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 and Ms. Friedlander replied that Ms. Johnson 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.