

Minutes
Assembly Lands Committee
Monday, April 29, 2013, 5:00 p.m.
Assembly Chambers

I. Call to Order

Carlton Smith called the meeting to order at 5:00pm.

Members Present: Mary Becker; Carlton Smith; Johan Dybdahl; Loren Jones

Liaisons Present: Nathan Bishop; Michael Williams; Chris Mertl

Staff Present: Rob Steedle, Deputy City Manager; Greg Chaney, Lands & Resources Manager;
John Hartle, City Attorney; Jessica Beck, Lands & Resources Specialist

II. Introduction of New Lands Manager

Mr. Steedle introduced Greg Chaney as the newly appointed Lands Manager. Mr. Chaney gave an overview of his background and upcoming projects he hopes to work on.

III. Agenda Changes

There were no agenda changes.

IV. Approval of Minutes

The minutes of the following Lands Committee were approved:
March 11, 2013

V. Public Participation – Non-Agenda Items

There was no public participation on non-agenda items.

VI. Action Item

A. Ordinance 2012-49 – Amending the Disposal Section of the Land Management Code

Mr. Steedle: Ordinance 2012-49 was forwarded to the Airport Board and Docks & Harbors Board for their review and comments. Docks & Harbors reviewed it at their March 28th meeting and recommended approval. The Airport Board reviewed it at their April 10th meeting. The Airport Board felt that this ordinance should not apply to aeronautical lands. They don't have much land and they're not likely to be giving any of it up. Most of their land is encumbered because it was purchased using FAA grant funds. It would be inappropriate to exclude aeronautical lands from the land management and disposal code. This is the CBJ's mechanism for disposing of land and it should stand as written. This ordinance merely says how to dispose of land, not the mechanism for determining the retention of land.

Mr. Hartle: The idea of this ordinance is to not make many policy changes and just clean it up. The Airport is part of the CBJ. If they have land that is encumbered by the FAA, then we're not going to sell it. They should follow the same rules as the other departments.

Mr. Bishop: The Planning Commission is potentially excluded from participation in negotiated sales, leases and exchanges under certain conditions. I'm not comfortable with that without more comments from the Planning Commission.

Mr. Hartle: Before land is sold there would be an ordinance that would go to the Planning Commission for review. The purpose was not to cut out the Planning Commission review; it was to avoid having two reviews.

Mr. Bishop: I read it that way the first time but the second time I read it, it seems like there is a backdoor avenue. The first Planning Commission review has been stripped out. Then the Assembly has the ability to set the terms and conditions of the negotiation so it doesn't come back to the Assembly. It would then go to the Planning Commission after the negotiation but since it doesn't have to go back to the Assembly, the Planning Commission comments won't go any farther.

Mr. Hartle: It says "after review of the Planning Commission". I don't see a path that goes around it.

Mr. Bishop: It does to go the Planning Commission but doesn't necessarily go to the Assembly after that.

Mr. Hartle: After the Planning Commission review it will get approval of the Assembly by ordinance.

Mr. Bishop: It says that it is subject to approval of the Assembly unless the minimum essential terms and authority of the manager to execute the disposal are set forth in the ordinance in act of pursuant to this subsection. The way I read that, it would be put in the ordinance by the first review of the Assembly.

Mr. Hartle: In the end it will come to the Assembly for approval of an ordinance to dispose of land and it will be in the recommendation of the Planning Commission.

Mr. Bishop: If it does go to the Planning Commission, that's fine with me. It just didn't read that way to me.

Mr. Jones: It seems that the last time this was at the Lands Committee Ms. Becker raised questions about the same section. No decisions were made on it and no changes have been made.

Mr. Hartle: That's the pre-negotiation approval. In the end it has to go through the authorization of Assembly by ordinance. If there's a Land Management plan, which is approved by the Assembly then that would satisfy the pre-negotiation piece.

Mr. Jones: I would ask that you go back and look at the minutes because Ms. Marlow said it doesn't have to go back to the Planning Commission at the last meeting.

Mr. Hartle: I think that was referring to the pre-negotiation approval. I will review the minutes.

Motion: Ms. Becker moved that the Lands Committee forward Ordinance 2012-49 to the full Assembly for its consideration.

Roll Call:

Aye: Becker, Dybdahl, Smith

Nay: Jones

Motion passes, 3 ayes, 1 nay.

VII. Information Items – none

VIII. Liaison Reports

Mr. Williams: Docks & Harbors is looking at fee and moorage charges and increasing them. They had a public hearing on it and no one participated. The loading zone at the Aurora Harbor south approach which is where the office is located was looked at by PND Engineering. It needs some care. They're talking about closing it down to only foot traffic. The Morgan Anne was recognized for assisting another vessel during a storm and stopped it from grounding in tidelands. We don't want a vessel going into the tidelands. There's a house bill for abandoned

vessels. They cost a substantial amount to remove them and it can be difficult. The municipalities didn't have the authority to act on them and the bill will give municipalities more rights and enforcement power. The Statter Harbor ribbon cutting will be on May 15th around noon. The construction is on schedule.

Mr. Bishop: We had a full meeting last week. The biggest thing was a zone change in the west Mendenhall Valley. A 17 acre parcel and 4 acre parcel went from D3 to D5. It was recommended for approval to the Assembly. There were series of conditional uses and variances for two 13 unit multifamily developments behind the Jordan Creek Mall. An upcoming transit plan was discussed. We're looking at hiring a consultant for it. They will look at local lands and partner with land owners to have higher density transit oriented developments.

Mr. Mertil: I'm stepping in for Jeff Wilson for PRAC. We moved all of our bylaws into a resolution. We had our officers elected. Jeff will be chair and Kate Walters and I will both be Vice Chair. Last month was the grand opening of the Caouette Memorial Shelter at Twin Lakes. That will become a Parks and Recreation managed facility. We have begun a master plan for Cope Park and demolition of the restrooms and shelters located there. The demolition will begin in the next few months and the master plan completed later this summer. Over the winter months the Capital School Park master plan was completed. There is now a preferred master plan for the park. We recognized Jim King who was on PRAC for 45 years. We had a resolution for him and he was recognized at the last Assembly meeting. We've begun working on the Auke Lake Management Plan. Two plans were sent forward and they will be discussed at the Committee of the Whole at their May 6th meeting.

IX. Next Meeting

May 20, 2013 at 5:00pm in the Assembly Chambers.

X. Adjournment

Meeting adjourned at 5:39pm.