management Plan

53.09.180(a)(1) A list of City and Borough lands that have been sold or otherwise conveyed out of City and Borough ownership during the previous two years

South Lena Subdivision



USS 3808, Lot 1A

Lot Line Adjustment



Tract 1, Savikko Park

Completion of 1960's Era Land Trade



Renninger Subdivision



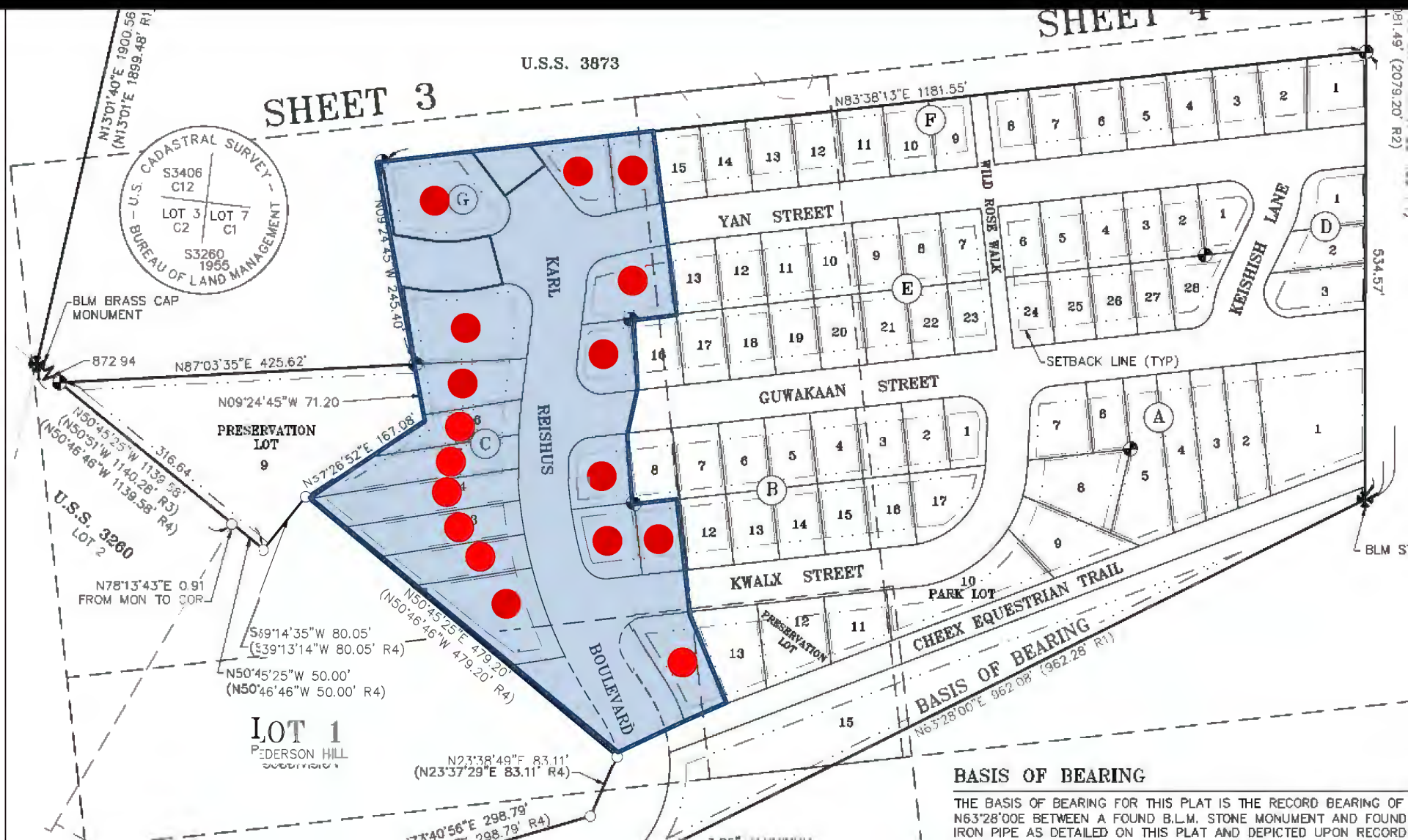
Renninger Subdivision



53.09.180(a)(2) Priorities for disposal for the next two years

53.09.180(a)(3) A description of planned land disposal activities for the next two years and an analysis of the land fund's ability to support those activities

Pederson Hill Subdivision Phase I - 17 Lots

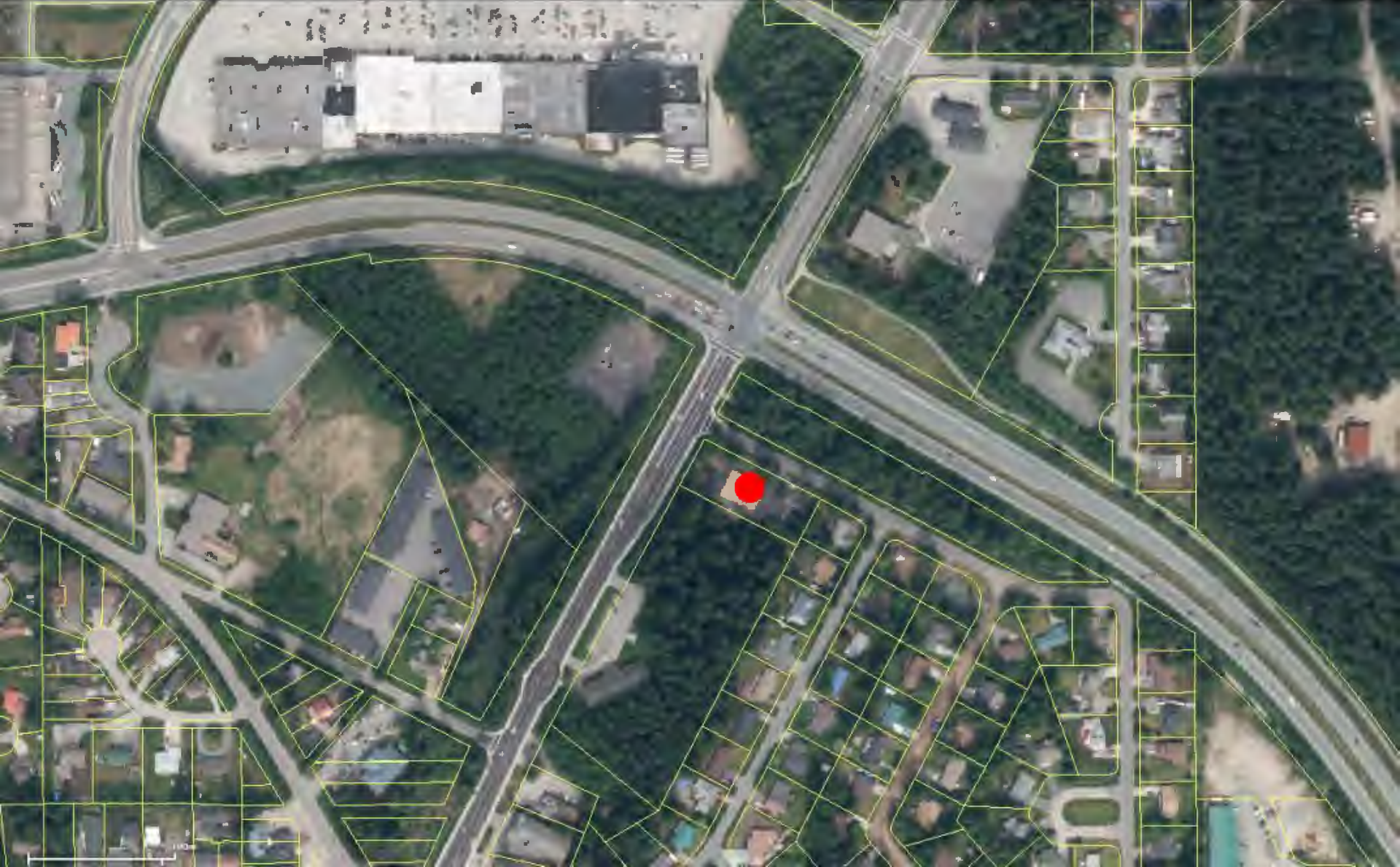


Fractions of USS 3559



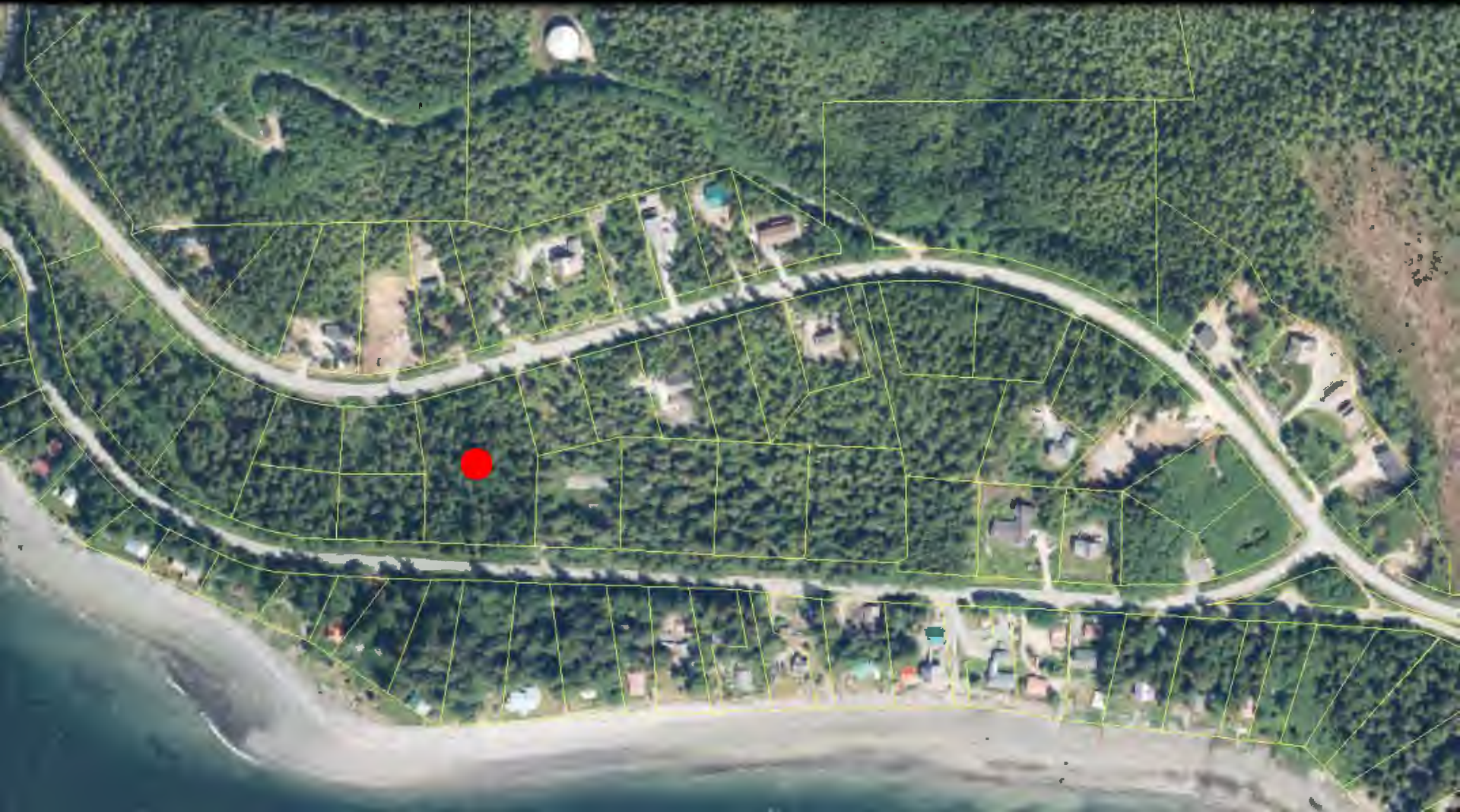
Fractions of USS 381

9290 Hurlock Ave



South Lena Subdivision

Block B, Lot 1



Juneau Townsite

Block 115, Lot 5 (Siddon Request)



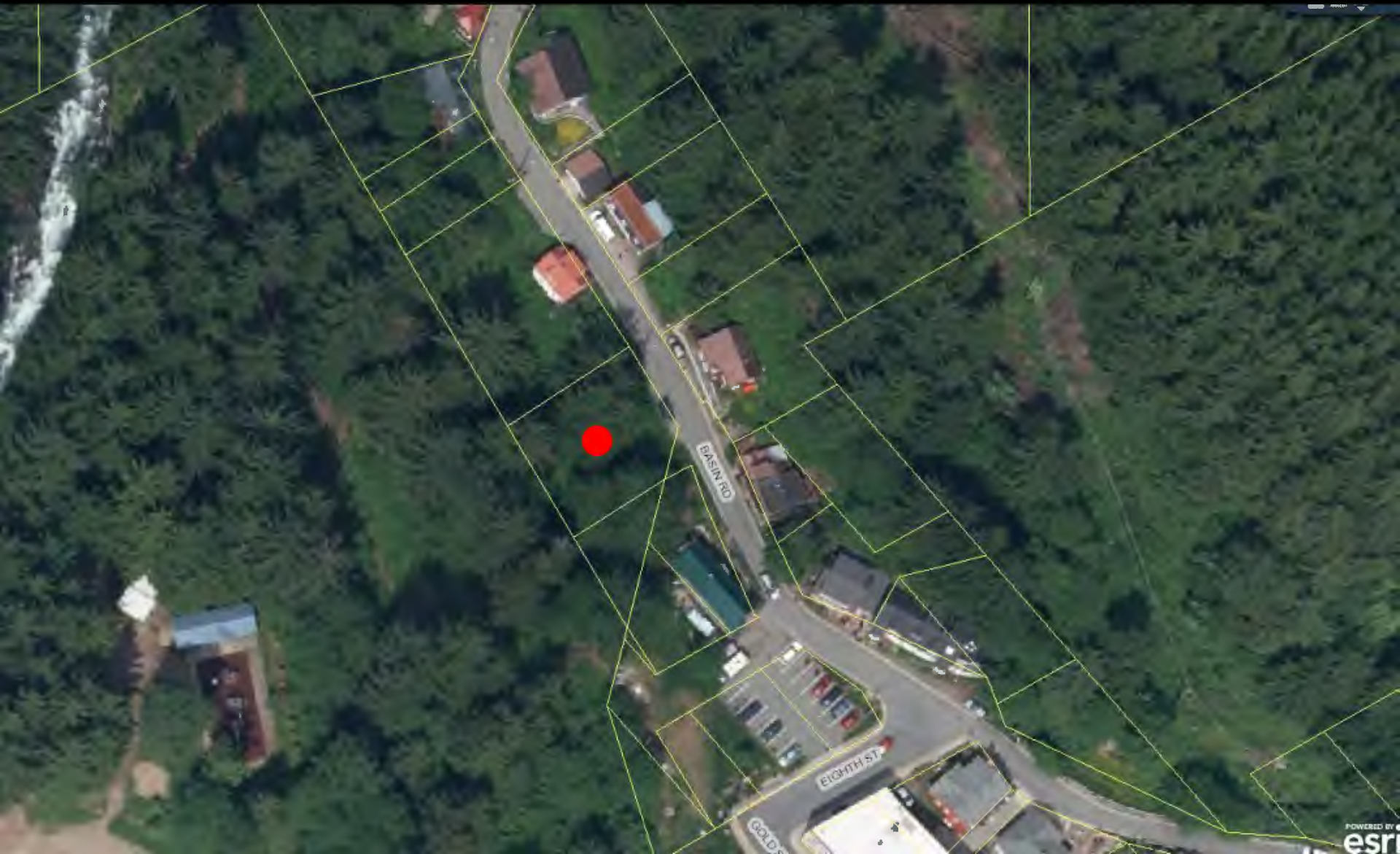
USS 3559, Lot2 (Williams Request)



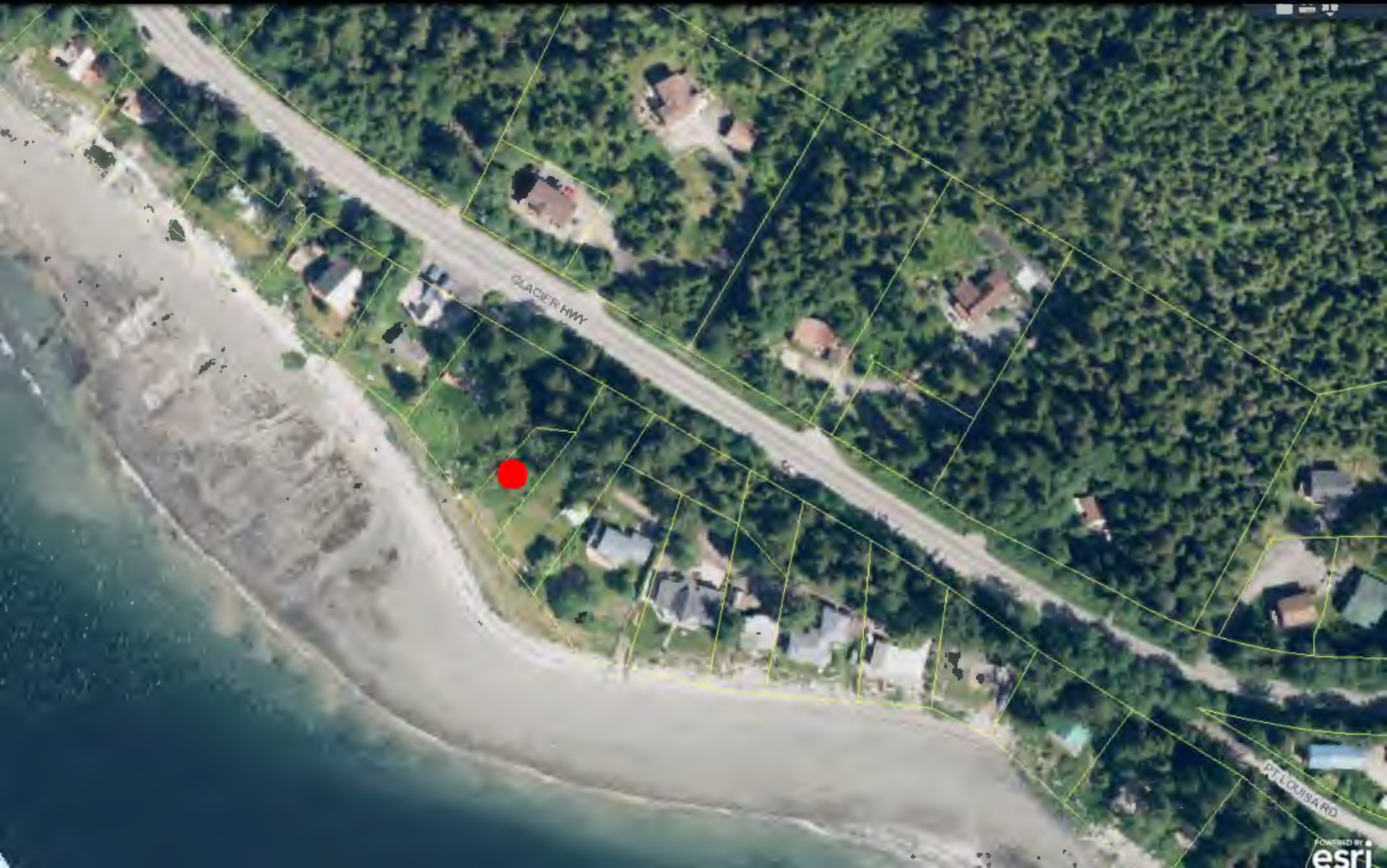
Tract A, SSG Subdivision (Industrial Property)



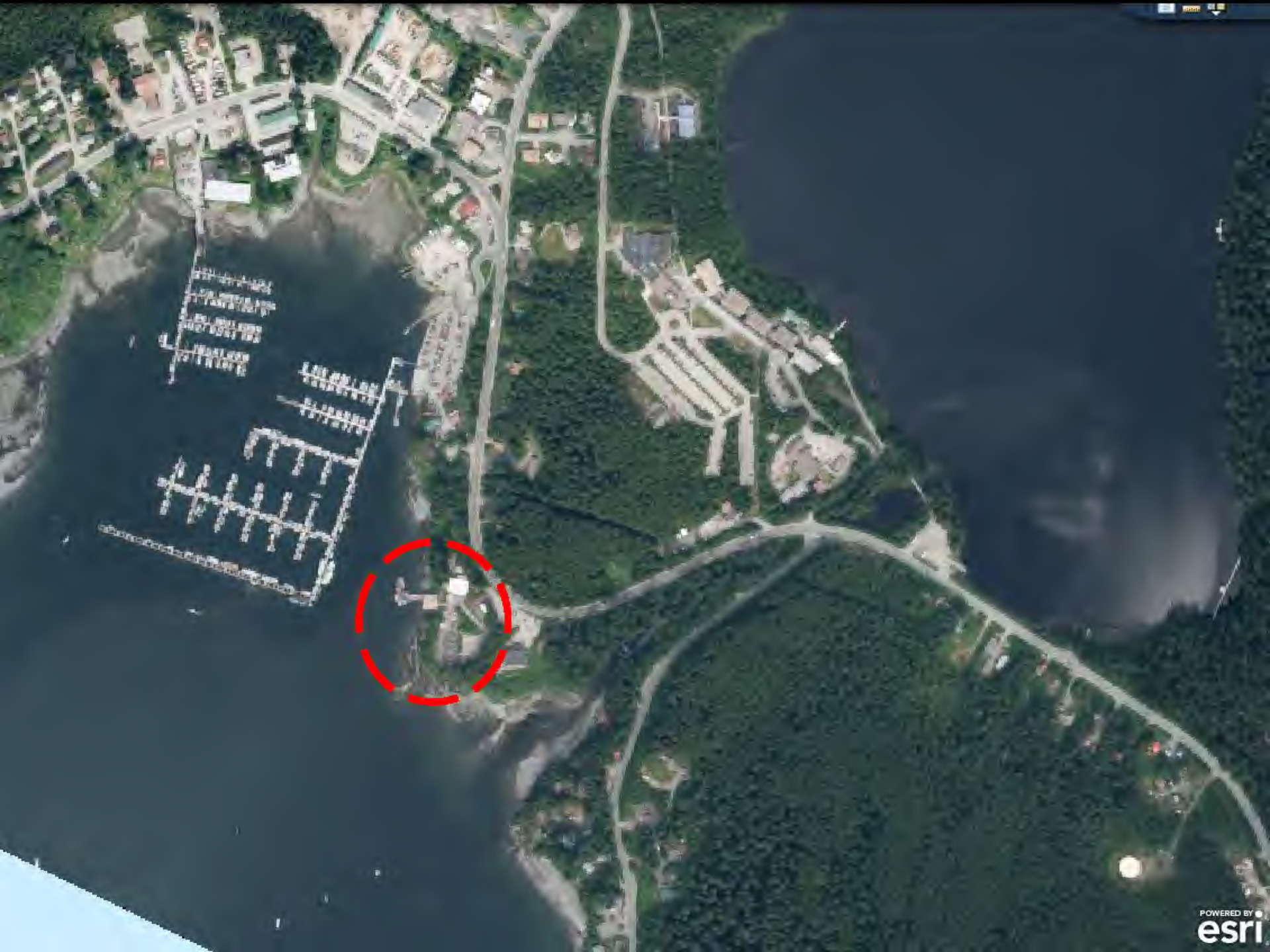
USS 3399, Lot 11 (484 Basin Road)



USS 3051, Lot 10A (Matsumoto Request)

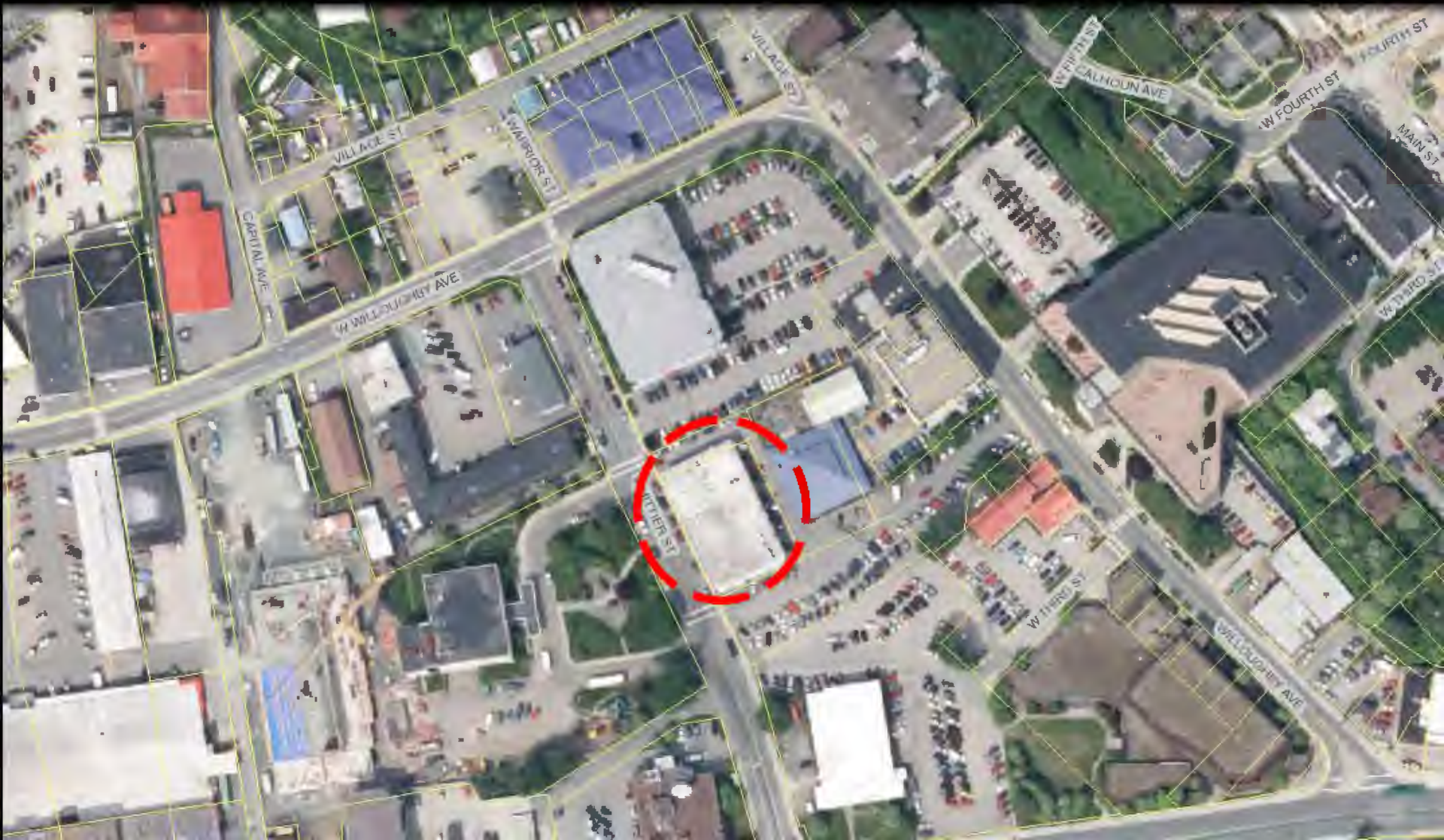


53.09.180(a)(4) A list of properties acquired by the City and Borough during the previous two years



53.09.180(a)(5) A list of priorities for land acquisitions for the next two years

Former Public Safety Building



Staff Recommendation

The Lands Committee adopt a motion forwarding the
proposed

2018 Biennial Status Report for the 2016 Land
Management Plan

to the Full Assembly with a positive recommendation