THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - December 17, 2018

MEETING NO. 2018-37: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE

Boy Scouts Pack 6, Den 1 led the Assembly in the Flag Salute.

II. ROLL CALL

Assembly present: Mayor Beth Weldon, Mary Becker, Rob Edwardson, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Carole Triem, Michelle Hale, Wade Bryson.

Assembly Absent: None

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Attorney Robert Palmer; Municipal Clerk Beth McEwen, Community Development Director Jill Maclean, Finance Director Bob Bartholomew, Parks and Recreation Manager George Schaaf, Lands Manager Greg Chaney, Housing/Homelessness Coordinator Irene Gallion, Port Director Carl Uchytil

III. SPECIAL ORDER OF BUSINESS

A. Youth Recognition: Bergen Davis

Alaska Communications Systems (ACS) recognized six youth across Alaska through its *2018 Summer of Heroes* program and Bergen Davis from Juneau was one of those six. ACS granted each of the youth with a $1,500 scholarship and asked their communities to honor their contributions in their local communities and across the state.

Since early childhood, Bergen has routinely set aside up to 20 percent of all his earnings to buy fresh produce and haul carloads of goods to the Glory Hall Homeless Shelter and Soup Kitchen. He is known for selflessly getting needed groceries, winter coats and blankets all while saving for college and his own daily expenses.

Bergen had always provided his support quietly and alone until this past spring when he realized his voice and actions could positively influence others. He designed and orchestrated a statewide campaign called Sock Sacks for the Homeless to collect basic care items. As a student athlete, he used his platform to share the need for assistance.

IV. APPROVAL OF MINUTES

A. September 17, 2018 Regular Assembly Meeting 2018-29

B. December 1, 2018 Special Meeting 2018-35 Assembly Retreat Draft Minutes

MOTION by Ms. Becker to approve the minutes of the September 17 and December 1, 2018 Assembly meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested the removal of Transfer T-1007 which he hopes to be brought back at the second regular Assembly meeting in January 2019.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Albert Shaw stated that he was on the original boundary commission and he encouraged the Assembly to continue the annexation proceedings for the north Admiralty Island area. Mr. Shaw said he drew the original borough boundaries and he wanted that area included at the time but it didn't make the final boundary.

Mr. William Quayle encouraged the Assembly to implement two sets of rules pertaining to pedicabs, one that applies in winter and a second one that applies during the summer.

Ms. Connie Hulbert, General Manager at AEL&P, said they would like to work with the Assembly and community in achieving the goals they set for sustainability efforts. She also thanked the community for coming out and celebrating AEL&P's 125 Anniversary. She explained with respect to the Juneau Hydropower project, they had to complete three studies; two of those studies have been completed and they are presently waiting for the third study to be done.

Mr. Bill Leighty said that in light of Judge Holland's decision, he would like to suggest 3 things on how the Assembly should spend the money from the cruise ships:
1) Electrify the docks so the ships may burn less fuel while in port;
2) Require fuel cell buses and examine the capacity of those cruise ships coming to town; and
3) Build a hydroelectric powered fixed guideway system (light rail).

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

<u>MOTION</u> by Ms. Gladziszewski to adopt the Consent Agenda with the removal of item T-1007 as requested by the City Manager. *Hearing no objection, the Consent Agenda as amended was adopted.*

1. Ordinances for Introduction

   a. Ordinance 2018-47 An Ordinance Amending the Health and Sanitation Code Relating to Smoking Limitations.

      The CBJ has code provisions that restrict smoking. The State recently enacted SB63 to restrict smoking state-wide. Although most of the SB63 provisions are the same or similar to CBJ code, there are slight differences. This ordinance would amend the CBJ code to be consistent with SB63, which minimizes confusion as to where people can smoke and makes it easier for the smoking restrictions to be enforced.
      The Committee of the Whole discussed this matter at its meetings on October 22 and November 15, 2018.

      The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular meeting.

   b. Ordinance 2018-11(T) An Ordinance Appropriating to the Manager the Sum of $380,000 as Funding for the Juneau International Airport's Replace Exit Lane System Capital Improvement Project; Funding Provided by the Airport Fund's Fund Balance.

      The secured exit lane is the primary egress from the departure lounge, and a controlled access point. This project is ineligible for funding through the Airport Improvement Program, and requests for TSA and port grants have been denied.

      At its November 13, 2018, meeting, the Airport Board approved this action.
      The Public Works and Facilities Committee reviewed this ordinance at its meeting on December 10, 2018 and forwarded it to the full Assembly for approval.

      The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

   a. Resolution 2843 A Resolution Adopting an Alternative Allocation Method for the FY19 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern

Southeast Fisheries Management Area.

This resolution would facilitate the CBJ's participation in the State's FY2019 Shared Fisheries Business Tax Program by certifying that an alternative allocation method fairly represents the distribution of significant effects of fisheries business activity in Fisheries Management Area 17: Northern Southeast Area for calendar year 2017. Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast Area.

Historically, the participating communities in the Northern Southeast Area have agreed to an alternative funding method in which the communities share one half of the funding equally between the respective municipalities and share the other half based upon community population figures. If all of the participating communities in the Northern Southeast Area agree to this alternative method, as suggested in the State application, then the CBJ's anticipated allocation will be approximately $9,883. If the participating communities in the Northern Southeast Area do not agree to this alternative method, then a standard application would be due no later than February 15, 2019, which documents the costs of fisheries impacts on the CBJ.

The City Manager recommends adoption of this resolution.

3. Bid Award

   a. Douglas Highway Water Main Replacement

      Bids were opened on this project on December 12, 2018. The bid protest period expired on December 13, 2018. Results of the bid opening are as follows:

Responsive Bidders	Total Bid
Admiralty Construction	$1,941,090
Coogan Construction	$2,045,451
Glacier State Contractors	$2,127,207
Arete Construction	$2,276,006
Engineer's Estimate	$2,237,485

The City Manager recommends award of this project to Admiralty Construction, Inc., for the total amount bid of $1,941,090.

4. Liquor License

   a. Liquor License Renewals and A New Liquor License

      These liquor license actions are before the Assembly to either protest or wave its right to protest each license action.

      New License Application
      License Type: Brewery, License #5729
      Forbidden Peak Brewery LLC d/b/a Forbidden Peak Brewery LLC
      Location: 11798 Glacier Hwy, Juneau

      Renewal of Liquor Licenses
      License Type: Brewery, License #5517
      Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company
      Location: 100 N Franklin St. Juneau

      License Type: Package Store, License #849
      Thibodeau's Market Inc. d/b/a Percy's Liquor Store
      Location: 214 Front St. Juneau

      License Type: Package Store, License #3352
      Costco Wholesale Corporation d/b/a Costco Wholesale #107
      Location: 5225 Commercial Way, Juneau

      License Type: Beverage Dispensary, License #76
      The Narrows Bar, LLC d/b/a The Narrows Bar LLC
      Location: 148 S. Franklin St. Juneau

      Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest these applications. Copies of the documents associated with each license are in the Assembly's e-packet or available in hardcopy upon request to the Clerk's office.

      The City Manager recommends the Assembly waive its right to protest the above-listed liquor license applications.

5. Transfers

   a. Transfer 1007 A Transfer of $6,000,000 from Statter Harbor

Improvements - Phase III and Open Space Waterfront Land Acquisition Capital Improvement Projects to Marine Park to Taku Uplands Improvement Capital Improvement Project.

Transfer T-1007 transfers $4.5 million, of State Cruise Passenger Vessel Excise Tax, from Statter Harbor Improvements Phase III and $1.5 million, of CBJ Marine Passenger Fees, from Open Space Land Acquisition Fund, to the Marine Park to Taku Uplands Improvement Project.

Docks & Harbors proposes construction of a downtown transportation staging area and expanded waterfront open space deck-over project in support of the cruise passenger growth in Juneau. The project includes a land exchange and results in a net purchase of approximately 0.4 acres of additional property. The project would be constructed in two phases over the course of twenty-four months. The total estimated project cost is $23.5 million. The Finance Director has developed a funding package which would include sufficient resources to complete the proposed project. Phase I improvements would cost $20.5 million and include the purchase of necessary property and the project costs of the first phase of the construction project. The first phase of construction would include the pilings and installed decks and surface improvements. Phase II, if funded at a later date by the Assembly, would include the covered passenger shelter with restrooms.

The funding for Phase I consists of:
1) $3.5 million of funds already appropriated
2) Appropriating $11 million via ordinance 2018-11(S) and
3) $6 million of passenger fees to be transferred, via this resolution, from other CIPs.

The City Manager is continuing to review the recent court order from Judge Holland regarding the CLIA litigation and recommends that public hearing on this Ordinance be postponed until the second Assembly meeting in January 2019.

VIIIPUBLIC HEARING

A. Ordinance 2018-41(c) An Ordinance Amending the Land Use Code Relating to Alternative Residential Subdivisions.

This ordinance would amend the land use code to allow for a new housing option. This ordinance would create reasonable minimum standards and procedures for small-lot residential communities in which all or some of the lots do not substantially conform to the minimum requirements for a traditional subdivided lot. This ordinance also permits flexibility in the use of land desired by the community; encourages small-lot residential communities; encourages a different type of housing option; encourages development of quality affordable housing; and encourages residential developments that are in harmony with the surrounding area. Other communities have recently authorized this type of housing option.

The Title 49 Committee and the Planning Commission held multiple hearings on this ordinance. On September 25, 2018, the Planning Commission recommended the Assembly adopt this ordinance. The Assembly Committee of the Whole discussed this matter at its meetings on October 22, November 19, and December 10. The Committee of the Whole recommended that the Assembly adopt version C of this ordinance.

The City Manager recommends this ordinance be adopted.

Public Comment:
Mr. Richard Harris spoke in opposition to the ordinance. He asked to use the laptop to show comparisons of condominiums vs. subdivisions and showed code language from Snohomish County, WA and the Anchorage Alternative Residential Subdivision code. He said that he didn't believe any of the builders or developers were part of the creation of this ordinance before the Assembly and that there is a pending appeal before the Planning Commission and he feels that appeal should be resolved before the Assembly considers adopting this ordinance.

Mr. Victor Banizak is the President of Southeast Homebuilders and the Vice-President of the Alaska State Homebuilders. He said their main concerns are with the mixing of language when referring to ownership vs. subdivision of land. His noted that Alaska has a high cost of living and cost of homes due to an excess regulation and Juneau specifically is being regulated a lot higher than other areas of the state. He would like to see a better relationship developed with the builders and the city with better communication in the future. He asked the Assembly to table action on this ordinance until the pending appeal process is finished.

Mr. Alan Wilson said he is a local builder, and to give full disclosure he does not build condos or multifamily projects. His comments relate to process. When he tries to recruit builders to come to Juneau, they tend to shake their heads. He recently spoke with two Anchorage builders who stopped building condos due to the adoption of Anchorage's condo regulations and they have gone back to building single family projects. He spoke to a question that Mr. Kiehl had asked about the bonus language in the ordinance as it relates to condos and suggested that if the condo language was removed from the ordinance, those density bonuses would not apply to condos. Mr. Wilson said that he served on the Affordable Housing Commission during the time the cottage housing code language was developed and there was so much concern with undesirable housing being built as a result of that project that the code language was written such that no cottage housing has been built so far. He asked the Assembly to hold off on passing the ordinance and to give the building community additional time to review it.

Ms. Tracy Heaton is an Associate Broker at Juneau Real Estate. She noted that this ordinance is primarily relating to site condos or those that are detached from one another. Other communities have implemented regulations for similar structures. The state has statutes relating to this and she feels that while CBJ can have ordinances pertaining to these, they should not be contrary to state laws. She asked that they not vote in favor of an ordinance that would impact the development of additional housing and that the current code amendment has flaws in it and it may be premature to vote on it at this point. She asked that the Assembly wait until after the pending appeal is resolved. It is difficult in the real estate market to work with buyers/sellers and be able to provide a high quality home. She noted that site condos are the wave of the future for Juneau. When asked by Mr. Bryson to give an example of a site condo, Ms. Heaton said that the Sunset Meadows project across from Safeway would be an example of a site condo. They are close but they do not share a wall and are detached from each other. Ms. Heaton then went on to explain that these are fee simple ownership down to the ground and that the confusion tends to happen in terms of what the ownership is limited to. The land is one lot and owned by a homeowners association. Buyers are looking for new housing that is affordable and these site condos can provide that.

Assemblymembers had a number of questions for the speakers that were answered as part of their testimony.

Ms. Maclean was then asked to come up and answer questions from Assemblymembers. Assemblymembers asked Ms. Maclean to address what the results of potentially removing the language from the ordinance pertaining to condominiums and also to address whether this ordinance has anything to say about site condos or detached condos. Ms. Maclean explained that the language in the ordinance about condos was included so they could provide another option to condo builders. There are other ways condo developers can build condos and that would be either through the minor development process and re apply for a regular building permit or a major development process which would go through the conditional use permit process. Ms. Maclean then went on to the explain that they tried to simplify and clarify the density bonuses system language in this ordinance. The topography in Juneau is greatly different from Anchorage and the lower 48 and they tried to craft the ordinance language to provide options for the builders and Planning Commission to provide for open space while still allow for greater density.

Assemblymembers asked Ms. Maclean about the current regulatory process for condos and if she felt delaying adoption of the ordinance or moving the ordinance forward but striking the condo language from it would solve those concerns raised earlier this evening.

Ms. Maclean clarified that state law governs condos regulation, however CBJ regulates all development so whether someone is building a shed, a single family unit, or a site condo, they all have to go through the building permitting process. She stated that what she heard from those testifying tonight was that they did not wish to have the condo language included in the ordinance and if it was a matter of striking the condo language or delaying the ordinance altogether, she would prefer the Assembly strike the condo language and move forward with the rest of the ordinance to be able to provide those individuals who wished to develop under the ARS system the option to do so. She went on to say that if the Assembly chose to come back and make changes to the ordinance once the pending appeal has run its course that could be an option as well. The ARS ordinance is not just about large developers but also for the individual lot owners who want to develop their own niche using this option.

Ms. Triem asked if they were to strike the language pertaining to condos in this ordinance if that would exclude condo developers from using this ordinance to build condos.

Mr. Palmer stated that there seems to be some confusion and he clarified that the trigger for the ordinance, 49.50.910 would only apply when there is a subdivision if they are creating super small lots. He explained that the critical language in the ordinance is the trigger if someone is subdividing a lot and that whether that lot is being used for condos or other structures, it is the subdivision piece that is the relevant part that applies.

Mr Palmer then answered a series of hypothetical questions as to various types of development.

Additional discussion took place regarding the public process that this ordinance has gone through and this ordinance is trying to get to infill development.

Mr. Watt said that the Planning Commission and staff have provided a very intensive process and no one would be required to use this ordinance if they chose not to. He said this would provide additional options for those who would like to subdivide and use this option. Juneau land is scarce and has difficult topography and this is one option for being able to develop what is available.

Assemblymembers and Mr. Palmer discussed interpretation of the ordinance language and also clarification on language pertaining to a "common interest community" and how that might differ from a condominium. Mr. Palmer explained that the State of AK had a common interest community and that language is no longer in the state law and it was replaced with "condo" lanugage but not sure when that change had been made.

Mr. Bryson asked the attorney to give an opinion on the request to postpone action until the pending appeal has been resolved. Mr. Palmer explained that the appeal does not affect the ordinance before them tonight and that he is not going to comment on any issues relating to the appeal itself outside of the appeal process.

When Mayor Weldon asked Mr. Palmer about what difference it would have if condo language was removed from the ordinance, Mr. Palmer read from the memo to the Assembly COW dated November 9. While that phrase can be eliminated, it may invite some confusion and further disputes.

MOTION by Ms. Gladziszewski to adopt Ordinance 2018-41(c).

Ms. Gladziszewski said this has gone through a lot of review and she doesn't understand why they would take condos out of the ordinance, it only provides additional options.

Mr. Bryson asked to amend the motion to strike the condominium phrase from the ordinance.

AMENDMENT by Mr. Bryson, referring to the language as found in the November 9 memo, to strike the words "including condominium and other common-interest communities." under Code 49.15.900.

Mr. Jones objected to the amendment.

Mr. Kiehl asked if the striking this wording would actually accomplish removal of condos from this ordinance since the language being struck refers to fee simple ownership. Mr. Palmer explained that even if the language is struck, this ordinance may still relate to condos depending on the type of ownership of the land in question.

Mayor Weldon asked for a roll call vote on the Amendment.
Ayes: Bryson, Edwardson
Nays: Becker, Gladziszewski, Hale, Jones, Triem, Kiehl, and Weldon
Motion failed 2:7

Mayor Weldon then asked for a vote on the main motion to adopt Ordinance 2018-41(c). *Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon called for a break at 8:13 p.m.

B. Ordinance 2018-48 An Ordinance Authorizing the Port Director to Execute a Lease with Harri Commercial Marine for the Auke Bay Boatyard.

This ordinance would authorize the Port Director to execute a lease with Harri Commercial Marine (dba Juneau Marine Services) for the Auke Bay Loading Facility. Harri Commercial Marine has leased the same or similar space from the CBJ since 2008 prior to the existing lease expiring. Harri Commercial Marine recently applied to continue leasing the Auke Bay Loading Facility for 20 more years in two 10-year terms. An appraisal determined the fair market value of this lease to be $36,000 per year.

The Docks & Harbors Board approved the rental rate at its June 28 meeting and approved the terms of the proposed new lease at its August 30 regular meeting. On November 5, 2018, the Assembly authorized direct negotiations with Harri Commercial Marine.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:
MOTION by Mr. Bryson to adopt Ordinance 2018-48 and asked for unanimous consent.

Mr. Jones objected for purposes of asking a question. He asked about how often the price gets reviewed and adjusted under the Docks & Harbors leasing rules.

Mr. Palmer said that the lease renewal that happens with price review and adjustment will occur every five years during the overall lease period as indicated on page 110 of the packet documents.

Mr. Jones removed his objection.

Hearing no further objection, the motion passed.

C. Ordinance 2018-49 An Ordinance Amending the Official Zoning Map to Rezone Lot 3, Block A, Sherwood Estates, Located at 2500 Sherwood Lane, from Industrial (I) to Light Commercial (LC).

Rezones are governed by 49.75.110-130. The owner of 2500 Sherwood Lane timely applied to request a rezone of a five-acre parcel from Industrial to Light Commercial. Staff reviewed the application, held a neighborhood meeting, and ultimately recommended to deny the proposed rezone. Staff primarily based its denial on its analysis that the residential and non-residential uses allowed in Light Commercial did not substantially conform to the Heavy Industrial designation of the Comprehensive Plan. On October 23, 2018, the Planning Commission disagreed with staff. The Planning Commission discussed whether a Comprehensive Plan map amendment was necessary first, but the Planning Commission ultimately decided to recommend the rezone. The Planning Commission's analysis is summarized in the Whereas clauses of this ordinance.

The Assembly Committee of the Whole discussed this matter at its meeting on November 19, 2018, and recommended not to adopt this ordinance.

The City Manager recommends the Assembly not adopt this ordinance, in accordance with the Committee of the Whole recommendation.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2018-49 and said she would like to discuss it further.

Mr. Jones noted an objection for purposes of discussion.

Ms. Hale stated that the Assembly received an email with some additional information and a photo. She said she also discussed this with individuals who are interested in developing industrial property and that with the salmon stream running through the property it would be difficult to develop the industrial property in this area so it gave her pause on how best to address this rezone request.

Roll call vote on the motion to adopt Ordinance 2018-49.

Ayes: Hale, Bryson
Nays: Triem, Edwardson, Jones, Kiehl, Becker, Gladziszewski, Weldon.
Motion failed 2:7

D. Ordinance 2018-50 An Ordinance Approving a Land Trade between the City and Borough and Alan and Ellen Rogers for Properties Located on the Southern End of the Mendenhall Peninsula.

This ordinance would authorize the City Manager to execute a land exchange. The Rogers family owns a lot next to CBJ park property on the southern end of the Mendenhall Peninsula. The Rogers applied for a land exchange so that the Rogers could build an accessible home on the upland part of their lot and in exchange the Rogers would convey to the CBJ property of equal value. The property would be added to the park and was determined by appraisal to be 2½ times more valuable than the upland property. Thus, approximately 14,225 square feet of CBJ upland property would be traded for approximately 6,164 square feet of property owned by the Rogers.
The Assembly agreed to the concept at its June 4, 2018 meeting and directed the Manager to negotiate terms for the land trade.
The Parks and Recreation Advisory Committee, the Lands Committee and Planning Commission have all reviewed the proposed land exchange and recommended approval.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:

MOTION by Ms. Triem to adopt Ordinance 2018-50 and asked for unanimous consent. *Hearing no objection, the motion passed.*

E. Ordinance 2018-11(R) An Ordinance Appropriating to the Manager the Sum of up to $205,000 as Funding for the Community Development Department; Grant Funding Provided by the United States Department of Homeland Security, Federal Emergency Management Agency, FY18 Cooperating Technical Partners Program.

The City and Borough has been awarded up to $205,000 by the Federal Emergency Management Agency to update information on the landslide and avalanche risk in Juneau. The grant includes $180,000 for a study, and $25,000 to develop policy recommendations. The grant will be implemented through two contracts issued following a bidding process. The project will be completed over a period of four years. No additional CBJ funds are required.

Adoption of this ordinance authorizes the CBJ to accept the grant funds.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:

MOTION by Mr. Edwardson to adopt Ordinance 2018-11(R) and asked for unanimous consent. *Hearing no objection, the motion passed.*

F. Ordinance 2018-11(S) An Ordinance Appropriating to the Manager the Sum of $11,000,000 as Funding for the Downtown Waterfront Improvement Project; Funding Provided by Cruise Passenger Vessel Excise Tax, Port Development Fees, Marine Passenger Fees Fund's Fund Balance, and Dock Fund's Fund Balance.

DOWNTOWN WATERFRONT IMPROVEMENT PROJECT – FUNDING PACKAGE

Docks & Harbors proposes construction of a downtown transportation staging area and expanded waterfront open space deck-over project in support of the cruise passenger growth in Juneau. The project includes a land exchange and results in a net purchase of approximately 0.4 acres of additional property. The project would be constructed in two phases over the course of twenty-four months. The total estimated project cost is $23.5 million. The Finance Director has developed a funding package which would include sufficient resources to complete the proposed project. Phase I improvements would cost $20.5 million and include the purchase of necessary property and the project costs of the first phase of the construction project. The first phase of construction would include the pilings and installed decks and surface improvements. Phase II, if funded at a later date by the Assembly, would include the covered passenger shelter with restrooms.

The proposal draws from a variety of funds including: Cruise Passenger Vessel Excise Tax, Marine Passenger Fees, Port Development Fees, Dock Fund Balance and Waterfront Land Acquisition CIP.

The funding for Phase I consists of:
1.) $3.5 million of funds already appropriated,
2.) appropriating $11 million via this ordinance and
3.) $6 million of passenger fees to be transferred in from other CIPs.

The City Manager is continuing to review the recent court order from Judge Holland regarding the CLIA litigation and recommends that public hearing on this Ordinance be postponed until the second Assembly meeting in January 2019.

Mr. Watt recommended the Assembly action and public hearing on this ordinance be postponed to the second meeting in January similar to the postponement of the transfer from the consent agenda.

Public Comment:
Mr. William Quayle stated that this should be put on the back burner. He stated that they should link the B dock with the AJ dock as their first priority.

Assembly Action:

MOTION by Mr. Jones to postpone Assembly action on Ordinance 2018-11(S) until the second Assembly meeting in January 2019. *Hearing no objection, the motion carried.*

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

A. North Douglas Land Disposal - Applicant Thomas Daugherty

The Division of Lands and Resources received an application to purchase City property from Thomas Daugherty who owns the property located at 9223 North Douglas Highway. The City property has the legal description of USS 3559, Lot 1; and consists of a very large parcel of over 1,100 acres. Thomas Daugherty has requested to purchase a small fraction of City owned property in order to have enough square footage to subdivide his existing lot into two residential lots. Currently the applicant's lot is 71,438 square feet which is 512 square feet short from the minimum size needed to subdivide. The property that Mr. Daugherty has requested to purchase is a small strip of City land along the back of his property.

The Land Management Plan has this property designated as Retain/Dispose which allows for this type of disposal request. City code 53.09.260 - **Negotiated sales, leases, and exchanges** states that *"The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land."*

On November 19, 2018 the Lands Committee unanimously passed a motion of support to the Assembly to work with the original applicant and dispose of roughly 530 square feet of City property.

The City Manager requests a motion of support to enter into direct negotiations with the original applicant for the disposal of a Fraction of USS 3559.

Mr. Watt explained process of proposals and recommended the Assembly pass a motion of support to direct the manager to enter into direct negotiations with the original applicant for the disposal of a fraction of USS 3559.

Public Comment:
None.

Assembly Action:

MOTION by Mr. Kihel to direct the manager to enter into negotiations with original applicant. *Hearing no objection, the motion carried.*

B. LID Board of Equalization

The Assembly will recess and convene as the Board of Equalization for the purpose of holding public hearing on the assessment rolls, and separate assessments appearing thereon, for LID 62 and LID 97. At the conclusion of the hearing, the Board of Equalization should recommend to the Assembly that it approve the assessment rolls with any revisions or corrections recommended by the Board. The Board will then adjourn and the Assembly will reconvene. The Assembly will consider Resolutions 2841 and 2842 approving the rolls, fixing the time and method of payment, setting the date of levy, and fixing the time of delinquency, and penalties and interest under New Business.

Mayor Weldon recessed the regular Assembly meeting for purposes of convening as the

Board of Equalization at 8:48 p.m.

Mr. Palmer explained Board of Equalization process as it relates to Local Improvement Districts (LIDs).

C. Assembly Action - Resolution 2842 A Resolution Confirming the Assessment Roll for LID No. 97, That Installed a Municipal Water System within the Public Roads of the Eagles Edge Subdivision in the Lemon Creek Area, Fixing the Time and Method of Payment Assessments, Setting the Date of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

This resolution would confirm the assessment roll for Local Improvement District (LID) No. 97, which installed a municipal water system within the public roads of the Eagles Edge Subdivision. This LID was created by Ordinance 2013-07, which proposed an assessment of $3,300 per lot. As presented in this resolution, each lot in the proposed assessment roll would be assessed $3,300.

Article IV of CBJ 15.10 governs this assessment roll process. Notices were published in the newspaper and mailed to residents in the LID area, so they would have an opportunity to make their views known to the Assembly at tonight's hearing. For the purpose of this hearing, the Assembly sits as a Board of Equalization to confirm the assessment roll. After hearing all objections and suggestions, the Assembly may correct, revise, raise, lower, change the roll, or set aside the roll and order the remaking of the assessment.

Staff will be recommending the Assembly remove one parcel assessment from the assessment toll. CBJ 15.10.120(a) prohibits a lot from being assessed if the lot did not receive any benefits from the LID. The parcel requested to be removed is the playground and basketball parcel, owned by the Eagles Edge Home Owners association, which did not have sewer or water services to the parcel and was not benefited by this LID.

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REMOVE the following property assessment of $3300. This property was not provided a water service as it is the playground and basketball parcel owned by Eagles Edge Homeowners Association:

Parcel Number:	Owner:	Assessment:	Street:	Address:
5B1301170160	Eagles Edge Sub Homeowners Association	3,300.00	N/A	Chatham

Revised Assessment Roll Total: $**290,400** (original assessment roll total :

$293,700)

The City Manager recommends the adoption of this resolution as modified by the Board of Equalization.

Mr. Watt recommended the removal of 5B1301170160 from the assessment roll for LID 97 as set out in Resolution 2842.

Public Comment
None.

MOTION by Ms. Gladziszewski to recommended the removal of 5B1301170160 from the assessment roll of LID 97 and asked for unanimous consent. *Hearing no objection, the motion carried.*

Mayor Weldon asked for procedural clarification by the City Attorney. Mr. Palmer recommended the Assembly proceed with item D and hold public hearing on that LID. Once public hearing and any roll adjustments are completed, the Mayor would adjourn the Board of Equalization and reconvene as the Assembly and then proceed with adoption of the Resolutions.

D. Assembly Action - Resolution 2841 A Resolution Confirming the Assessment Roll for LID No. 62, That Constructed Improvements to the Road Base, Drainage, Pavement and Sidewalks within the Public Roads of the McGinnis Subdivision in the Back Loop Road area, Fixing the Time and Method of Payment Assessments, Setting the Date of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

This resolution would confirm the assessment roll for Local Improvement District (LID) No. 62, which constructed improvements to the road base, drainage, pavement and sidewalks within the public roads of the McGinnis Subdivision area. This LID was created by Ordinance 2015-28, which proposed an assessment of $3,000 for each parcel in the Moraine Edge Subdivision and $4,000 for each parcel in the LID but outside the Moraine Edge Subdivision. As presented in this resolution, the lots in the proposed assessment roll would be assessed the same amount as estimated in Ordinance 2015-28.

Article IV of CBJ 15.10 governs this assessment roll process. Notices were published in the newspaper and mailed to residents in the LID area, so they would have an opportunity to make their views known to the Assembly at tonight's hearing. For the purpose of this hearing, the Assembly sits as a Board of Equalization to confirm the assessment roll. After hearing all objections and suggestions, the Assembly may correct, revise, raise, lower, change the roll, or set aside the roll and order the remaking of the assessment.

Staff will be recommending three assessment roll changes due to two property subdivisions and a lot consolidation. CBJ 15.10.120(b) requires the Manager to establish an equitable method of assessing property that is subdivided or consolidated during the pendency of the LID. The specific changes being requested are detailed below.

ADD the following properties to the LID Assessment Roll to be assessed at $4000 each. These properties were created by property subdivisions after LID 62 was formed:

Parcel Number:	Owner:	Assessment:	Street:	Address:
4B2601100012	Mark W Pincikowski & Jennifer S Urban	4,000.00	4945	Steelhead
4B2601100082	Hi S. Kim	4,000.00	4947	Hummingbird

REMOVE the following property assessment of $4000. This property was consolidated into the adjacent property 4950 Steelhead:

Parcel Number:	Owner:	Assessment:	Street:	Address:
_4B2601100040	Linda C. Kadrlik	4,000.00	N/A	Steelhead

Revised Assessment Roll Total: $**476,000** (original assessment roll total : $472,000)

The City Manager recommends the adoption of this resolution as modified by the Board of Equalization.

The Clerk had distributed a letter from Mr. Brakel on behalf of REACH.

Mr. Watt recommended three changes to the assessment roll for LID 62 as set out in his Manager's Report.

Public Comment
None.

MOTION by Ms. Gladziszewski to add parcels 4B2601100012 (Mark Pincikowski and Jennifer Urban) and 4B2601100082 (Hi S. Kim) and asked for unanimous consent. *Hearing no objection, those parcels were added to LID 62 roll.*

MOTION by Ms. Gladziszewski to remove parcel 4B2601100040 (Linda Kadrlik) and asked for unanimous consent. *Hearing no objection, that parcel was removed from the LID 62 roll.*

Mr. Watt noted that with these roll changes, the revised assessment roll will total $476,000.

Ms. Weldon asked the City Attorney to address the letter from REACH, Inc. asking to be removed from LID 62.

Mr. Palmer stated that CBJ Code 15.10.110 specifically addresses this and states that all property, including property that is exempt from taxation, shall be liable for the cost of a local improvement unless they are exempted by state or federal law. He said that he does not know of any specific exemption in state or federal law for a non-profit to be exempt from the LID.

Mayor Weldon adjourned the Board of Equalization and reconvened the Assembly meeting at 8:59 p.m.

MOTION by Ms. Becker to adopt Resolution 2841 with the changes to the roll with the added parcels 4B2601100012 (Mark Pincikowski and Jennifer Urban) and 4B2601100082 (Hi S. Kim) and the removal of parcel 4B2601100040 (Linda Kadrlik) and asked for unanimous consent. *Hearing no objection, the motion carried.*

MOTION by Ms. Becker to adopt Resolution 2842 with the removal of parcel 5B1301170160 (Eagles Edge Sub. Homeowners Assoc.) asked for unanimous consent. *Hearing no objection, the motion carried.*

XI. STAFF REPORTS

None.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon reported that it has been a busy month already and she wished everyone Happy Holidays and Happy New Year as they get ready to enjoy a well deserved break from meetings.

She reported that she, along with Mr. Kiehl and Ms. Triem met with the female Cub Scouts. She and staff also met with the Juneau Legislative Delegation where Mr. Kiehl was wearing a different hat. She said she also attended the Kensington Advisory Group and Capital Committee meetings. She reported that since the last Assembly meeting, they held the Assembly retreat where they finalized their goals for the coming year.

Other community events she attended included the Central Council Tlingit & Haida Indian Tribes of Alaska (CCTHITA) luncheon, First Friday Gallery Walk, Chief Petty Officer's Senior Citizen Dinner, Fireman's Ball, and the JDHS Art show. She rang a bell for the Salvation Army in their annual fundraiser efforts.

She, along with Manager Watt and his mother Pat Watt, welcomed Governor Dunleavy to town at the Governor's Open House. She and Manager Watt spoke with Pete Carran on KINY, and she spoke at the DARE graduation. She and staff also met with the Alaska Marine Highway folks about possible crew quarter upgrades on the new vessels coming online.

At the conclusion of the Mayor's report, Mayor Weldon recognized City Manager Duncan Rorie Watt for his work on behalf of CBJ for the past 25 years. She presented Mr. Watt with a certificate of appreciation.

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Ms. Gladziszewski reported that there was a Committee of the Whole (COW) on December 10 and they discussed many of the topics that were before the Assembly on this agenda including the Alternative Residential Subdivision Ordinance, the Archipelago property, they heard from Tom Mattice Emergency Planning Manager regarding emergency planning following the Anchorage earthquake. They finalized the goals as developed at the retreat and they heard a litigation update.

Ms. Becker reported that the Lands Committee did not meet last Monday. She stated that the Chamber of Commerce continues to meet each Thursday and this Thursday will be the last meeting at the Moose and then they will be moving to the Hangar Ballroom during the Legislative Session. The Docks and Harbors Board has their regular board meeting scheduled for this Thursday. She met with representative from the JACC. The Alaska Committee is working on Legislative Reception which she invite everyone to attend on January 16, 2019.

Mr. Kiehl reported that the Assembly Finance Committee met this past Wednesday at which they reviewed the old revolving loan fund agreement with JEDC. They directed the manager to take whatever steps were necessary to give JEDC more flexibility with those funds.They reviewed two potential changes to senior sales tax exemption and they had a lot of questions relating to those for staff. They received an extensive update on CBJ's financial position and major revenue and also received info on collective bargaining coming up along with innovated ideas with respect to senior housing. They then held an executive session to discuss upcoming negotiations with unions on employee compensation.

Switching to liaison reports and comments, he also attended many of the same events and also participated in the Floyd Dryden outdoor skills training that was put on with cooperation with the Juneau School District, U.S. Forest Service, State Department of Fish & Game and it is a great partnership safety program that they put on each year. He visited a Montessori kindergarten class and talked about Hanukkah. He also visited with a high school government class and discussed political parties in the nature of government in general. Mr. Kiehl mentioned that there is some kind of religious holiday coming up next week and he wished everyone a good time in celebrating it.

Mr. Jones reported that the Public Works and Facilities Committee met last week. They discussed the remodel of exit lanes at Airport (which was introduced tonight). They also discussed a resolution which will be coming to the Assembly to support a grant request for DOT/PF brotherhood bridge repair across Montana Creek. He noted that grant program has changed, and while we used to apply for and receive the grant, do the work and then request reimbursement, that has changes such that we apply for the grant funding but the State runs and administers the project.

Mr. Jones reported that the Assembly Childcare Committee has met three times this past month. They have come up with a problem statement they want to address and they have invited guest speakers/stakeholders to attend the January 11 and January 25 meetings which are open to the public. Those meetings begin at 12:15p.m. and if anyone is interested in their work, there is a webpage under the Assembly Committee website where the committee's meeting information is being posted.

Mr. Jones also reported that he attended the Juneau School Board worksession for candidate profiles on December 11. They held an online survey from which they received approx 150 comments. Their next meeting is scheduled for January 8, 2019 at which they will vote to either name the interim superintendent as their permanent choice, or decide whether to conduct a national search or an internal search. The other item of interest that will come before them on January 8 is a proposal to consider adding a Tlingit name to Juneau Douglas High School. That proposal had its first reading at the December 11 meeting.

Mr. Jones then reported that the DBA met since the last Assembly meeting and they received an update on the downtown phase 3 streets project from Mike Vigue and Lori Sowa. There was also a little bit of discussion about the DOT project from Main Street to Egan Drive. they also discussed Gallery Walk (which he attended) and the Kids Day program and although he didn't attend that, he heard it was a big success. He attended a JEDC Visitor Product Cluster meeting where they also talked about the DOT/PF Main Street/Egan Drive project. What they learned at both those meetings was that the bid came in $6 Million over the estimate so they have not heard from anyone as to what DOT/PF will do about the overage and their administrative is in transition. They received an update on Southeast group's report on the Roadless Rule. They briefly touched on the CLIA lawsuit but neither he nor the CLIA rep said anything about the subject. He attended the Auke Bay Plan Implementation Committee meeting and CDD Planner Allison Eddins handled it very well. He said that he was surprised by all the number of people in attendance who were ignorant of the entire previous process.

He said the first Downtown Blueprint Steering Committee meeting was held on December 12 and the Assembly was in its Finance Committee meeting that night. The next public meeting is scheduled for January 24, 2019 at Centennial Hall. He said he doesn't know when the next Steering Committee meeting is but in speaking with Ms. Maclean she indicated that they will not schedule it for a night that the Assembly is meeting elsewhere. In other events, Mr. Jones reported that he spent the last two weekends judging the Lego League event (elementary school age) and the FIRST Tech Challenge which was the high school level event attended by teams from across the state. He highly recommended anyone interested to get involved. He said that FIRST is not just a number but is an acronym "For Inspiration and Recognition in Science and Technology." He wished everyone a great holiday and is leaving to attend three more days of Marijuana Control Board meetings followed by a family holiday trip.

Mr. Edwardson reported that he was happy to attend an event on December 12 on behalf of the Mayor and Assembly where CCFR and JPD signed an agreement for the PaYS program with the Army Reserve. He said the PaYs program is an agreement between organizations around the country who recognize people who have gone through military training to give them a guaranteed interview for those agencies who participate. He said it also works for reserve officers as well as other active duty members leaving the service.

Mr. Edwardson reported that the next meeting of the Eaglecrest Board is scheduled for January 3 and he was unable to attend the last Eaglecrest Board meeting. The LEPC met on December 12 and talked about their annual report which they delivered to the Assembly HRC earlier this evening. One of the things they brought up in their report was a little bit of defunding from the Coast Guard and they will likely come to the Assembly for additional funding for their preparedness weekend. He said the payoff of the small amount of funding vs. the return on investment is substantial. He said that the LEPC will be coming forward through the HRC in the future to request some changes to their membership seats to add a Health seat as well as changing the name of their "vulnerable population" seat.

The practice of the LEPC is that if a primary seat opens, the alternate steps up into the primary seat and a new individual is appointed to the alternate seat. Mr. Edwardson asked the Assembly to look at the memo dated December 13, 2018 and approve the seat appointments as outlined in the memo. The Clerk noted that a corrected version of the memo was posted in the online HRC packet and a hard copy was given to the Clerk by the Deputy Clerk just prior to the start of the Assembly. The Clerk read the memo into the record with the seat assignments as follows:

> Seat 4 – General Public Seat [Primary Member]{seat formerly held by Lindsey Peterson} Destiny Sargeant moving from alternate seat to primary, same end date of 12/31/2020.
>
> Seat 4a – General Public Seat [Alternate Member]{seat formerly held by Destiny Sargeant} replacing her is Ben Murray start date immediately, end date 12/31/2020. (To be confirmed by Assembly)
>
> Seat 6 – Media Seat [Primary Member] Bill Legere start date 3/5/2012, end date 12/31/2021.

Seat 6a – Media Seat [Alternate Member] Mikko Wilson start date 1/28/2013, end date 12/31/2018, Mikko Wilson has stepped down from the LEPC, replacing him is Warren Russell start date 1/1/2019, end date 12/31/2021.(To be confirmed by Assembly)

Seat 8 – Owner/Operator of a Facility Subject to the Right to Know Act 1986 [Primary Member] Dan Garcia start date 2/1/2007, end date 12/31/2021. Current LEPC Chair

Seat 8a – Owner/Operator of a Facility Subject to the Right to Know Act 1986 [Alternate Member] Nicholas Zito (to be confirmed by Assembly) start date 9/27/2017, end date 12/31/2021.

Seat 9 – Community Group Seat [Primary Member] Karen Wood start date 10/1/2017, end date 12/31/2021.

Seat 9a – Community Group Seat [Alternate Member] Ed Williams start date 3/16/2009, end date 12/31/2021.

Seat 11 – Vulnerable Population Representative Seat [Primary Member](seat formerly held by Jason Burke) Zachariah Fisher moving from alternate seat to primary, same end date 12/31/2019.

Seat 11a – Vulnerable Population Representative Seat [Alternate Member]{seat formerly held by Zachariah Fisher} replacing him is Paul Chisholm (to be confirmed by Assembly) start date immediately, end date 12/31/2019.

Hearing no objection, the motion carried.

Mr. Edwardson noted that the HRC also recommended the following appointments to Boards and Commissions. *Hearing no objections, the following appointments were approved:*

Building Code Advisory Committee - Chris Gianotti and Doug Murray reappointment to a term beginning immediately and expiring on November 30, 2021.

Juneau Human Rights Commission - Ibn Bailey appointment to a term beginning immediately and expiring on May 31, 2021.

Mr. Edwardson stated that with respect to Jesse Kiehl's Assembly seat, advertising began for applicants November 30 and will be closing on January 2 and interviews have been scheduled for January 10. As far as questions go, he and the Mayor have been working on the questions for the applicants to answer in writing. He asked anyone wishing to include their questions to send those to the Clerk's office. He and the Mayor are discussing process on how and when those will be provided to the applicants.

He noted that due to his illness, Mr. Jones presided at the December 13 meeting of the Full Assembly sitting as the HRC to interview applicants for the Planning Commission and Bartlett Regional Hospital Board. He announced that 19 candidates were interviewed for the two boards and the following appointments were made:

> Bartlett Regional Hospital Board - Kenny Solomon-Gross, Deborah Johnston, Lindy Jones and Marshal Kendziorek.
>
> Planning Commission - Nathaniel Dye, Ken Alper, Shannon Crossley, and Travis Arndt.

Ms. Triem said that she forgot Travel Juneau updates at the last Assembly meeting. They are undertaking a community assessment under the Destination Next program which all the Assemblymembers should have received an email about. She said they are working with the Yukon Travel Association working on travel marketing documents to pull together the Western Yukon Territory with Southeast Alaska and they had 175 guests at their First Friday event with carolers and letters to Santa. The Affordable Housing Commission is continuing to discuss board governance and continuing that theme, the Aquatics Board has also been discussing governance. The Aquatics Board has been working with the City Manager and agreed to a change to their authorizing ordinance which will be coming to the Assembly in the next month. Ms. Triem reported that she met with the female cub scouts along with the Mayor and Mr. Kiehl and said, without offense to the Assemblymembers, that has been the most adorable Assembly related event she has had the privilege to attend so far. She also attended a Narcane kit building session organized by the Juneau Opioid workgroup in conjunction with the state's Project Hope. They convened a number of service providers to build the kits and then had a good round table discussion about their experiences with handing out Narcane kits to people in Juneau.

Ms. Hale reported that she attended a couple of Juneau Commission on Sustainability (JCOS) meetings and events. She noted that CBJ Engineering and the Airport has requested an exemption from the LEED requirements and that because of the timing of the airport expansion, that has become problematic. JCOS is working with the Airport on this. JCOS appreciated the Assembly adding the goals relating to sustainability.

Ms. Hale said she still hasn't connected with Juneau Commission on Aging (JCOA) due to scheduling conflicts. She was able to attend the Hospital Board (BRH) meeting this last week where they received information about the audit which was good. She noted that the GASBY 75 retirement accounting really affects their bottom line but they are in the black this year even without the Rural Demonstration Grant, their revenues are exceeding expenses. As Mr. Edwardson said, they now have several new members on the BRH Board. One of the recent things the BRH has been looking at is exploring the possibility of robotic surgery and looking hard at that to see if it would be cost efficient and provide the needed services. There has been real improvement in psychiatric staff and the medical staff is quite pleased with that.

Ms. Hale reported that she attended the Chamber luncheon where the Mayor spoke and did a great job. She also attended the Governor's open house and she commended Mr. Jones on the great job he is doing so far with the Childcare Committee.

Mr. Bryson reported that at the November 27 meeting of the Planning Commission, they passed a planned urban development project on Douglas, the Birch Lane repavement. He said that even though the Jetty Condos item passed, it was coming back at the January 8 meeting. They discussed code changes pertaining to Right of Ways (ROW) in temporary cul-de-sacs. They discussed their CIP priorities and they had a recommendation they approved. He said that at the end of the month, he met with Director Maclean and she brought him up to speed on how all things at CDD work. He attended the Auke Bay Rezone public meeting. He said that the couple who were the most vocal contacted him immediately to share their concerns with him. He then met back with Director Maclean to try to get the answers to those folks. He said that JEDC met on December 5 and they are exploring winter economic activities. They passed a resolution for a heat pump initiative, they elected board members and those were the same as last year. They appointed some folks to the Alaska Development Corporation which is a subset of JEDC.

Mr. Bryson reported that on December 5 he also met with JPD union representatives and on December 6 he met with CCFR union representatives and both groups had passion pleas for more resources. He said he too has been hanging out with Mr. Jones in the Childcare Committee meetings but he really had to applaud Mr. Jones for leading their 19 interviews of board applicants and only being 9 minutes off schedule.

Mr. Bryson said that the Planning Commission met again on December 11 first as Committee of the Whole and discussed the legal, non-conforming status, and the rebuild capabilities of non-conforming properties. At their regular PC meeting, the Tlingit & Haida cultural project on Thane passed and the "Cinderella House" had some requirements that also passed. The ROW improvements in sub street development moved on and will be coming to the Assembly as an ordinance.

Mr. Jones asked about the process on the LEED exemption and the roles of the JCOS, Assembly, and Airport Board in that process. Mr. Watt provided an explanation on the process and suggested that it may be appropriate for this proposal to ultimately come back to the PWFC before final action by the Assembly. Additional discussion took place regarding the process and Mr. Watt read the code language setting out that process to the Assembly.

C. Presiding Officer Reports

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

MOTION by Ms. Gladziszewski to enter into Executive Session to discuss pending litigation strategy and also the City Manager Evaluation.

Hearing no objection from the public or Assembly, they recessed into Executive Session at 9:49 p.m. They then returned from Executive Session at 10:58p.m.

Mr. Kiehl reported that during Executive Session, they heard an update regarding the CLIAA lawsuit from the City Attorney and the City Manager and gave direction to both.

MOTION by Mr. Kiehl to extend the time of the Assembly by 3 extra minutes and asked for unanimous consent. *Hearing no objection, the motion carried.*

Mr. Jones reported that the City Manager Evaluation Committee met and is recommending the following action:

MOTION by Mr. Jones to provide a 2% raise to the manager's salary effective back to July 1, 2018 consistent with the MEBA raise. Further, effective July 1, 2019, to increase the manager's pay by 2.2% which equals half a longevity step plus any increases provided to the MEBA as a result of contract negotiations, and asked for unanimous consent. *Hearing no objection, the motion carried.*

A. City Manager Evaluation Committee Recommendation

B. CLIAA Litigation Strategy Update

XV. ADJOURNMENT

There being no further business to come before the body, Mayor Weldon adjourned the meeting at 11:02 p.m.

Signed:_________________________
Elizabeth J. McEwen, Municipal Clerk

Signed:_________________________
Beth A. Weldon, Mayor