ASSEMBLY HUMAN RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA

February 29, 2016 6:00 PM
Assembly Chambers

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

IV. PUBLIC PARTICIPATION

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

V. AGENDA TOPICS

A. Board Matters

1. Fisheries Development Committee Annual Report
2. Local Emergency Planning Committee Annual Report and Appointments
3. Sister Cities Committee Annual Report and Appointments
4. Friends of the Flag Committee Discussion re: Organization and Membership

B. Liquor Licenses

1. Continued Discussion re: Tides Complex, Inc. dba Dragon Inn Chines Cuisine Inc. Liquor License protested renewal

C. Other Business

VI. STAFF REPORTS

VII. COMMITTEE MEMBER COMMENTS AND QUESTIONS

VIII. 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

FISHERIES DEVELOPMENT COMMITTEE
ANNUAL REPORT FEBRUARY 2016

The purpose of the Fisheries Development Committee is to advise and assist the Assembly in all aspects of fishing activities in the City and Borough of Juneau. The members of the committee are Thomas Fletcher, Abe Tanha, Zach Wilkerson, David Harmon and Chair Jim Becker. We currently have two vacancies. Last year we had two resignations: Lindsey Bloom, due to work and family conflicts and Greg Fisk due to his election as Mayor.

Because of the on-going problem of reaching quorum, it was Greg Fisk's suggestion that we decrease the membership of the Committee from seven to five. We always have at least three for a quorum as well as many industry shadows. We request that you decrease the committee membership size from seven to five.

We continue to work on many of the issues identified from our survey of 08-09. We worked closely with Docks and Harbors on two projects that involve maritime infrastructure, one at the University property across from JDHS (see attached) and the other a tide land trade. Greg Fisk and I showed the project sites to the last two Land Chairs: Carlton Smith and Jesse Kiehl. Both of these projects are on hold until the Docks and Harbors study, "Land Use and Strategic Financial Planning for Downtown Harbor Facilities" is completed.

We partnered with Fish and Game Sport Fish Division and the Seal Trust on a roadside fishing project in North Douglas that is nearly complete.

Jim Becker, Chair

Harris Harbor

1. UAS
2. Maritime Hydraulics
3. Travel Lift
4. Crane Dock
5. Proposed Drive down Dock
6 Juneau Marine Services

City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801
tel. 907-586-5240
fax 907-586-5385
http://www.juneau.org

CBJ BOARDS, COMMITTEES, COMMISSIONS & TASK FORCES

Fisheries Development Committee Fact Sheet

Title: Fisheries Development Committee

Type of Board/Commission/Committee: Advisory

Affiliated Department: City Clerk

Status: Active

Governing Legislation:
-Resolution 2418
-Date Created: September 11, 1989
-Sunset Date: N/A

To reference the general rules of procedure and informational booklet for all boards, please see the documents available on the General Board Information page.

Description: Section 2. Committee Purposes. The purpose of the Committee shall be to advise and assist the Assembly regarding all aspects of fisheries development and enhancement in the Juneau area, including expanded salmon production such as wild stock stream enhancement and aquacultural development, infrastructure requirements, cold storage facilities, secondary processing facilities, fisheries terminal facilities, and recreational fishing opportunities. In carrying out its functions, the Committee should draw on the expertise of professionals in the field from the University of Alaska Southeast, the National Marine Fisheries Service, and the Alaska Department of Fish and Game as technical advisers. The Committee shall perform such other functions and advise the Assembly on such other matters as the Assembly may request.

Membership: The Committee shall consist, of seven members appointed by the Assembly to serve for three-year staggered terms. In future appointments, the Assembly shall endeavor to select persons with demonstrated interest in fisheries development, including but not limited to such areas of interest and experience as commercial fishing, sport fishing, processing and transporting of fish, support, service, and supply needs of the commercial fishing fleet and recreational fishing boats, aquacultural development, and fish habitat protection and enhancement.

Officers: Chair - Jim Becker

Quorum: 4

Term Limits: None

Annual Appointment Period (Annual Reports Due): January

Meetings: The Fisheries Development Committee meeting dates are set at the close of each meeting. Typically, they try to meet the First Thursday of every month at 6:30p.m. in the Juneau Economic Development Council Boardroom (612 Willoughby). Click on the Calendar Link in the top menu to view the Master City Calendar for the next scheduled meeting of the committee.

Special Facts:

Staff Contact: City Clerk's Office - 586-5278 - City_Clerk@ci.juneau.ak.us

Website: http://www.juneau.org/clerk/boards/Fisheries_Development_Committee.php

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Presented by: The Manager
Introduced: 09/24/2007
Drafted by: J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2418

A Resolution Reestablishing the Fisheries Development Committee, and Repealing Resolution 1399.

WHEREAS, fisheries development, including the production, harvesting, primary and secondary processing, and transporting businesses associated with commercial and recreational fisheries, continue to be a very important area of economic activity in Juneau; and

WHEREAS, in Resolution 1399 the Assembly determined that the establishment of a fisheries development committee would assist in furthering the goal of fisheries development in Juneau; and

WHEREAS, it is in the public interest to reduce the membership on the Fisheries Development Committee from nine to seven members to better meet quorum requirements and recruitment needs.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Committee Reestablished. There is reestablished the City and Borough of Juneau Fisheries Development Committee. The Committee shall consist of seven members appointed by the Assembly to serve for three-year staggered terms. In future appointments, the Assembly shall endeavor to select persons with demonstrated interest in fisheries development, including but not limited to such areas of interest and experience as commercial fishing, sport fishing, processing and transporting of fish, support, service, and supply needs of the commercial fishing fleet and recreational fishing boats, aquacultural development, and fish habitat protection and enhancement.

Section 2. Committee Purposes. The purpose of the Committee shall be to advise and assist the Assembly regarding all aspects of fisheries development and enhancement in the Juneau area, including expanded salmon production such as wild stock stream enhancement and aquacultural development, infrastructure requirements, cold storage facilities, secondary processing facilities, fisheries terminal facilities, and recreational fishing opportunities. In carrying out its functions, the Committee should draw on the expertise of professionals in the field from the University of Alaska

Southeast, the National Marine Fisheries Service, and the Alaska Department of Fish and Game as technical advisors. The Committee shall perform such other functions and advise the Assembly on such other matters as the Assembly may request.

Section 3. Staff Assistance. Staff support and assistance to the Committee shall be provided by the Harbors Department, as available and appropriate.

Section 4. Procedures. The rules of procedure for Assembly advisory committees as established by Resolution Serial No. 2246, as it may be amended from time to time, shall govern the conduct of business by the Committee.

Section 5. Repeal of Resolution. Resolution 1399 is repealed.

Section 6. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 24th day of September, 2007.

Bruce Botelho, Mayor

Attest:

Laurie J. Sica, Clerk

FISHERIES DEVELOPMENT COMMITTEE

Governing Legislation: Resolution 2418

Total # of Seats: 7

Active Member or Liaison	Board Membership	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins	Term Expires	Appointment Date	Reappointed 1	Reappointed 2	Comments
Yes	Fisheries Development Committee	Mr.	Thomas	Fletcher	Public		4/22/2013	1/31/2016	6/29/2009	3/15/2010	4/22/2013	Resource Data Inc. Project Manager
Yes	**Fisheries Development Committee**		**Open Seat**	**Open Seat**	**Public**			**1/31/2017**				**Seat formerly held by Lindsey Bloom**
Yes	Fisheries Development Committee	Mr.	James	Becker	Public	**Chair**	2/24/2014	1/31/2017	6/11/2009	3/21/2011	2/24/2014	Commercial Fisherman; DIPAC, United SE Alaska Gilnetters member
Yes	Fisheries Development Committee	Mr.	Zach	Wilkinson	Public		2/2/2015	1/31/2018	2/2/2015			JEDC Program Officer
Yes	Fisheries Development Committee	Mr.	David	Harman	Public		2/2/2015	1/31/2018	2/2/2015			Fisherman (Harmon & Sons Fishing), Member of Seafood Producers Coop
Yes	**Fisheries Development Committee**		**Open Seat**	**Open Seat**	**Public**			**1/31/2018**				**Seat previously held by Greg Fisk (who was elected Mayor 10/2015)**
Yes	Fisheries Development Committee	Mr.	Abe	Tanha	Public		4/22/2013	1/31/2016	4/22/2013			Owner/Fishing Tour Guide "Hooked on Juneau"

MEMORANDUM

CITY/BOROUGH OF JUNEAU
Emergency Programs Division
155 S. Seward St., Juneau, Alaska 99801
michelle_brown@ci.juneau.ak.us

Voice (907) 586-0371
Fax (907) 586-4517

DATE: February 29, 2016

TO: HRC

FROM: Michelle Brown, Emergency Programs Grant Coordinator
THROUGH: Dan Garcia, Chair, Juneau LEPC

SUBJECT: Annual Juneau Local Emergency Planning Committee (LEPC) Report

Annual Report by Dan Garcia, LEPC Chairperson

Regular LEPC Public meetings are held on the 2nd Wednesday of each month. In 2015 the November meeting was cancelled due to a conflict with it being on Veterans Day. Public notices for upcoming events occur monthly in PSA's and through newspaper, radio, e-mail, local meetings, and bulletin boards. LEPC members have done preparedness presentations on radio, television, conferences, and public events. We have strong participation of both seated members and the general public resulting in an average group size of 19 people; including regular participation from J.A.M.H.I. and S.A.I.L. with the CBJ providing a deaf interpreter. The Vulnerable Populations seat added in 2014 helped strengthen our outreach to the public. Monthly Minutes are provided to the CBJ Clerks Office. For 2015 all the positions were filled. We need to update our renewed year end expired seats. A State of Alaska LEPC Grant with no match requirement reimburses the CBJ for wages and benefits for hours spent on LEPC goals and activities by Michelle Brown. That grant also provides funding for LEPC and Community Emergency Response Team (CERT) activities, outreach materials, and advertising.

In 2015 the LEPC was represented in the following activities:

- Tier II reporting identification and outreach to local businesses and public info ads
- For 2016 there is a new electronic Tier II reporting system in place through the State of Alaska. This is something the Juneau LEPC has been actively advocating for over the last 8 years.
- The Juneau LEPC is a National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Weather-Ready Nation Ambassador; the Committee is committed to work with NOAA and other Ambassadors to strengthen national resilience against extreme weather, water, and climate events thru public outreach and information sharing.
- United States Coast Guard (USCG) Stand Down-A full day of Juneau preparedness information tailored to the USCG
- Several members regularly attend the Spring and Fall Bi Annual Conference and Local Emergency Planning Committee Association (LEPCA) meetings

- 2015 Biennial Preparedness Fair with many local and State partners was hosted by the Juneau LEPC (attendance over 350)
- Central Council Tlingit Haida Indian Tribes of Alaska (CCTHITA) Wellness Caregivers Conference presentations to encourage planning for a safe and responsible response to any emergency
- Area Maritime Security Committee Table Top Exercises & Function Exercise Planning
- Airport/Bartlett Regional Hospital (BRH) Exercise
- Revision of CBJ Emergency Operations Plan (EOP)/All Hazard Mitigation Plan (AHMP) Annex have been completed and are ready for presentation to the Assembly for adoption
- Tank Farm evaluation, report, training, and exercise were completed to increase efficiency of tank farm safety and response in Juneau
- Juneau Elderly Housing and Care facilities presentations to clarify their role in both responsible response and Local Emergency Planning
- City and Juneau School District adopted Alert, Lockdown, Inform, Counter, Evacuate (A.L.I.C.E.) Training for proactive survival strategies when dealing with violent intruder or active shooter situations. LEPC has been trained and supported ongoing training throughout the community.
- Participated in Red Cross training and sheltering events
- Participated and sponsored Public Health inoculation public event and exercise
- Paid for and distributed posters encouraging Hand Washing to prevent disease

The LEPC State grant supports Community Emergency Response Teams (CERT). This grant provided funding for over 156 CERT Kits for new members as well as printed materials and advertising. The Juneau CERT was reactivated in 2012 and since that time has trained over 178 folks in Juneau to be better ready to respond responsibly to an emergency. The CERT holds monthly meetings with advanced competency training. CERT's calendar year goals are to:

- Provide Certification Training semi-annually
- Become deployable. CERT is currently working with Police, Fire, and Red Cross to form partnerships to provide deployable volunteers when needed. Volunteers wishing to become deployable would request a background check and complete all additional training required by the group or groups they want to work with.

LOCAL EMERGENCY PLANNING COMMITTEE
(LEPC)
ATTENDANCE SHEET
2014 - 2015

X=PRESENT A=ABSENT ▒ = MEETING CANCELLED

SEAT #	2014	01.08	02.12	03.12	04.09	05.14	06.11	07.07	08.13	09.10	10.15	11.12	12.10	PRESENT	ABSENT
MD	**TOM MATTICE**	X	X	X	X	A	X	X	▒	X	A	X	X	9	2
MDa	MICHELLE BROWN	X	X	X	X	X	X	A	▒	X	X	X	X	10	1
1	JONES/ **MARIA GLADZISZEWSKI**	X	A	X	A	X	X	A	▒	A	A	A	A	4	7
1a	NONE APPOINTED								▒					0	0
2	**ED MERCER**	X	X	X	X	A	X	X	▒	X	A	A	X	8	3
2a	DAVE CAMPBELL	X	X	X	A	X	A	A	▒	X	X	A	A	6	5
3	**NATHAN YOUNG**	A	X	X	A	X	A	A	▒	X	X	X	X	7	4
3a	RICH ETHERIDGE	A	A	A	A	A	A	A	▒	A	A	A	A	0	11
4	**ALISON BREHMER**	X	X	X	A	A	X	A	▒	X	X	X	A	7	4
4a	DESTINY SARGEANT	X	X	A	X	A	A	X	▒	A	X	A	X	6	5
5	**MIKE LOPEZ**	X	X	A	X	X	X	X	▒	X	X	X	X	10	1
5a	ROSE LAWHORNE	A	X	A	X	A	A	A	▒	A	A	A	A	2	9
6	**BILL LEGERE**	X	X	X	X	X	X	X	▒	X	A	X	X	10	1
6a	MIKKO WILSON	X	A	X	X	X	X	A	▒	X	A	X	X	8	3
7	**ROGER RETTIG**	X	X	A	X	X	X	X	▒	X	X	X	X	10	1
7a	SCOTT NOVAK	X	A	X	X	A	X	A	▒	A	A	A	X	5	6
8	**DAN GARCIA**	X	X	X	X	X	X	X	▒	X	X	X	X	11	0
8a	KIEFER/ALLISON NATCHER		X	X	X	X	X	A	▒	X	X	X	A	8	2
9	**MATT MUSSELWHITE**	X	A	A	X	X	X	X	▒	A	X	A	X	7	4
9a	ED WILLIAMS	X	X	A	X	X	A	A	▒	X	X	X	A	7	4
10	**PAUL NOWLIN**	A	X	A	X	X	X	X	▒	X	A	X	X	8	3
10a	JOEL CURTIS	X	X	X	A	X	A	X	▒	X	X	X	X	9	2
									▒					0	0
									▒					0	0
		1	2	3	4	5	6	7	8	9	10	11	12		

X=PRESENT A=ABSENT ▒ = MEETING CANCELLED

SEAT #	2015	01.14	02.11	03.11	04.08	05.13	06.10	07.08	08.12	09.09	10.14	11.11	12.09	PRESENT	ABSENT
MD	**TOM MATTICE**	A	X	A	A	X	A	X	X	A	X	▒	X	6	5
MDa	MICHELLE BROWN	X	X	X	A	X	X	A	X	X	X	▒	X	9	2
1	**MARIA GLADZISZEWSKI**	A	X	X	A	A	X	A	X	A	A	▒	A	4	7
1a	NONE APPOINTED											▒		0	0
2	**ED MERCER**	A	A	A	X	X	A	A	A	X	X	▒	X	5	6
2a	CAMPBELL/SCOTT ERICKSON	A	A	A	A	A	A	X	A	X	A	▒	X	3	8
3	**CHAD CAMERON/ED QUINTO**	X	X	X	X	X	X	X	X	X	X	▒	X	11	0
3a	RICH ETHERIDGE	A	A	A	A	A	A	A	A	A	A	▒	A	0	11
4	**ALISON BREHMER**	A	X	X	A	A	A	A	X	A	X	▒	X	5	6
4a	DESTINY SARGEANT	X	A	A	A	X	A	A	A	X	X	▒	X	5	6
5	**MIKE LOPEZ**	A	X	A	A	X	A	A	X	A	A	▒	A	3	8
5a	CHERI MOYER	X	A	X	A	A	A	A	A	A	A	▒	A	2	9
6	**BILL LEGERE**	X	X	X	X	A	X	A	A	A	X	▒	A	6	5
6a	MIKKO WILSON	X	X	X	X	X	X	A	A	X	A	▒	X	8	3
7	**R RETTIG/ANDREW BOGAR**	X	X	X	X	X	X	X	X	X	X	▒	X	11	0
7a	SCOTT NOVAK	X	A	X	A	A	A	A	A	A	A	▒	A	2	9
8	**DAN GARCIA**	X	X	A	X	X	X	X	X	X	A	▒	X	9	2
8a	ALLISON NATCHER	X	X	X	X	X	X	X	X	X	A	▒	X	10	1
9	**MATT MUSSELWHITE**	X	X	A	X	A	X	A	X	X	X	▒	X	8	3
9a	ED WILLIAMS	X	X	X	X	A	X	X	X	A	A	▒	X	8	3
10	**PAUL NOWLIN**	X	X	X	X	X	X	A	X	X	X	▒	X	10	1
10a	JOEL CURTIS	X	X	A	A	A	X	A	X	X	X	▒	X	7	4
11	**PAM WATTS**	X	A	A	X	X	X	X	X	A	A	▒	A	6	5
11a	JASON BURKE	A	X	X	A	X	A	A	A	X	X	▒	A	5	6
		1	2	3	4	5	6	7	8	9	10	11	12		

City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801
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http://www.juneau.org

CBJ BOARDS, COMMITTEES, COMMISSIONS & TASK FORCES

Juneau Local Emergency Planning Committee (LEPC) Fact Sheet

Title: Juneau Local Emergency Planning Committee (LEPC)

Type of Board/Commission/Committee: Advisory

Affiliated Department: City Manager

Status: Active

Governing Legislation:
-Resolution 2689
-Alaska Statutes 26.23.071 & 26.23.073
-Resolution 2135 (Repealed by Res. 2689)
-Date Created: May 21, 1990
-Sunset Date: N/A

To reference the general rules of procedure and informational booklet for all boards, please see the documents available on the General Board Information page.

Description: Local Emergency Planning Committee. (Assembly nominations applicants and final appointments are done by the State Emergency Response Commission). Advises the fire chief on emergency management issues. Reviews the emergency response plan for the city and borough and keeps the plan up to date. Functions, when necessary, as the local emergency planning committee under SARA Title III.

Membership: Manager or Manager's designee + 11 voting members and 11 alternate members nominated by the Assembly and appointed by the Alaska State Emergency Response Commission.

Officers: Chair, Vice Chair, Secretary

Quorum: 6

Term Limits: None

Annual Appointment Period (Annual Reports Due): December

Meetings: 2nd Wednesday of each month at 12:00 Noon in the Bartlett Regional Hospital Administrative Board Room.

Special Facts: Applicants need to submit both a CBJ Board Application available online at http://www.juneau.org/clerk/boards/Application_Form.pdf and a State LEPC application form available online at http://www.juneau.org/clerk/boards/State_LEPC_Application_Form.pdf

Staff Contact: Tom Mattice, Emergency Program Manager - 586-0419 - Tom.Mattice@juneau.org

Website: http://www.ak-prepared.com/SERC/LEPC_Home

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Presented by: The Manager
Introduced: 07/21/2014
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2689

A Resolution Re-establishing the Juneau Local Emergency Planning Committee, Amending its Membership and Bylaws, and Repealing Resolution 2135.

WHEREAS, The Alaska Disaster Act, AS 26.23, together with the Emergency Planning and Community Right-to-Know Act of 1986, Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) establish requirements for business and industry, and federal, state, and local governments regarding emergency planning and community right-to-know reporting on hazardous substances; and

WHEREAS, implementing the community right-to-know provisions of state and federal law will serve to advise the public of the presence of hazardous substances in the community, and involve the public in preparing for, and mitigating the threat of accidental releases of these substances into the environment; and

WHEREAS, in 1991, pursuant to state and federal emergency planning and community right-to-know law, and at the request of the Assembly set forth in Resolution 1443, the Alaska State Emergency Response Commission designated the City and Borough of Juneau a Local Emergency Planning District; and

WHEREAS, pursuant to state designation as a Local Emergency Planning District, and under the authority of Resolution 1443 the Assembly appointed a Local Emergency Planning Committee; and

WHEREAS, in 1996, the Local Emergency Planning Committee was disestablished pursuant to Resolution 1830 and its functions made a part of the duties of a newly-created Emergency Management Advisory Group; and

WHEREAS, in 1999 the Assembly determined that disestablishment of the Local Emergency Planning Committee had been improvident and it was reestablished pursuant to Resolution 1989 in order to ensure compliance with federal and state community right-to-know law, meet community needs for emergency planning, and facilitate the integration of emergency plans generated by and for the hospital, the airport, the electric utility, oil spills, cruise ships, the Red Cross, and other agencies; and

WHEREAS, alternate members of the Committee were established pursuant to Resolution 2135; and

WHEREAS, representatives of agencies catering to the needs of Juneau's vulnerable populations have been attending and participating in the work of the committee without vote for over a year; and

WHEREAS, the Juneau Local Emergency Planning Committee approved certain amendments to its bylaws consistent with this resolution and recommends that the Assembly approve the amended bylaws attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Repeal of Resolutions. Resolution 2135 is repealed, provided that Resolution 1989, and Resolutions 1433 and 1830 repealed therein, shall remain repealed and the Emergency Management Advisory Group remains disestablished.

Section 2. Designation as Local Emergency Planning District. Although Resolution 1443 remains repealed, the Assembly reaffirms the policy set forth in paragraph A of Resolution 1443 that the City and Borough of Juneau continue to be recognized by the Alaska State Emergency Response Commission as a Local Emergency Planning District under Title III of the Superfund Amendments and Reauthorization Act of 1986.

Section 3. Reestablishment Local Emergency Planning Committee. The Juneau Local Emergency Planning Committee originally established by Resolution 1443 is hereby re-established pursuant to AS 26.23.073. The committee shall be known as the Juneau Local Emergency Planning Committee.

Section 4. Membership and Organization. (a) Membership. The City Manager or a designated representative shall be a member of the committee. The Committee shall be composed of the City and Borough Manager and not more than eleven additional primary members and eleven alternate members nominated by the Assembly and appointed by the Alaska State Emergency Response Commission. The Committee membership shall, to the extent possible, include representatives from the following agencies and interest groups:

(1) Elected Municipal Officials;

(2) Peace Officers;

(3) Firefighters/Emergency Medical Services;

(4) General Public;

(5) Bartlett Regional Hospital;

(6) News Media;

(7) The American Red Cross;

(8) Owners or Operators of facilities subject to the requirements of the Emergency Planning and Community Right-To-Know Act of 1986;

(9) Community Groups;

(10) Hazardous Substance Transporters; and

(11) A representative serving Juneau's vulnerable population. For purposes of this section, "vulnerable population" shall be defined as persons with disabilities, the homeless, the elderly or homebound, and any others who might be considered at-risk populations.

For purposes of this committee, "voting members" are those members appointed to the primary seat on the committee, or those alternates filling in during the absence of a primary seat holder or during the vacancy of the related primary seat.

(b) Terms. Appointees other than the Manager shall serve three-year staggered terms. Nominations for appointment shall be made by the Assembly with recommendations forwarded by the Assembly Human Resources Committee. The terms and appointments of alternate members shall be established in a similar manner, provided that the term of an alternate member shall not be dependent on the term of the person holding the primary appointment.

(c) The Committee shall be organized as follows:

(1) The Committee shall elect annually from its members a chair and such other officers as it deems necessary. The Committee may establish an executive committee with authority to act on its behalf, and may appoint such other committees as it deems necessary. The Committee shall establish rules by which it shall function including solicitation of public comments, response to such comments by the committee, distribution of the emergency plan, and compliance with municipal regulations regarding meetings and notification procedures.

(2) A vacancy on the Committee shall exist:

(A) If a person appointed to membership fails to qualify and take office within 30 days of appointment;

(B) If a member departs from the City and Borough with the intent to remain away for a period of 90 or more days;

(C) If a member submits his or her resignation to the Assembly;

(D) If a member is physically unable to attend Committee meetings for a period of more than 90 days; or

(E) If a member misses more than 40 percent of the Committee meetings in a 12-month period.

(3) The chair of the Committee shall notify the Clerk of any vacancy on the Committee. Upon notification, the Clerk shall follow the procedures for filling vacancies as outlined in the Advisory Board Rules of Procedure, as such may be amended from time to time.

(4) The Committee shall meet as necessary to carry out the business of the Committee but no fewer than four times per year.

Section 5. Purpose. The Committee shall:

(a) Advise the Manager on emergency management issues.

(b) Review, revise as necessary, and maintain the emergency response plan for the municipality. The plan shall meet the requirements of AS 26.23.075, and shall include:

(1) an analysis of all hazards which threaten people, property, the environment or the economy of the City and Borough, and

(2) identification of agencies and their procedures for responding to protect people, property, the environment and the economy of the City and Borough from any hazard.

(c) Collect, manage, and provide public access to information on hazardous substances and their accidental release within the municipality.

(d) Study and make recommendations on the regulation of transportation routes for hazardous substances, including an assessment of the enforcement of state and federal transportation laws, and investigation of off-loading of explosives to determine the safest way to bring them into the community.

(e) Coordinate with appropriate municipal, state and federal agencies on the collection and use of information on hazardous substances shipped to and from Juneau.

(f) Work with mining companies, the business community, and government agencies in the Juneau area to encourage their participation in the community right-to-know and chemical inventory reporting systems in accordance with the Emergency Planning and Community Right-To-Know Act of 1986.

(g) Make recommendations on the safest locations for storage and transshipment facilities for hazardous substances in the municipality, and work for more active enforcement of regulations relating to transshipment and storage of hazardous substances.

Section 6. Communication with the State Emergency Response Commission. The Manager shall submit this resolution, the list of nominees and their organizations, and any other documents necessary to establish and maintain the Juneau Local Emergency Planning Committee to the State Emergency Response Commission for approval.

Section 7. Approval of Bylaws. The Assembly hereby approves the Juneau Local Emergency Planning Committee Bylaws attached as Exhibit A.

Section 8. Effective Date. This resolution shall be effective immediately upon its adoption.

Adopted this 21st day of July, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

BYLAWS
JUNEAU LOCAL EMERGENCY PLANNING COMMI'ITEE
JUNEAU, ALASKA

ARTICLE I - NAME

1. Name of the Committee. This organization shall be known at the Juneau Local Emergency Planning Committee ("LEPC").

2. Mailing Address. The mailing address of the LEPC is:

Juneau Local Emergency Planning Committee
c/o CBJ Emergency Programs
155 S. Seward Street
Juneau, AK 99801

ARTICLE II - PURPOSE

The LEPC has been established as a Local Emergency Planning Committee for the Local Emergency Planning District of the City and Borough of Juneau, Alaska ("CBJ') pursuant to Title III of the Emergency Planning and Community Right-to-Know Act of 1986, Alaska Statute 26.23.071-.077 and CBJ Resolution 1443. The duties and activities of the LEPC include the responsibility for collecting and making available information on extremely hazardous substances in the District and preparing an emergency response plan to be used in the event of a hazardous substance spill or leak. Specifically the LEPC shall:

1. Advise the City Manager on emergency management issues.

2. Review, revise as necessary and maintain the emergency response plan for all potential emergencies which may affect the Juneau area, including earthquakes and avalanches. The plan shall meet the requirements of AS 26.23.075.

3. Collect, manage and provide public access to information on hazardous substances and their accidental release within the CBJ.

4. Study and make recommendations on the regulation of transportation routes for hazardous substances, and coordinate information on hazardous substances shipped to and from Juneau.

5. Work with the business community and government agencies to encourage participation in the community right to know and the chemical reporting systems in accordance with the Emergency Planning and Community Right-to-Know Act of 1986.

6. Make recommendations on the safest locations for storage and transshipment facilities for hazardous substances in the CBJ and to work for more active enforcement of regulations relating to transshipment and storage of hazardous substances.

7. Seek funding from state and federal agencies.

ARTICLE III - MEMBERSHIP

The LEPC is comprised of the City Manager (Emergency Management Coordinator) and not more than eleven primary members and eleven alternate members nominated by the Assembly and appointed by the State Emergency Response Commission ("SERC") to serve for three-year staggered terms. Members shall include, to the extent possible, representatives from the following groups and organizations:

1. Elected Local Officials

2. Law Enforcement

3. Firefighters

4. Member of the Public

5. Bartlett Regional Hospital

6. Broadcast and/or print media

7. Red Cross

8. Owners/Operators of a Hazardous Material Facility subject to the requirements of 42 U.S.C. 110011-11005 (Hazardous Material Facility)

9. Community Group

10. Hazardous Substance Transporter

11. A representative serving Juneau's vulnerable population. For purposes of this section "vulnerable population" shall be defined as persons with disabilities, the homeless, the elderly or homebound and any others who might be considered at-risk populations.

For purposes of this committee, "voting members" are those members appointed to the primary seat on the committee, or those alternates filling in during the absence of a primary seat holder or during the vacancy of the related primary seat.

ARTICLE IV - OFFICERS AND DUTIES

The officers of the LEPC shall consist of a Chair, a Vice Chair and a Recorder. The Chair's responsibilities include presiding at the meetings; preparing the agenda; conducting the meetings in a fair manner; coordinating with CBI staff on such items as meeting notices, requests for information and committee decisions; and preparing the annual report for submittal to the Municipal Clerk in January of each year. The Vice Chair fills in for the Chair when the Chair is unavailable. The Recorder is encouraged to work with Emergency Programs staff members on the coordination of the preparation and transmittal of the Committee's minutes to the office of the Municipal Clerk. Election of officers occurs annually at a time set by the LEPC. The term of office is for one year, but officers may be re-elected to serve consecutive terms.

ARTICLE V - SUBCOMMITTEES

The LEPC may establish subcommittees as it deems necessary to accomplish its duties.

ARTICLE VI - MEETINGS

1. Regular meetings. The LEPC shall meet as necessary to carry out the business of the committee but no fewer than four times per year.

2. Special meetings. A special meeting deemed necessary to carry out the duties of the LEPC may be called by the LEPC Chair or upon written request of three LEPC members. A meeting held at the request of the members shall be scheduled as soon as possible and preferably within ten days of the written request.

3. Quorum. A quorum shall consist of a simple majority of the voting members of the LEPC. A quorum for any subcommittee shall consist of a simple majority of those voting members appointed to the subcommittee. A quorum shall be required to transact business.

4. Rules of Order. LEPC will adopt an order of business to be used for each meeting and will be governed by Robert's Rules of Order, Newly Revised, when not inconsistent with the Advisory Board Rules of Procedure resolution which may be amended from time to time, these bylaws or with special rules of order adopted by the LEPC.

5. Minutes of Meetings. Accurate minutes of all meetings of the LEPC shall be maintained in the custody of the Municipal Clerk and shall be a public record, open to inspection by any person. The minutes shall include the following: date, time and location of meeting; time the meeting was called to order; a record of attendance, including members present or absent; all motions, even if withdrawn, with the name of the member making the motion and the vote on the motion; the action taken and pertinent points leading to the decision; names of individuals who spoke under public participation and a summary of their comments; the next meeting date and the time of adjournment. The minutes of each meeting shall be transmitted by email to each LEPC member (or by facsimile or regular mail if requested by a member) prior to the next regularly-scheduled monthly meeting.

ARTICLE VII - PUBLIC PARTICIPATION

Members of the public are encouraged to attend all regular and special meetings of the LEPC. Opportunity will be provided at each meeting for members of the public to address the LEPC on issues of local emergency preparedness.

ARTICLE VIII - VOTING

Voting on all motions shall be by voice vote, a show of hands or unanimous consent. If a roll call vote is requested, the vote of each member shall be recorded in the minutes of the meeting. Members may not deliberate or vote on any motion that would constitute a conflict of interest as defined by the CBJ Conflict of Interest Code.

ARTICLE IX - AMENDMENTS TO THE BYLAWS

1. The Bylaws of the LEPC may be amended by an affirmative vote of a simple majority of the total voting membership of the LEPC. No vote to amend the Bylaws will be taken unless the proposed amendment has been provided in writing to the membership prior to the meeting for the proposed vote.
2. Repeal of Previous Bylaws and Amendments: All previous versions of these bylaws and any previous amendments are hereby repealed upon approval of these bylaws by the Assembly.
3. A copy of the signed Bylaws and any subsequent amendments shall be provided to the SERC, the Municipal Clerk's office, and any person requesting a copy.

Adopted by the Juneau Local Emergency Planning Committee for the City and Borough of Juneau, Local Emergency Planning District, on the _____ day of _____, 2014.

_____, CHAIR

_____, VICE CHAIR

Approved by the Assembly on the _____ day of _____, 2014.

_____
Laurie Sica, Municipal Clerk

Local Emergency Planning Committee

Governing Legislation: Resolution 2135 Alaska Statutes 26.23.071 and 26.23.073

Total # of Seats: 11 + 11 Alternate Seats + City Manager or Designee

Type of Seat	Active Member or Liaison	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins/ Date Nominated by Assembly	*Current Term Expiration	If appointed - new expiration date will be:	Date of Assembly Nomination	Reappointed 1	Reappointed 2	Comments
1-Elected Official	Local Emergency Planning Committee	Assemblymember	Maria	Gladziszewski	1-Elected Official			10/31/2015					Nominated by Assembly 10/23/2014
1a - Alternate Elected Official	**Local Emergency Planning Committee**	**Assembly member**	**vacant**	**vacant**	**1a - Alternate Elected Official**								
2-Peace Officer/Law Enforcement	Local Emergency Planning Committee	Deputy Police Chief	Ed	Mercer	2-Peace Officer/Law Enforcement		1/12/2015	12/31/2017	12/31/2014	8/8/2011	1/12/2015		Juneau Police Dept.
2a- Alternate Peace Officer/Law Enforcement	Local Emergency Planning Committee	Lt.	David S.	Campbell	2a- Alternate Peace Officer/Law Enforcement		1/12/2015	12/31/2017	12/31/2014	3/5/2012	1/12/2015		Juneau Police Dept.
3-Firefighter	Local Emergency Planning Committee	Asst. Fire Chief	Ed	Quinto	3 - Firefighter		8/31/2015	12/31/2016	12/31/2016	8/31/2015			Assistant Fire Chief
3a-Alternate Firefighter	Local Emergency Planning Committee	Fire Chief	Rich	Etheridge	3a-Alternate Firefighter		1/27/2014	12/31/2016	12/31/2016	4/1/2003	12/1/2004	4/1/2008	Formerly held seat 3, nominated to seat 3a on 4/5/2010
4-General Public Seat	Local Emergency Planning Committee	Ms.	Alison	Brehmer	4-General Public Seat		1/12/2015	12/31/2017	12/31/2017	3/5/2012	1/12/2015		Public Health Nurse
4a-Alternate General Public Seat	Local Emergency Planning Committee	Dr.	Destiny	Sargeant	4a-Alternate General Public Seat		1/12/2015	12/31/2017	12/31/2017	3/5/2012	1/12/2015		Psychologist, Critical Incident Stress Management, & MMRS
5-BRH Hospital Seat	Local Emergency Planning Committee	Mr.	Miguel	Lopez	5-BRH Hospital Seat		1/12/2015	12/31/2017	12/31/2017	3/16/2009	1/11/2012	1/12/2015	BRH Lead Security Officer
5a-Alternate Hospital Seat	Local Emergency Planning Committee	Ms.	Cheri	Moyer	5a-Alternate Hospital Seat		1/12/2015	12/31/2017	12/31/2017	1/12/2015			Replacing Rose Lawhorne as BRH alternate member
6-Media Seat	Local Emergency Planning Committee	Mr.	Bill	Legere	6-Media Seat		1/28/2013	12/31/2015	12/31/2015	3/5/2012	1/28/2013		KTOO General Manager, State Emergency Communications Committee member
6a-Alternate Media Seat	Local Emergency Planning Committee	Mr.	Mikko	Wilson	6a-Alternate Media Seat		1/28/2013	12/31/2015	12/31/2015	1/28/2013			KATH-TV, KTOO-TV, JSD (Engineer)

Local Emergency Planning Committee

Governing Legislation: Resolution 2135 Alaska Statutes 26.23.071 and 26.23.073

Total # of Seats: 11 + 11 Alternate Seats + City Manager or Designee

Type of Seat	Active Member or Liaison	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins/ Date Nominated by Assembly	*Current Term Expiration	If appointed - new expiration date will be:	Date of Assembly Nomination	Reappointed 1	Reappointed 2	Comments
7-American Red Cross Seat	Local Emergency Planning Committee	Mr.	Andrew	Bogar	7- American Red Cross Seat		11/9/2015	12/31/2016	12/31/2016	11/9/2015			Disaster Program Specialist
7a-Alternate American Red Cross Seat	Local Emergency Planning Committee	Mr.	Scott	Novak	7a-Alternate American Red Cross Seat		1/27/2014	12/31/2016	12/31/2016	1/28/2013	1/27/2014		Nominated 1/28/2013 for an unexpired term ending 12/31/2013.
8-Owner/ Operator of Facility subject to Right to Know Act 1986	Local Emergency Planning Committee	Mr.	Daniel	Garcia	8-Owner/ Operator of Facility subject to Right to Know Act 1986	Chair	1/28/2013	12/31/2015	12/31/2015	2/1/2007 to seat #4 for term expiring 12/1/2007	2/2/2009	1/28/2013	Dan previously served in Seat#4 (Public), and is currently on the Juneau Haz/Mat Team and works for UAS and eligible to serve in Seat #8.
8a-Alternate Seat to #8	Local Emergency Planning Committee	Ms.	Allison	Natcher	8a-Alternate Seat to #8		1/27/2014	12/31/2016	12/31/2016	1/27/2014			
9-Community Group	Local Emergency Planning Committee	Mr.	Matthew	Musslewhite	9-Community Group		1/28/2013	12/31/2015	12/31/2015	1/28/2013			Nominated 3/16/2009 for term expiring 12/1/2012
9a-Alternate Community Group Seat	Local Emergency Planning Committee	Mr.	Ed	Williams	9a-Alternate Community Group Seat	Vice-Chair	1/28/2013	12/31/2015	12/31/2015	3/16/2009	1/28/2013		Nominated 3/16/2009 for term expiring 12/1/2012
10-Haz/Mat Transporter Seat	Local Emergency Planning Committee	Mr.	Paul	Nowlin	10-Haz/Mat Transporter Seat		1/12/2015	12/31/2017	12/31/2017	11/5/2012	1/12/2015		8yrs Haz Mat Training, also SEAPRO Responder
10a-Alternate Haz/Mat Transporter Seat	Local Emergency Planning Committee	Mr.	Joel C.	Curtis	10a-Alternate Haz/Mat Transporter Seat		1/12/2015	12/31/2017	12/31/2017	1/28/2013	1/12/2015		Originally served in seat 6a 3/16/2009, reappointed 12/1/2009 to term ending 12/31/2012. Nominated 1/28/2013 to seat 10a to term expiring 12/31/2014
11 - Vulnerable Population Seat	Local Emergency Planning Committee	Ms.	Pam	Watts	11 - Vulnerable Population Seat		1/12/2015	12/31/2016	12/31/2016	1/12/2015			New Seat created via Resolution 2689 [Executive Dir. JAMHI]
11a- Alternate Vulnerable Population Seat	Local Emergency Planning Committee	Mr.	Jason C.	Burke	11a- Alternate Vulnerable Population Seat		1/12/2015	12/31/2016	12/31/2016	1/12/2015			New Seat created via Resolution 2689 [State of AK Social Services Program Coordinator]
12 - City Manager's Designee	Local Emergency Planning Committee	Mr.	Tom	Mattice	City Manager's Designee	City Manager's Designee		upon leaving current job at CBJ.					
12a - Alt. City Manager's Designee	Local Emergency Planning Committee	Ms.	Michelle	Brown	City Manager's Alt. Designee	City Manager's Alt. Designee		upon leaving current job at CBJ.					

Annual Report for Juneau Sister Cities Committee, Advisory Committee to Juneau Assembly, February 29, 2016

Committee Members: Barbara Burnett, Chloie Watson, Eli Olson, Joan Mize, Maria Uchytil, Susan Baxter and University Liaison, Marsha Squires

Continue momentum of relationship with Whitehorse

1) Susan Baxter and Maria Uchitel participated in the Whitehorse 65th Birthday Party

2) RCMPs, Mayor Curtis and Councilman Strieker marched Fourth of July parade and celebrations in the Juneau

3) University of Alaska, Southeast, sent recruiters to Whitehorse with support from Sister Cities Committee to discuss in-state tuition for Juneau's Sister Cities

4) Sister Cities sponsored Whitehorse vs. Juneau game during Rain Forest Classic hockey tournament in Juneau, February 25

5) Juneau Police Department is considering sending a delegation to Whitehorse to march in their July 1st Canada Day celebrations

Evaluate Sister Cities relationship with Chia-Yi, Taiwan and Mishan City

Demonstrate support and connections with Vladivostok

1 City of Juneau purchased a Vladivostok flag to be used for ceremonial purposes

2) In July, we hope to recognize our relationship with Vladivostok with a Russian celebration

Develop continued relationship with Kalibo, Philippines

1) Four fundraising events occurred in conjunction with Juneau Filipino Community to support the rebuilding of the ceremonial arena in Kalibo

2) Committee intends to have funds sent to the Philippines in the near future after continued discussion with Filcom

3) Committee would like to facilitate an exchange with Kalibo during this next year, either cultural or economic.

Strengthen the presence/knowledge of the SC in Juneau

1) Continue to exchange and revise the SC Airport Display

2) Continue the introductions of the exchange students to the Assembly and the School Board

3) Host Exchange Student Potluck

4) Maintain an ongoing media presence. (Feb. trip to Whitehorse, Mounties coming for July 4th, Whitehorse vs. Juneau Classic Hockey game)

5) Maintain partnership with UAS and continue discussion of exchange options or other related Sister City possibilities. New *International Fact Sheet* from UAS recruitment was created to encourage and inform Sister City students about UAS in-state tuition advantage.

6) Continue to recruit new members

City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801
tel. 907-586-5240
fax 907-586-5385
http://www.juneau.org

CBJ BOARDS, COMMITTEES, COMMISSIONS & TASK FORCES

Sister Cities Committee Fact Sheet

Title: Sister Cities Committee

Type of Board/Commission/Committee: Advisory

Affiliated Department: City Clerk

Status: Active

Governing Legislation:
-Resolution 2716
-Date Created: September 08, 2008
-Sunset Date: N/A

To reference the general rules of procedure and informational booklet for all boards, please see the documents available on the General Board Information page.

Description: The Sister Cities Committee Advises and assists the Assembly with respect to the CBJ's ongoing sister cities relationship, hosting foreign guests, and promotion of international relations. This is a seven-member committee which encourages participation from the general public in its meetings and activities.

Membership: Section 1. Sisters Cities Committee. (a) Committee established. There is established a Sister Cities Committee for the City and Borough of Juneau. The committee shall consist of seven public members appointed by the Assembly to serve for 3-year staggered terms.

Officers: Chair, Vice-Chair, Secretary, Treasurer

Quorum: 4

Term Limits: None

Annual Appointment Period (Annual Reports Due): January

Meetings: The committee meets approximately once a month - dates for the next meeting are determined at each meeting held. Please click on the "Calendar" link in the gold menu bar at the top of this page to find out more.

Special Facts: Juneau's Sister Cities are: ~ Whitehorse, Yukon Territory, Canada ~ Municipality of Kalibo, Province of Aklan, Philippines ~ Chai Yi City, Taiwan, China ~ Vladivostock, Russia ~ Mishan City, Heilongjiang Province, People's Republic of China

Staff Contact: City Clerk's Office - 586-5278 - City.Clerk@juneau.org

Website: http://www.juneau.org/clerk/Sister_Cities/CBJs_Sister_Cities.php

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Presented by: The Manager
Introduced: 02/23/2015
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2716

A Resolution Increasing the Membership of the Sister Cities Committee and Repealing Resolution 2508.

WHEREAS, the Sister Cities Committee has requested that its membership be increased from five to seven members in order to better facilitate the committee's work on its various activities and projects; and

WHEREAS, at its regular meeting on February 2, 2015, the Assembly heard the request to increase membership and directed that this resolution be prepared for presentation to the Assembly for adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Sister Cities Committee.

(a) Committee established. There is established a Sister Cities Committee for the City and Borough of Juneau. The committee shall consist of seven public members appointed by the Assembly to serve for 3-year staggered terms.

(b) Purposes of Committee. The purposes of the committee shall be:

1. To focus on nurturing the City and Borough's relationships with each of the cities the Assembly has designated as a Sister City, including improving and maintaining the City and Borough's communications with each of its sister cities;

2. To promote and foster mutually beneficial cultural exchanges, international municipal cooperation, and bonds of friendship and understanding between the City and Borough and its sister cities;

3. To provide planning and coordination of activities in relation to the sister cities, including official visits by sister city guests to the City and Borough, and hosting of events for the visiting sister city; the committee may establish subcommittees and ad hoc volunteer groups to assist the committee in these efforts;

4. To make recommendations to the Assembly regarding official visits by the City and Borough to its sister cities;

5. To make recommendations to the Assembly regarding the establishment of additional sister city relationships;

6. To periodically evaluate whether existing sister city relationships are achieving their purpose, and advise the Assembly accordingly; and

7. To perform such other functions and advise the Assembly on such other matters regarding the City and Borough's sister cities as the Assembly may request.

(c) Procedures. The committee's procedures shall be governed by the Rules of Procedure for Assembly Advisory Boards, as such may be amended from time to time.

Section 2. Repeal of Resolution. Resolution 2508 is hereby repealed.

Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 23rd day of February, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

SISTER CITIES COMMITTEE

Governing Legislation: Resolution 2716

Total # of Seats: 7

Active Member or Liaison	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins	Term Expires	Appointment Date	Reappointed 1	Comments
Yes	Mr.	Eli	Olson	Public		9/29/2014	1/1/2018*	9/29/2014		*Appointed to unexpired term ending 1/1/2015 + next 3-year term expiring 1/1/2018.
Yes	Ms.	Susan M.	Baxter	Public	Co-Chair	2/24/2014	1/1/2017	2/28/2011	2/24/2014	Retired Teacher; Volunteer @ Juneau School District & JD City Museum
Yes	Ms.	Brenda **Joan**	Mize	Public	Secretary	2/11/2013	1/1/2016	2/11/2013		
Yes	Ms.	Maria E.	Uchytil	Public	Co-Chair	2/2/2015	1/1/2018	7/16/2012	2/2/2015	
Yes	Ms.	Chloie L.	Watson	Public	Treasurer	2/11/2013	1/1/2016	2/11/2013		
Yes	Ms.	Barbara	Burnett	Public		8/17/2015	1/1/2018	8/17/2015		New Seat created by Res. 2716
Yes	Mr.	Larry	Snyder	Public		8/31/2015	1/1/2017	8/31/2015		New Seat created by Res. 2716

OFFICE OF THE MUNICIPAL CLERK
155 S. Seward St., Room 202
Phone: (907)586-0203 Fax: (907)586-4552
email: Beth.McEwen@juneau.org

MEMORANDUM

DATE: February 25, 2016

TO: Assembly Human Resources Committee (HRC)

FROM: Beth McEwen, Deputy Municipal Clerk

RE: Friends of the Flag Committee – Discussion re: Organization and Membership

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Your HRC packet contains the documents we have on file for the Friends of the Flag Committee. Below is a brief overview of the history and points for discussion:

- 1977 – Mayor Bill Overstreet contacted Rudy Ripley requesting him to take on the project of flying the flags of all 50 states along Egan Drive.
- Rudy Ripley contacted DOT and local community members and they formed a non-CBJ community volunteer group.
- Friends of the Flag operated for 22 years prior to approaching CBJ regarding the potential for the group to be covered under the CBJ insurance policy for committee operations. (see letter of May 25, 2000 from Rudy Ripley to Mayor Dennis Egan.)
- June 15, 2000 CBJ Risk Manager Tim Allen sent a letter recommending if the Friends of the Flag were to be covered under CBJ insurance, it would be best to do so as a CBJ advisory committee.
- October 2, 2000, Resolution 2054 was adopted.

Although Resolution 2054 then created the Friends of the Flag committee under the CBJ umbrella, the committee continued to operate mostly as an autonomous group in which the membership of the committee was determined by those individuals willing to volunteer for the work rather than through the board appointment process usually followed for CBJ advisory boards.

Mrs. Judy Ripley contacted the Clerk's office in January 2016 to request that the Assembly review the current resolution and membership process as they have not been able to fill three vacant seats on the committee. Mrs. Ripley and CBJ Risk Manager Jennifer Mannix will be attending the February 29, 2016 HRC meeting for additional discussion regarding any possible changes to the current resolution and membership of the committee.

Presented by: The Manager
Introduced: 10/02/2000
Drafted by: J.R. Corso

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2054

A Resolution Establishing the Friends of the Flag Committee.

WHEREAS, each year during the summer season, Egan Expressway between the Douglas Bridge and City Hall is graced by the flags of the 50 states flying from staffs on streetlights, and

WHEREAS, this dignified yet cheerful sight is the work of the Friends of the Flag, a group of volunteers who for 22 consecutive years have donated their energy and funds for the purpose of purchasing, mounting, maintaining, removing, and storing the flags, and

WHEREAS, the project requires the regular use of heavy equipment in close proximity to valuable public assets on a busy highway, and

WHEREAS, both the City and Borough and the Friends of the Flag would benefit from an official relationship, regular communications, and an opportunity for volunteers to undergo training and supervision from the City and Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Committee Established. There is hereby established the Friends of the Flag Committee.

Section 2. Membership. The Board shall consist of five members who shall serve staggered 5-year terms without compensation. Nominations for appointment shall be made by the Assembly Human Resources Committee, and shall be subject to ratification by the Assembly.

Section 3. Purposes. The Board shall organize and accomplish the fund-raising, purchasing, mounting, maintaining, removing, and storing of all flags used to decorate Egan Expressway between the Douglas Bridge and City Hall.

Section 4. Frequency of Meetings. The Board shall hold regular meetings quarterly and schedule special meetings as necessary to carry out the purposes of the Board.

Section 5. Rules of Procedure. The rules of procedure for Assembly advisory committees established by Resolution No. 1180, as amended by Resolution No. 1213, shall govern the conduct of business by the Board and its committees.

Section 6. Administrative Support. The Manager shall provide the Board with such training, supervision, and staff support as may be available and appropriate.

Section 7. Insurance. The Manager shall endeavor to secure liability insurance for operations of the Friends of the Flag Committee in the amounts and for the risks determined by the Office of Risk Management.

Section 8. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 2nd day of October, 2000.

Dennis Egan, Mayor

Attest:

Laurie J. Sica, Clerk

Mayor Dennis Egan,
155 S.Seward St.
Juneau, Alaska 99801

May 25, 2000

Dear Dennis,

As you know, FRIENDS OF THE FLAGS have been around for a number of years, seeing that the fifty states flag project on Egan Drive is up and flying every summer season. As a matter of fact, year 2000 marks our 22nd consecutive season. It all started back in 1977 when our mutual friend, former Juneau mayor, Bill Overstreet, appointed me to "put things together" for such a project. He had just returned from a trip to Europe and while visiting in the Northern Alps of Switzerland, Austria and other small countries, he was impressed with how each capital city would fly the flags of the various provinces within their country.

We decided that Juneau's flags would look best on both sides of Egan Drive from City Hall to the Douglas Bridge. We also thought that the flags would best be displayed on top of the light standards bordering both sides of Egan. I called John Scribner, the regional director for DOT at the time, and he thought the plan would work fine and gave permission to mount our brackets directly on the light standards.

4'x 6' all weather nylon flags cost money. I started collecting donations by first soliciting donations from "His Honor" and some of his cronies and then branched out to the general public. The advertising was largely accomplished using your radio stations, KINY/KSUP, along with the help of one of your employees, Kelly Peres, also a co chair for FOTF. And, I published Info- Juno in those days, so we ran ads re the project in that weekly publication too.

We fabricated the brackets and flag staffs with the help of Bruce May, a local electrical contractor. I gathered together a few of my fellow Juneau Volunteer Fire Department members for the installation crew and borrowed use of the city's boom truck and operator. Nowdays, a man lift is donated by Tyler Rental, Inc. and a former member of the volunteers, Jim Akins, is the operator asa well as a co- chair for FOTF.

Dennis, this spring while putting up the flags, we had a wake up call. We accidentally knocked over a light standard with the manlift! While no one was hurt, it became quite clear to us that we are in a very vulnerable situation. We have no liability insurance and as volunteers doing a civic service, we think that there is a possibility that we could personally be held accountable for any damage that may occur while installing or taking down the flags. Fortunately, DOT waived the cost of putting the pole back up and the damage to the manlift was largely absorbed by Tyler Rental leaving a small amount for us to pay. We paid some expenses in crane service for the removal of the manlift also as the steering rod was damaged.

But, for the future, can the city put us under the umbrella of their insurance? There must be other groups like ours that perform community orientated services that the city covers, i.e.the volunteers who put on the Fourth of July Parade and the fireworks. We don't feel the people's contributions for flags should be used for an insurance policy. I would be more than happy to sit down with anyone within the City/Borough government to discuss this situation.

The flag project has enjoyed great support from a broad spectrum of our citizenry over these past 22 years. Donors and volunteers that make up FRIENDS OF THE FLAGS send many encouraging words along with their donations, telling us time and time again to "keep 'm flying!" Anything that you can do to help us to continue just that, will be appreciated.

Sincerly,

Rudy J. Ripley Co Chair, FRIENDS OF THE FLAGS

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

June 15, 2000

Mr. Rudy Ripley
P.O. Box 32201
Juneau, AK 99803

Dear Mr. Ripley:

I am in receipt of a letter you wrote to Mayor Dennis Egan on May 25, 2000 concerning liability insurance for the Friends of the Flags volunteer group. In that letter, you requested that your group be granted insurance coverage under the CBJ's liability insurance policy.

In order to be covered under the City policy, your group must be directly affiliated with the CBJ. One method that your group could use to achieve the necessary affiliation would be through a resolution establishing you as a CBJ Advisory Committee. The resolution would require Assembly approval, and would define the purpose and structure of the committee.

If your group is interested in this idea, I will assist you in seeking this advisory committee status. To begin the process, I will need a current roster of all active members of your volunteer group. Please send me this roster at your earliest convenience.

To help prevent any future accidents, a safety plan needs to be established for your group. The plan should outline safety procedures and personnel training. Tim Bigelow, the CBJ Safety Officer, can help your group develop this necessary safety plan. His direct phone number is 586-0322.

Please let me know if you wish to pursue this advisory committee status. If you have any questions, please call me at 586-0323.

Sincerely,

Tim Allen

Tim Allen, CBJ Risk Manager
cc: David Palmer, CBJ City Manager
Dennis Egan, CBJ Mayor

June 22, 2000

Tim Allen, CBJ Risk Manager
155 S. Seward St.
Juneau, Ak. 99801

Dear Mr. Allen,

Thank you for your timely letter in response to our inquiry regarding that FRIENDS OF THE FLAGS be put under the umbrella of the CBJ liability insurance program.

After reading your letter explaining what we must do to proceed with this process, we are very willing to undertake the necessary steps you outlined.

For you information, I've included a history of FOTF. We are registered with the IRS as a non profit corporation. There are a core of eight individuals that actually run our operation. Kelly Peres, Jim Akins and myself are the co-chairmen. I handle the annual fund raising, order the flags, oversee their installation and removal and advertising. Jim Akins heads up the installation crew. Kelly Peres handles the actual PSAs for the radio stations, KINY/KSUP. Richard Deakins is our accountant. Jim Carrol, Hal Cleek, Paul Dick and Michael Orelove are the regulars that make up the installation crew. About a half dozen or so help the installation crew, however, it varies from year to year.

Hal Cleek is currently gathering materials to help formulate a safety program that is would be acceptable for state and city codes. I have given him Mr. Bigelow's number.

Thank you again for your interest and I will be calling for advisory assistance soon. Being summer and its demand on the typical Juneauite, our committee people or sometimes hard to catch.

Sincerely,

Rudy J. Ripley

June 11, 2001

RECEIVED
JUN 11 2001
City Clerk

Beth Mckeown
Parks & Recreation Department
City & borough of Juneau
155 So. Seward St.
Juneau, Alaska 99801

Dear Ms. Mckeown,

Here are the names and contact phone numbers of the board for The Friends of the Flags advisory board.

Co-chairs: Rudy Ripley, 789-8080
Kelly Peres, 780-4537
Jim Akins, 463-4907

Board members: Jim Carroll, 586-6115 and Hal Cleek, 780-4402

I was appointed chairman by mayor Bill Overstreet to start a flag project for Egan drive downtown in 1977. I got volunteers from the Juneau Volunteer Fire Department, of which I was a member at the time, to help in the actual installation process and asked Kelly Peres of KINY radio station for help in advertising our annual fund raising, as we are wholly supported by individual donations from the public. We named ourselves Friends of the Flags

Feel free to call me for information or any questions you might have.

Sincerely,

Rudy J. Ripley jrip@gci.net

OFFICE OF THE MUNICIPAL CLERK
155 S. Seward St., Room 202
Phone: (907)586-0203 Fax: (907)586-4552
email: Beth.McEwen@juneau.org

MEMORANDUM

DATE: February 25, 2016

TO: Assembly Human Resources Committee (HRC)

FROM: Beth McEwen, Deputy Municipal Clerk

RE: Tides Complex, Inc. d/b/a Dragon Inn Liquor License Status Report

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Your HRC packet contains the certified letter sent to the Tides Complex, Inc. on February 19, 2016 along with its attachments which includes the updated "Balance and Payment History Revised" as of February 19, 2016. The February 19 certified letter was signed for by Mr. Peter Lam and the return receipt was received by the Clerk's office on February 24.

CBJ Revenue Collector Nicole Tragis reported this morning that the Collections office has not been contacted by Tides Complex Inc. and no additional payments have been received towards the Confession of Judgement since the February 19 letter and attachments were sent. Finance staff will provide a verbal updated status report at the HRC meeting in the event there are any developments between the packet preparation period and the HRC meeting.

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
Phone: 907.269.0350
alcohol.licensing@alaska.gov

January 12, 2016

Ms. Beth McEwen
City & Borough of Juneau
VIA Email: beth.mcewen@juneau.org

Re: Notice of 2016/2017 Liquor License Renewal Applications

Dear Ms. McEwen,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
4405	Dragon Inn	Restaurant/Eating Place	Tides Complex, Inc.	5000 Glacier Hwy.

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice.
AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact our licensing unit at alcohol.licensing@alaska.gov.

Sincerely,

Sarah Daulton Oates
Records & Licensing Supervisor
sarah.oates@alaska.gov

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth.McEwen@juneau.org

February 19, 2016

Via certified & regular mail
Tides Complex, Inc.
d/b/a Dragon Inn Chinese Cuisine Inc.
Attn: Quy T. Lam & Than H. Nyugen
5000 Glacier Hwy.
Juneau, AK 99801

Re: Restaurant Eating Place Liquor License #4405 Renewal Protest

Dear Quy T. Lam & Than H. Nyugen,

As you are aware, the Assembly Human Resources Committee heard your testimony at its Monday, February 8, 2016 meeting and postponed action on your 2016/2017 liquor license renewal to provide additional time for you to work with CBJ staff to resolve any outstanding issues and bring your account into compliance.

Enclosed with this letter are copies of the following documents pertaining to this matter:

- Feb. 19, 2016 Attachment A "Balance and Payment History Revised Feb. 19, 2016"
- Jan. 29, 2016 Certified letter re: liquor license renewal protest
- Jan. 29, 2016 Certified letter Attachment A "Balance and Payment History"
- Jan. 29, 2016 Certified letter Attachment B "Statement Reflects Payments Received Thru: 01/27/2016"
- Jan. 29, 2016 Certified letter Attachment C "December 29, 2014 Default of Payment Plan; June 01, 2015 Default of Payment Plan; November 20, 2015 Notice of CBJ Intent to Execute on Judgment; May 30, 2014 Confession of Judgement documents for Case # 1JU-14-677CI."

At the February 8, 2016 Assembly Human Resources Committee meeting, you mentioned that you spoke with both the CBJ Revenue Collector and a member of the City Attorney's staff and that you made a payment for December 2015 and January 2016 at the time of your discussions.

The most recent payments received by CBJ are reflected in the February 19, 2016 Attachment A mentioned above. If you do not feel these accurately reflect your account and you have any additional documents pertaining to either your Confession of Judgement or the payments you have made towards your account, please provide copies to the Municipal Clerk's office no later

than 4:30p.m. on Monday, February 29 so they may be provided to the Assembly members for their consideration.

It is important to understand that Stipulation to Postpone Execution of Judgement dated May 29, 2014, that you signed, requires the total liability related to your Confession of Judgement payment plan be paid in full or your liquor license renewal would be in jeopardy.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will again be considered at the Monday, February 29, 2016 Assembly Human Resources Committee (HRC) meeting at 6 p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7 p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

In the meantime, I would urge you to work with CBJ collections staff to try to resolve any outstanding balances owing on your accounts. They can be reached at 586-5268.

Sincerely,

Beth McEwen
Deputy Clerk

Enclosures
cc via email:
Assembly Human Resource
Liquor License Staff Review

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tides Complex, Inc.
d/b/a Dragon Inn Chinese Cuisine Inc.
Attn: Quy T. Lam & Than H. Nyugen
5000 Glacier Hwy.
Juneau, AK 99801

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7011 1570 0002 3703 7097

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

February 19, 2016
Attachment A
“Balance and Payment History Revised Feb. 19, 2016”

ATTACHMENT A

BALANCE AND PAYMENT HISTORY

DRAGON INN COJ	COJUB2027
ANNUAL INTEREST RATE	3.75%
BEGINNING BALANCE	$ 38,240.94

	BALANCE	PAYMENT REQUIRED	PAYMENT MADE	PAY DATE	MNTHLY STMT SENT
June 13, 2014	$ 37,740.94	$ 500.00	$ 500.00	06/02/14	YES
July 31, 2014	$ 37,429.94	$ 500.00	$ 500.00	07/08/14	YES
August 31, 2014	$ 37,548.86	$ 500.00	$ -		YES
September 30, 2014	$ 36,663.29	$ 500.00	$ 1,000.00	09/22/14	YES
October 31, 2014	$ 36,779.95	$ 500.00	$ -		YES
November 30, 2014	$ 36,892.85	$ 500.00	$ -		YES
December 29, 2014	Default of Payment Plan letter sent				
December 31, 2014	$ 37,009.51	$ 500.00	$ -		YES
January 31, 2015	$ 35,623.35	$ 1,500.00	$ 1,500.00	01/07/15	YES
February 28, 2015	$ 34,222.87	$ 1,500.00	$ 1,500.00	02/10/15	YES
March 31, 2015	$ 34,331.65	$ 1,500.00	$ -		YES
April 30, 2015	$ 34,436.93	$ 1,500.00	$ -		YES
May 31, 2015	$ 34,545.71	$ 1,500.00	$ -		YES
June 1, 2015	Default of Payment Plan letter sent				
June 30, 2015	$ 31,650.72	$ 1,500.00	$ 3,000.00	06/30/15	YES
July 31, 2015	$ 31,751.51	$ 1,500.00	$ -		YES
August 31, 2015	$ 31,852.30	$ 1,500.00	$ -		YES
September 30, 2015	$ 31,949.39	$ 1,500.00	$ -		YES
October 31, 2015	$ 32,050.64	$ 1,500.00	$ -		YES
November 20, 2015	Notice of CBJ Intent to Execute on Judgment sent				
November 30, 2015	$ 32,148.19	$ 1,500.00	$ -		YES
December 31, 2015	$ 29,247.99	$ 1,500.00	$ 3,000.00	12/28/15	YES
January 31, 2016	$ 27,840.96	$ 1,500.00	$ 1,500.00	01/31/16	YES
		$ 23,000.00	$ 12,500.00		

January 29, 2016 Certified letter
re: liquor license renewal protest

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth.McEwen@juneau.org

January 29, 2016

Via certified & regular mail
Tides Complex, Inc.
d/b/a Dragon Inn Chinese Cuisine Inc.
Attn: Quy T. Lam & Than H. Nyugen
5000 Glacier Ave.
Juneau, AK 99801

Re: Restaurant Eating Place Liquor License #4405 Renewal Protest

Dear Quy T. Lam & Than H. Nyugen,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2016-2017 and submitted the renewal for comment before the local governing body.

As is our practice in these matters, the staff from the Fire, Finance, Police, and Community Development Departments reviewed your establishment to insure compliance with city code. **The Finance Department is recommending the Assembly protest this license renewal due to delinquent payments on the Confession of Judgement entered into under 1JU-14-00677CI and as outlined on the enclosed documents from the CBJ Revenue Collections Office.**

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will initially be considered at the Monday, February 8, 2016 Assembly Human Resources Committee (HRC) meeting at 5:30 p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00 p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference.

In the meantime, I would urge you to work with CBJ collections staff to try to resolve the outstanding balances owing on your accounts. They can be reached at 586-5268.

Sincerely,

Beth McEwen
Deputy Clerk

Enclosures
cc via email:
Assembly Human Resources Committee & Assembly
Liquor License Staff Reviewers

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510 (b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310 , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510 (b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510 (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510 (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510 (c).

…

Sec. 04.11.450. Prohibited financial interest. (a) A person other than a licensee may not have a direct or indirect financial interest in the business for which a license is issued.

(b) A person who is a representative or owner of a wholesale business, brewery, winery, bottling works, or distillery may not be issued, solely or together with others, a beverage dispensary license, a restaurant or eating place license, or package store license. A holder of a beverage dispensary license may be issued a brewpub license, subject to the provisions of AS 04.11.135. The prohibition against issuance of a restaurant or eating place license imposed under this subsection does not apply to a restaurant or eating place license issued on or before October 1, 1996 or a restaurant or eating place license issued under an application for a restaurant or eating place license approved on or before October 1, 1996.

(c) A license may not be leased by a licensee to another person, partnership, limited liability organization, or corporation.

(d) For the purposes of this section, a lessor under a graduated or percentage lease-rent agreement involving premises licensed under this title does not hold a financial interest in the business.

(e) A holder of either a general wholesale license or a wholesale malt beverage and wine license may not be employed by or act as the agent or employee of the holder of a beverage dispensary or package store license.

(f) In this section, "direct or indirect financial interest" means holding a legal or equitable interest in the operation of a business licensed under this title. However, credit extended by a distiller, a brewery, or a winery to a wholesaler, or credit extended by a wholesaler to persons licensed under this title, or a consulting fee received from a person licensed under this title, is not considered a financial interest in a business licensed under this title.

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

(1) The character and public interests of the surrounding neighborhood;

(2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;

(3) The concentration of other licenses of the same and other types in the area;

(4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;

(5) The adequacy of parking facilities;

(6) The safety of ingress to and egress from the premises;

(7) Compliance with state and local fire, health and safety codes;

(8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;

(9) The history of convictions of the applicants and affiliates of the applicants for:

(A) Any felony involving moral turpitude;

(B) Any violation of AS title 04; and

(C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;

(10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;

(11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.

(b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:

(1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;

(2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;

(3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;

(4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;

(5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:

(A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or

(B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.

(6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or

(7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.

(c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.

January 29, 2016
Certified letter Attachment A
“Balance and Payment History”

ATTACHMENT A

BALANCE AND PAYMENT HISTORY

DRAGON INN COJ	COJUB2027
ANNUAL INTEREST RATE	3.75%
BEGINNING BALANCE	$ 38,240.94

	BALANCE	PAYMENT REQUIRED	PAYMENT MADE	PAY DATE	MNTHLY STMT SENT
June 13, 2014	$ 37,740.94	$ 500.00	$ 500.00	06/02/14	YES
July 31, 2014	$ 37,429.94	$ 500.00	$ 500.00	07/08/14	YES
August 31, 2014	$ 37,548.86	$ 500.00	$ -		YES
September 30, 2014	$ 36,663.29	$ 500.00	$ 1,000.00	09/22/14	YES
October 31, 2014	$ 36,779.95	$ 500.00	$ -		YES
November 30, 2014	$ 36,892.85	$ 500.00	$ -		YES
December 29, 2014	Default of Payment Plan letter sent				
December 31, 2014	$ 37,009.51	$ 500.00	$ -		YES
January 31, 2015	$ 35,623.35	$ 1,500.00	$ 1,500.00	01/07/15	YES
February 28, 2015	$ 34,222.87	$ 1,500.00	$ 1,500.00	02/10/15	YES
March 31, 2015	$ 34,331.65	$ 1,500.00	$ -		YES
April 30, 2015	$ 34,436.93	$ 1,500.00	$ -		YES
May 31, 2015	$ 34,545.71	$ 1,500.00	$ -		YES
June 1, 2015	Default of Payment Plan letter sent				
June 30, 2015	$ 31,650.72	$ 1,500.00	$ 3,000.00	06/30/15	YES
July 31, 2015	$ 31,751.51	$ 1,500.00	$ -		YES
August 31, 2015	$ 31,852.30	$ 1,500.00	$ -		YES
September 30, 2015	$ 31,949.39	$ 1,500.00	$ -		YES
October 31, 2015	$ 32,050.64	$ 1,500.00	$ -		YES
November 20, 2015	Notice of CBJ Intent to Execute on Judgment sent				
November 30, 2015	$ 32,148.19	$ 1,500.00	$ -		YES
December 31, 2015	$ 29,247.99	$ 1,500.00	$ 3,000.00	12/28/15	YES
		$ 21,500.00	$ 11,000.00		

January 29, 2016
Certified letter Attachment B
“Statement Reflects Payments Received Thru: 01/27/2016”

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

TREASURER'S OFFICE
155 South Seward St
Juneau, AK 99801

STATEMENT

Reflects Payments Received Thru : 01/27/2016	
Customer Number :	**COJUB2027**
Total Due :	**$29,247.99**
Total Remitted :	

DRAGON INN CHINESE CUISINE INC
QUY LAM; THAN H NYUGEN
5000 GLACIER HWY
JUNEAU AK 99801

REMIT THIS PORTION TO ENSURE PROPER APPLICATION

FOLD HERE AND DETACH

Barcode 200126137

DRAGON INN CHINESE CUISINE INC
QUY LAM; THAN H NYUGEN
CUSTOMER NUMBER: COJUB2027
BARCODE: 200126137

Statement of Activity for 01/01/2016 - 01/27/2016

INVOICE DATE	DESCRIPTION	AMOUNT	TOTAL OUTSTANDING
	BALANCE FORWARD		$29,247.99

Ending Principal Balance	**$29,235.98**
Ending Accrued Interest Balance	**$12.01**

1JU-14-00677CI - Judgment signed 06/13/14. Original principal balance = $38,240.94 @ 3.75%. Minimum monthly pmts of $500.00 due on the 1st of each month beginning 06/01/14; increasing to minimum monthly pmts of $1,500.00 beginning 01/01/15.

Total Due	**$29,247.99**

Failure to make the required scheduled payments will result in the publishing of the outstanding balance of the judgement in the Juneau Empire. Cost of publication will be at the expense of the debtor. In addition, your case may be forwarded to the CBJ Law Dept for execution of the judgement.

Credit Card Option: To pay by credit card, call Official Payments Corporation at (800) 272-9829 or visit www.officialpayments.com (use Jurisdiction Code 1202). Official Payments Corporation charges a fee for this service.

Make check payable to:
CITY & BOROUGH OF JUNEAU
All returned checks are subject to a $30 return check fee.

Payment Locations: Payments may be made by mail or in person at the Treasury Office located on the ground floor of the Municipal Building, 155 South Seward Street. Payments can also be made at any one of our three drop boxes: the Payment Centers at Super Bear, IGA, or outside the main entrance to the Municipal Building.

City and Borough of Juneau
Treasury Division

Please retain this portion for your records

Billing Inquiries: (907)586-5268

Business Hours: 8:00 a.m. to 4:30 p.m.
Monday through Friday

January 29, 2016
Certified letter Attachment C

- December 29, 2014 Default of Payment Plan
- June 01, 2015 Default of Payment Plan
- November 20, 2015 Notice of CBJ Intent to Execute on Judgment;
- May 30, 2014 Confession of Judgement documents for Case # 1JU-14-677CI.”

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Revenue Collections Office
Finance Department
155. S Seward St
Juneau, AK 99801
(907) 586-5268
collections@juneau.org

December 29, 2014

DRAGON INN CHINESE CUISINE
5000 GLACIER HWY
JUNEAU, AK 99801

DEFAULT OF PAYMENT PLAN

COPY

Subject: Utility Account – COJ Payment Plan
Account number: COJUB2027

As you are aware, payment is **PAST DUE** on your COJ Payment Agreement for your Utility account. The last payment received was on 9/25/2014. The total past due is $1,000.00 for the months of October & November ($500. Per month). Your total balance due is **$36,892.85**.

Your $500.00 payments per the COJ agreement are due by the 1st of each month; these payments have not been made consistently. The payments increase to $1,500.00 as of January 2015; it is imperative that this COJ get back on track with its payments as soon as possible.

If you do not respond or make contact to re- establish your payment agreement by January 15, 2015; this account will be reported to the CBJ Law Department due to default.

Regards,

Nicole A. Tragis

Revenue Collector

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Revenue Collections Office
Finance Department
155. S Seward St
Juneau, AK 99801
(907) 586-5268
collections@juneau.org

June 01, 2015

DRAGON INN CHINESE CUISINE
5000 GLACIER HWY
JUNEAU, AK 99801

FILE COPY

DEFAULT OF PAYMENT PLAN

Subject: Utility Account – COJ Payment Plan
Account number: COJUB2027

As you are aware, payment is **PAST DUE** on your COJ Payment Agreement for your Utility account. The last payment received was on 02/10/14. The total past due is $4,500.00 for the months of March, April, and may ($1,500.00 Per month). Your total balance due is **$34,545.71**.

Your $1,500.00 payments per the COJ agreement are due by the 1st of each month; these payments have not been made consistently. It is imperative that this COJ get back on track with its payments as soon as possible.

If you do not respond or make contact to re- establish your payment agreement by June 15, 2015; this account will be reported to the CBJ Law Department due to default.

Regards,

Nicole A. Tragis

Revenue Collector

Law Department
City & Borough of Juneau

Amy G. Mead
Municipal Attorney

Jane E. Sebens
Deputy Municipal Attorney

Christopher F. Orman
Assistant Municipal Attorney

Robyn L. Carlisle
Assistant Municipal Attorney

Sherri L. Petticrew
Assistant Municipal Attorney

Robert H. Palmer III
Assistant Municipal Attorney

Debbie L. Senn
Office Manager

Audrey Dean
Litigation Assistant II

Leo Helmar
Legal Assistant II

Sam Sanbei
Litigation and Civil
Support Assistant

Lisa Ray
Litigation and Civil
Support Assistant

November 20, 2015

USPS Certified and First Class Mail

Tides Complex, Inc.
Than Nguyen and Quy Lam
5050 Glacier Hwy.
Juneau, AK 99801

Re: Notice of CBJ Intent to Execute on Judgment

Dear Mr. Nguyen and Mr. Lam:

This letter is to notify you that the CBJ Law Department has determined that you are no longer complying with the stipulation to pay your past utility debt which you agreed to in May 2014. This means the CBJ can immediately execute to obtain the outstanding amount of $32,050.64.

If you have an attorney, he or she should contact me as soon as possible.

CBJ Collections' records indicate you have not paid the agreed to amount of $1,500 per month for the months of April, May, June, July, August, September, October, and November 2015; therefore you have not made eight monthly payments in 2015 of $1,500 for a total of $12,000 owed to the CBJ per agreement. You still – including the $12,000 00 – owe the CBJ $32,050.64.

This delinquency is in violation of the stipulation agreed to and entered into by the parties in May 2014. **By being in violation of the stipulation, the CBJ can legally execute the May 2014 judgment to obtain the outstanding balance of $32,050.64**

On May 30, 2014, the parties agreed to and signed a confession of judgment and a stipulation to postpone execution of judgment. The confession of judgment was in the amount of $38,240.94. Judge Levy entered an order in the amount of $38,240.94 on June 16, 2014.

The parties' stipulation to postpone execution as to judgment stated:

> . . . defendant guarantees a minimum payment of $500 per month, inclusive of principal and interest, to the CBJ commencing June 1, 2014, and continuing to December 1, 2014. Starting in January 1, 2014, defendant guarantees a minimum payment of $500 per month, inclusive of principal and interest, to the CBJ commencing June 1, 2014, and continuing to December 1, 2014. Starting in

> January 1, 2015, defendant guarantees a minimum payment of $1500 per month, inclusive of principal and interest, to the CBJ and will then make payments on the 1st day of each succeeding month until the judgment is paid in full.

Therefore, if you paid $1,500 each month until the debt owed was paid in full, you were acting consistent with the stipulation. Not paying the amount for eight months means you are not complying with the terms of this agreement.

Regarding payments and failure to comply with the stipulation's terms, the stipulation then states:

> 10. Provided defendant is in compliance with the terms of this Stipulation, plaintiff shall refrain from taking further collection action on the judgment entered in the case. In the event of a violation by defendant of any condition of this Stipulation, the balance of the judgment plus post judgment interest will immediately become due and payable.

Therefore, under the signed agreement, if you fail to comply with the stipulation and – for example – make timely payments, the amount owed becomes immediately due and the CBJ may entered collection efforts consistent with the judgment issued by Judge Levy on June 16, 2014.

As noted above, you have not paid the stipulated amount of $1,500 over the last eight months; resulting in a total delinquency of $12,000. You are not in compliance with the stipulation entered into between the parties in May 2014.

CBJ Law Department is providing this notice to allow you one last chance to return to compliance as to the stipulation and confession of judgment. **From the date of this notice, CBJ Law will provide you 30 days to comply with the stipulation; meaning 30 days from November 20, 2015, you will have paid the $12,000 or made substantial efforts to comply and pay the amount by agreement with the CBJ Collections Office. If you do not undertake such efforts and comply with the May 2014 stipulation, the CBJ Law Department will undertake various collection efforts to satisfy the outstanding debt.**

Please contact the CBJ Revenue Collections Office by December 20, 2015, and pay the delinquent amount of $12,000. Their phone number is listed below. If you fail to remedy your delinquency by December 20, 2015, the CBJ will simply commence collection efforts to obtain the outstanding balance.

This letter and the additional time being provided is a courtesy only.

Sincerely,

Christopher F. Orman
Assistant City and Borough Attorney
(907) 586-5242

Enclosures:
May 2014 confession of judgment and stipulation
Spreadsheet Outlining Payment History since June 2014

cc: CBJ Public Works (907) 586-0917
CBJ Collections (907) 586-5268

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

CITY AND BOROUGH OF JUNEAU,

Plaintiff,

v.

DRAGON INN CHINESE, CUISINE, INC.,

Defendant.

COPY
Original Received
MAY 30 2014
Clerk of the Trial Courts
By _____ Deputy

CASE NO.: 1JU-14-[illegible]CI

CONFESSION OF JUDGMENT WITHOUT ACTION AND ASSENT BY PLAINTIFF

The undersigned defendant Dragon Inn Chinese Cuisine, Inc. owned and operated by Quy Lam and Than H. Nyugen, a business which includes Tides Motel and Dragon Inn, hereby acknowledges, confesses, and authorizes judgment to be entered against them in accordance with the stipulations and recitals set forth below.

1. Acknowledgement of Water Utilities Owed

Defendant acknowledges that the City and Borough of Juneau has Water Utilities ordinances, codified as CBJ 75.01.010 through 220 inclusive, incorporated by reference herein, and that under these provisions the City and Borough of Juneau can seek payment for water use when a meter does not register or has been tampered with based on estimated use per CBJ 75.01.100(d).

2. Confession of Judgment

Defendant used water from August 2009 to July 2012 which was not registered by a meter and do hereby confess and authorize judgment to be entered in favor of the City

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
voice: 907-586-5242 fax: 907-586-1147

and Borough of Juneau in connection with the aforesaid business, for past water use, interest, and penalties in the amount of $37,950.94, filing fees in the amount of $90.00 and attorneys' fees in the amount of $200.00, for a total of $38,240.94. Post Judgment interest shall be 3.75% per annum.

3. Just Debt

The total judgment is $38,240.94. This amount is a just debt owed by Dragon Inn Chinese Cuisine, Inc. to the City and Borough of Juneau.

DEFENDANT:

I, QUY LAM, ON BEHALF OF DRAGON INN CHINESE CUISINE, INC., DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF ALASKA, THAT I A HAVE READ THE ABOVE CONFESSION OF JUDGMENT AND I VERIFY THE ABOVE TO BE TRUE AND CORRECT.

By: _____ Dated: 5/27/14

Quy Lam d.b.a. Dragon Inn Chinese Cuisine, Inc.

ACKNOWLEDGMENT

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 27 day of May, 2014, personally appeared before me Quy Lam, President of Dragon Inn Chinese Cuisine, Inc., to me known to be the person who executed the foregoing Confession of Judgment Prior To Action, freely and voluntarily, for and on behalf of Dragon Inn Chinese Cuisine, Inc., for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

Notary Public, State of Alaska

My commission expires: 7-16-16

DEFENDANT:

I, THAN H. NGUYEN, ON BEHALF OF DRAGON INN CHINESE CUISINE, INC., DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF ALASKA, THAT I A HAVE READ THE ABOVE CONFESSION OF JUDGMENT AND I VERIFY THE ABOVE TO BE TRUE AND CORRECT.

By: _____ Dated: 5-27-14

Than H. Nguyen d.b.a. Dragon Inn
Chinese Cuisine, Inc.

ACKNOWLEDGMENT

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 27 day of May, 2014, personally appeared before me Than H. Nguyen, of Dragon Inn Chinese Cuisine, Inc., to me known to be the person who executed the foregoing Confession of Judgment Prior To Action, freely and voluntarily, for and on behalf of Dragon Inn Chinese Cuisine, Inc., for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

Notary Public, State of Alaska

My commission expires: 7-16-16

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

COPY
Original Received
MAY 30 2014
Clerk of the Trial Courts
By _____ Deputy

CITY AND BOROUGH OF JUNEAU,

Plaintiff,

v.

DRAGON INN CHINESE, CUISINE, INC.,

Defendant.

CASE NO.: 1JU-14-677CI

STIPULATION TO POSTPONE EXECUTION OF JUDGMENT

WHEREAS, Dragon Inn Chinese Cuisine, Inc., Defendant herein, owned and operated by Quy Lam and Than H. Nyugen, a business which includes Tides Motel and Dragon Inn, has confessed judgment in favor of plaintiff City and Borough of Juneau in the amount of $-38,240.94 owed for past utilities owed, filing and court costs, and attorneys' fees; and

WHEREAS, the City and Borough of Juneau provides a water utilities service and there are costs associated with the service as codified in CBJ 72.01.010 through .220, incorporated by reference herein; and

WHEREAS, defendant acknowledge that water utilities must be paid for water use, including back bills for water used and reasonably determined based upon CBJ 72.01.010 through .220; and

WHEREAS, defendant's water utility meter, for a variety of reasons, did not properly register CBJ water use for the property from August 2009 to July 2012. When a lock box

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
voice: 907-586-5242 *fax:* 907-586-1147

ASSENT BY PLAINTIFF

The City and Borough of Juneau hereby assents to the foregoing Confession of Judgment Without Action.

CITY AND BOROUGH OF JUNEAU

By: _____
Randy L. Wiley
Treasurer

ACKNOWLEDGMENT

STATE OF ALASKA)
First Judicial District) ss.
CITY AND BOROUGH OF JUNEAU)

THIS CERTIFIES that on the 29th day of May, 2014, before me a Notary Public in and for the State of Alaska, personally appeared, Randy L. Wiley, to me known and known to me and she acknowledged to me that she is authorized to assent on behalf of the City and Borough of Juneau and that she executed the above on behalf of the City and Borough of Juneau.

WITNESS my hand and official seal the day and year in this certificate first above written.

NOTARY PUBLIC
State of Alaska
AUDREY F. DEAN

_____
Notary Public for the State of Alaska

My commission expires: 11/18/2014

THIS MATTER IS FORMALLY
ASSIGNED TO
KEITH LEVY
DISTRICT COURT JUDGE

was installed on the meter on March 29, 2013, the CBJ estimated the amount of water used from August 2009 to July 2012 in a net cost of $37,950.94[1]; and

WHEREAS, in consideration of the City and Borough of Juneau postponing further collection proceedings, defendant has agreed to make periodic payments toward the satisfaction of judgment; and

WHEREAS, defendant acknowledges receipt of executed copies of the Confession of Judgment Without Action and the Stipulation to Postpone Execution of Judgment;

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

1. In addition to staying current with the filing and paying of all obligations to the CBJ incurred after the execution of this stipulation, defendant guarantees a minimum payment of $500 per month, inclusive of principal and interest, to the CBJ commencing June 1, 2014, and continuing to December 1, 2014. Starting in January 1, 2015, defendant guarantees a minimum payment of $1500 per month, inclusive of principal and interest, to the CBJ and will then make payments on the 1st day of each succeeding month until the judgment is paid in full. Defendant may, at its option, make payments in excess of the scheduled amounts at any time and may pay off the indebtedness at its option at any time prior to the scheduled times of payments.

2. Defendant shall pay the aforesaid judgment, plus accrued interest post judgment at 3.75% per annum, in full prior to the sale, assignment, transfer, conveyance, lease, forfeiture, or abandonment of its business to another person, including a creditor or secured party.

[1] This amount does not include the $90 filing fee or attorney's fees of $200.

3. Defendant agrees to provide the CBJ with its current physical and mailing addresses and telephone numbers and to update the same within TEN (10) days should this information change.

4. Defendant agrees to provide the CBJ notice if it changes the name of the corporation within TEN (10) days of making such a change. Defendant agrees that changing the name of the corporation does not extinguish the utility debt owed and further agrees that should the corporation change its name, this debt will remain.

5. Consistent with the CBJ Assembly's vote on March 24, 2014, Defendant agrees that their current liquor license will contain a condition requiring compliance with these stipulations and making the payments contained herein to maintain the liquor license.

6. Defendant agrees if they fail to remain current with its payments for the utilities owed as outlined above, the CBJ may contest the Defendant's liquor license consistent with CBJ 20.25.25(b)(3) at the next scheduled hearing for contesting the license.

7. Defendant shall keep current on all other business obligations to the CBJ, including but not limited to water and sewer service accounts (and all bills therein such as for example current water bills), real and personal property taxes, CBJ sales taxes, and similar obligations to the CBJ.

8. This judgment shall not supersede the requirements for obtaining a liquor license renewal, certificate of convenience or for bidding on CBJ contracts. Defendant understands that neither the Confession of Judgment nor this Stipulation puts their business in good standing with the City and Borough of Juneau Finance Department for purposes of,

certificate of convenience or bidding on CBJ contracts. Furthermore, Defendant acknowledges until paid in full, the CBJ will request a condition on their liquor license requiring payment of the amount owed.

9. Upon payment in full of the judgment entered in this case, plaintiff shall execute a satisfaction and release of judgment.

10. Provided defendant is in compliance with the terms of this Stipulation, plaintiff shall refrain from taking further collection action on the judgment entered in the case. In the event of a violation by defendant of any condition of this Stipulation, the balance of the judgment plus post judgment interest will immediately become due and payable.

11. This Stipulation contains the entire agreement between the parties. There are no oral promises, representations or warranties between the parties regarding the matters or things connected with or related to the matters or things which are subject to this agreement.

PLAINTIFF: CITY AND BOROUGH OF JUNEAU:

By: _____ Dated: May 29, 2014
Christopher F. Orman (AK Bar 1011099)
Assistant City-Borough Attorney

DEFENDANT:

By: _____ Dated: 4/27/14
Quy Lam, d.b.a. Dragon Inn Chinese Cuisine, Inc.

Date of Birth: 4/17/64

Social Security Number: _____

Personal Mailing Address: 5000 Glacier Hwy
Juneau AK 99801

Personal Physical Address: Same As

DEFENDANT:

By: _____ Dated: 5-27-14
Than H. Nguyen, d.b.a. Dragon Inn
Chinese Cuisine, Inc.

Date of Birth: 02-02-1962

Social Security Number: _____

Personal Mailing Address: 6807 Lemon St
Juneau, AK 99801

Personal Physical Address: Same

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

COPY
Original Received
MAY 30 2014
Clerk of the Trial Courts
By _____ Deputy

CITY AND BOROUGH OF JUNEAU,

Plaintiff,

v.

DRAGON INN CHINESE, CUISINE, INC.,

Defendant.

CASE NO.: 1JU-14- 677CI

JUDGMENT ON CONFESSION OF JUDGMENT

WHEREAS, defendant Dragon Inn Chinese Cuisine, Inc., owned and operated by Quy Lam and Than H. Nyugen, a business which includes Tides Motel and Dragon Inn, have executed a Confession of Judgment for water and sewer utilities owed, penalties, and interest, dated the _____ day of _____, 2014, in favor of plaintiff City and Borough of Juneau in the amount of $37,950.94 for filing fees in the amount of $90.00 and attorneys' fees in the amount of $200.00, for a total of $38,240.94;

WHEREAS, the defendant used CBJ water and sewer utilities and did not pay for that service;

WHEREAS, Defendant has consented to entry of judgment and acknowledged before an officer authorized by law to administer oaths its confession of judgment and verified the same to be true; and

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
voice: 907-586-5242 fax: 907-586-1147

WHEREAS the Plaintiff has acknowledged its assent to the confession of judgment.

NOW, THEREFORE, IT IS ORDERED that judgment shall enter against defendant Dragon Inn Chinese Cuisine, Inc., owned and operated by Quy Lam and Than H. Nyugen, a business which includes Tides Motel and Dragon Inn in the amount of $38,240.94 plus post judgment interest accruing at the rate of 3.75% per annum.

Dated this _____ day of _____2014.

_____
District Court Judge

CERTIFICATION:
Copies Distributed:

Date: _____

To: Christopher F. Orman via court box

_____

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
voice: 907-586-5242 fax: 907-586-1147

IN THE DISTRICT COURT FOR THE STATE OF ALASKA

FIRST JUDICIAL DISTRICT AT JUNEAU

CITY AND BOROUGH OF JUNEAU,

Plaintiff,

v.

DRAGON INN CHINESE, CUISINE, INC.,

Defendant.

COPY
Original Received
MAY 30 2014
Clerk of the Trial Courts
By _____ Deputy

CASE NO.: 1JU-14-677 CI

CERTIFICATE OF SERVICE

I, Audrey Dean, certify that on the 30th day of May, 2014, a true and correct copy of the CONFESSION OF JUDGMENT WITHOUT ACTION AND ASSENT BY PLAINTIFF, STIPULATION TO POSTPONE EXECUTION OF JUDGMENT and proposed JUDGMENT ON CONFESSION OF JUDGMENT were served via first class mail, postage pre-paid to:

Robert S. Spitzfaden
Gruening & Spitzfaden
217 Second Street, Ste. 204
Juneau, AK 99801

DATED this 30th day of May, 2014.

Audrey Dean, Litigation and Civil Support Assistant

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
voice: 907-586-5242 *fax:* 907-586-1147

	DATE	TYPE	DESCRIPTION		INVOICE	TENDER TYPE	BATCH ID	CHARGES	CREDITS	BALANCE
NOVEMBER	11/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		26982	5.68	0.00	32,050.64
$1500 DUE	11/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		26982	88.47	0.00	32,044.96
	11/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		26982	6.64	0.00	31,956.49
OCTOBER	10/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		26465	5.50	0.00	31,949.85
$1500 DUE	10/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		26465	85.62	0.00	31,944.35
	10/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		26465	6.43	0.00	31,858.73
SEPTEMBER	09/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		25758	5.68	0.00	31,852.30
$1500 DUE	09/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		25758	88.47	0.00	31,846.62
	09/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		25758	6.84	0.00	31,758.15
AUGUST	08/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		25135	5.68	0.00	31,751.51
$1500 DUE	08/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		25135	88.47	0.00	31,745.83
	08/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		25135	6.64	0.00	31,657.36
JULY	07/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		24735	0.18	0.00	31,650.72
$1500 DUE	07/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		24735	2.85	0.00	31,650.54
	07/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		24735	0.21	0.00	31,647.69
	06/30/15	pmt		Payment		Check		0.00	3,000.00	31,647.48
JUNE	06/30/15	int	COLL - UB COJ Sales Tax Fin Chg				24448	5.32	0.00	34,647.48
$1500 DUE	06/30/15	int	COLL - UB COJ Sewer Fin Chg				24448	82.76	0.00	34,642.16
	06/30/15	int	COLL - UB COJ Water Fin Chg				24448	13.69	0.00	34,559.40
	06/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		23955	5.68	0.00	34,545.71
	06/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		23955	88.47	0.00	34,540.03
	06/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		23955	14.63	0.00	34,451.56
MAY	05/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		23353	5.50	0.00	34,436.93
$1500 DUE	05/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		23353	85.62	0.00	34,431.43
	05/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		23353	14.16	0.00	34,345.81
APRIL	04/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		22771	5.68	0.00	34,331.65
$1500 DUE	04/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		22771	88.47	0.00	34,325.97
	04/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		22771	14.63	0.00	34,237.50
MARCH	03/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		22189	3.48	0.00	34,222.87
$1500 DUE	03/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		22189	54.22	0.00	34,219.39
	03/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		22189	8.97	0.00	34,165.17
	02/10/15	pmt		Payment		Check		0.00	1,500.00	34,156.20
FEBRUARY	02/10/15	int	COLL - UB COJ Sales Tax Fin Chg				21710	1.65	0.00	35,656.20
$1500 DUE	02/10/15	int	COLL - UB COJ Sewer Fin Chg				21710	25.68	0.00	35,654.55
	02/10/15	int	COLL - UB COJ Water Fin Chg				21710	5.52	0.00	35,628.87
	02/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		21635	4.58	0.00	35,623.35
	02/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		21635	71.35	0.00	35,618.77
	02/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		21635	15.33	0.00	35,547.42
	01/07/15	pmt		Payment		Check		0.00	1,500.00	35,532.09
JANUARY	01/07/15	int	COLL - UB COJ Sales Tax Fin Chg				20943	1.10	0.00	37,032.09
$1500 DUE	01/07/15	int	COLL - UB COJ Sewer Fin Chg				20943	17.12	0.00	37,030.99
	01/07/15	int	COLL - UB COJ Water Fin Chg				20943	4.36	0.00	37,013.87
	01/01/15	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		20941	5.68	0.00	37,009.51
	01/01/15	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		20941	88.47	0.00	37,003.83
	01/01/15	int	COLL - UB COJ Water Fin Chg		COJUB 2027		20941	22.51	0.00	36,915.36
DECEMBER	12/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		20426	5.50	0.00	36,892.85
$500 DUE	12/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		20426	85.62	0.00	36,887.35
	12/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		20426	21.78	0.00	36,801.73
NOVEMBER	11/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		19953	5.68	0.00	36,779.95
$500 DUE	11/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		19953	88.47	0.00	36,774.27
	11/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		19953	22.51	0.00	36,685.80
OCTOBER	10/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		19454	1.65	0.00	36,663.29
$500 DUE	10/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		19454	25.68	0.00	36,661.64
	10/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		19454	6.54	0.00	36,635.96
	09/22/14	pmt		Payment		Check		0.00	1,000.00	36,629.42
SEPTEMBER	09/22/14	int	COLL - UB COJ Sales Tax Fin Chg				19443	3.85	0.00	37,629.42
$500 DUE	09/22/14	int	COLL - UB COJ Sewer Fin Chg				19443	59.93	0.00	37,625.57
	09/22/14	int	COLL - UB COJ Water Fin Chg				19443	16.78	0.00	37,565.64
	09/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		18725	5.68	0.00	37,548.86
	09/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		18725	88.47	0.00	37,543.18
	09/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		18725	24.77	0.00	37,454.71
AUGUST	08/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		18112	4.40	0.00	37,429.94
$500 DUE	08/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		18112	68.49	0.00	37,425.54
	08/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		18112	19.17	0.00	37,357.05
	07/08/14	pmt		Payment		Check		0.00	500.00	37,337.88
JULY	07/08/14	int	COLL - UB COJ Sales Tax Fin Chg				17659	1.28	0.00	37,837.88
$500 DUE	07/08/14	int	COLL - UB COJ Sewer Fin Chg				17659	19.98	0.00	37,836.60
	07/08/14	int	COLL - UB COJ Water Fin Chg				17659	5.86	0.00	37,816.62
	07/01/14	int	COLL - UB COJ Sales Tax Fin Chg		COJUB 2027		17614	3.30	0.00	37,810.74
	07/01/14	int	COLL - UB COJ Sewer Fin Chg		COJUB 2027		17614	51.37	0.00	37,807.44
	07/01/14	int	COLL - UB COJ Water Fin Chg		COJUB 2027		17614	15.13	0.00	37,756.07
JUNE	06/13/14	inv	COLL - UB COJ Sales Tax 3.75%		COJUB 2027		17603	1,784.33	0.00	37,740.94
$500 DUE	06/13/14	inv	COLL - UB COJ Sewer 3.75%		COJUB 2027		17603	27,777.44	0.00	35,956.61
	06/13/14	inv	COLL - UB COJ Water 3.75%		COJUB 2027		17603	8,679.17	0.00	8,179.17
	06/02/14	pmt		Payment		Pmt XII		0.00	500.00	(500.00)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tides Complex, Inc.
Than Nguyen & Quy Lam
5050 Glacier Hwy
Juneau, AK 99801

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery 11/24/15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☒ Yes

2. Article Number (Transfer from service label) 7005 0390 0006 3816 2556

Didn't pay for restricted delivery

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1

7005 0390 0006 3816 2556

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	$ 0.975
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 7.175

Postmark Here

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

Tides Complex, Inc.
Than Nguyen & Quy Lam
5050 Glacier Hwy
Juneau, AK 99801

PS Form 3800, June 2002 See Reverse for Instructions

CBJ LAW

Y/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

rd St., Juneau, AK 99801-1397

CERTIFIED MAIL™

7005 0390 0006 3816 2556

7005 0390 0006 3816 2556

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OFFICIAL USE

Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $

Postmark Here

Sent To
Tides Complex, Inc.
Than Nguyen & Quy Lam
Street, Apt. No.; or PO Box No. 5050 Glacier Hwy
City, State, ZIP+4 Juneau, AK 99801

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tides Complex, Inc.
Than Nguyen & Quy Lam
5050 Glacier Hwy
Juneau, AK 99801

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (*Printed Name*) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☒ Yes

2. Article Number (*Transfer from service label*) 7005 0390 0006 3816 2556

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540