MEETING NO. 2018-29: 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 Ken Koelsch.

I. FLAG SALUTE

II. ROLL CALL

Assembly present: Mary Becker, Rob Edwardson, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Jerry Nankervis, and Mayor Ken Koelsch.

Assembly Absent: None
(Clerk's Note: Former members Beth Weldon and Norton Gregory resigned effective July 31, 2018 and August 13, 2018 respectively in order to file candidacy for Mayor.)

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Attorney Robert Palmer; Municipal Clerk Beth McEwen, Community Development Director Jill Maclean, CDD Planning Manager Beth McKibben, Sales Tax Administrator Clinton Singletary, Lands Manager Greg Chaney, Chief Landscape Architect Michelle Elfers

III. SPECIAL ORDER OF BUSINESS

A. Proclamation: Teacher Excellence Fund

Mayor Koelsch recognized Ms. Laraine Derr and Ms. Amy Skilbred for their efforts with the Juneau Community Foundation and raising money towards the Teacher Excellence Fund at UAS. Ms. Derr said that two years ago, the Assembly challenged the community to donate funds towards the Juneau Community Foundation Teacher Excellence Fund in order to keep the College of Education anchored at UAS. Ms. Derr reported that amount of funding received to date towards the Teacher Excellence Fund was $1,004,744.00.

Mayor Koelsch then read a proclamation honoring Ms. Derr for this and all her other contributions to the Juneau-Douglas community throughout the years.

B. Special Recognition: Project Playground

Mayor Koelsch recognized the group efforts of the Project Playground Steering Committee and all the community volunteers who helped bring the project to completion.

IV. APPROVAL OF MINUTES

A. August 27, 2018 Special Assembly Meeting No. 2018-26 Minutes

<u>MOTION</u> by Ms. Becker to approve the minutes of August 27, 2018 Special Assembly Meeting 2018-26 and asked for unanimous consent. *Hearing no objection, the motion carried.*

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Cam Byrnes spoke regarding his concerns that Juneau has met and is now exceeding its capacity for tourists coming via cruise ships in the summer. He relayed his experiences as a Juneau resident for the past 43 years, 24 years of which he has worked downtown as a tour guide in one capacity or another. He and his fellow tour guides are concerned with the number of cruise ship tourists, which this year was at 1.2 million. He said that he feels Juneau is no longer able to offer a quality experience and that the infrastructure and traffic congestion downtown as well as at the Glacier and Auke Bay are beyond capacity. He suggested that if the cruise lines want to bring in 4,000 passenger mega ships, such as the Eclipse, they should have to submit a plan for unloading and loading all those passengers onto the ground transportation and out to all the various excursion venues so they are done in a timely manner and the ship's inadequacies don't reflect poorly on the community.

Mr. Matthew Fred Jr. said he has been a resident of Housing First for approximately 8 months. He said that he was staying at the Glory Hole during the first wave of residents moving to Housing First. He shared his experience with how the community has gotten together to lift each other up and make sure their places are clean for inspection. This past spring, they rallied together and supported each other and were joined by the community during the loss of one of their residents.He expressed his appreciation for the support given to the residents by the Mayor and Assembly and the whole community.

VII. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

<u>MOTION</u> by Mr. Nankervis to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the consent agenda was adopted as presented.*

1. Ordinances for Introduction

a. Ordinance 2017-06(AZ) An Ordinance Appropriating to the Manager the Sum of $1,248,099 to Fund the City and Borough of Juneau's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate $1,248,099 which is the State's FY18 3.01% on-behalf PERS benefit paid for CBJ. Funding is provided by the Alaska Department of Administration which was authorized by passage of HB57 during the 2017 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on the CBJ's finances.

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

b. Ordinance 2017-06(BA) An Ordinance Appropriating to the Manager the Sum of $1,201,249 to Fund Bartlett Regional Hospital's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate $1,201,249 which is the State's FY18 on-behalf rate of 3.01% for each FY18 employer payroll and 25.01% on-behalf PERS benefit paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration which was authorized by passage of House Bill 57 (HB57) during the 2017 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on BRH's finances.

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

c. Ordinance 2017-06(BB) An Ordinance Appropriating to the Manager the Sum of $659,700 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Sales Tax Revenue, and Docks' Revenue.

The attached ordinance would appropriate $659,700 for increases in FY18 operations among several CBJ departments. Funding is provided by the sales tax revenues exceeding budget, and Docks' revenues exceeding budget.

<u>Parks & Recreation</u>

Parks & Recreation anticipates exceeding its FY18 Assembly authorized spending authority by $195,000. The need is due to a shortfall in revenue collected from the Pools & Centennial Hall and Parks/Landscape Maintenance exceeding expenditure authority. Funding will be provided by FY18 sales tax revenues exceeding budget.

Docks

The supplemental request would increase the Docks Enterprise spending authority in FY18 by $35,000. Funding will be provided by FY18 revenues exceeding budget.

The Docks & Harbors Board approved the supplemental request at its August 30, 2018, regular board meeting.

Engineering

The Engineering Department is anticipating a $15,300 shortfall due to allocating fewer costs to CIPs than projected in the FY18 operating budget. The anticipated funding for this increase is from sales tax revenues exceeding budget.

Community Development

CDD is anticipated to exceed its bottom line budget by $30,200 in the current fiscal year. This shortfall is due to the $80,000 less revenues coming in less than was anticipated, and expenditures were more than $50,000 under the expenditure budget. The anticipated funding for this increase is sales tax revenues exceeding budget.

Capital City Fire & Rescue

The Fire Department is anticipating a shortfall of $384,200 in the FY18 operating budget. This is due to ambulance billing shortfalls. The FY18 budgeted revenue was increased by $330,000 (17%) from FY17 budget while actual billable activity was flat. The anticipated funding for this increase is sales tax revenues exceeding budget.

The Assembly Finance Committee reviewed this ordinance at its meeting on September 5, 2018.

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

d. Ordinance 2018-11(I) An Ordinance Appropriating to the Manager the Sum of $5,000 as Funding for the Larry Carlson Memorial Bench at Overstreet Park; Donation Provided by the Late Larry Carlson's Wife, Shirley Carlson.

This appropriation of $5,000 from Mrs. Shirley Carlson to the Manager provides for the fabrication and installation of the Larry Carlson Memorial Bench at Overstreet Park.

The Public Works and Advisory Committee recommended this funding be approved during its meeting on August 6, 2018.

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

e. Ordinance 2018-11(K) An Ordinance Appropriating to the Manager the Sum of $634,735 as Funding for the Juneau International Airport Design/Construct Terminal Reconstruction Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $634,735 to the Design/Construct Terminal Reconstruction Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

Local matching funds, and project elements that are determined to be ineligible for federal funding, will be funded with previously appropriated bond proceeds, sales tax, and Passenger Facility Charges.

This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

The Airport Board approved this action at its September 11, 2018, meeting,

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

f. Ordinance 2018-11(L) An Ordinance Appropriating to the Manager the Sum of $529,688 as Funding for the Juneau International Airport Snow Removal Equipment Building Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $529,688 to the Snow Removal Equipment Building (SREB) Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to design the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Project funding is 93.75% FAA, 6.25% local. Local match is provided by sales tax previously appropriated to this CIP.

The Airport Board approved this action at its July 10, 2018, meeting,

This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

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

g. Ordinance 2018-11(M) An Ordinance Appropriating to the Manager the Sum of $9,985,312 as Funding for the Juneau International Airport Construct Sand/Chemical Building & Fueling Station Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $9,985,312 to the Construct Sand/Chemical Building & Fueling Station Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to construct the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Total project funding is 93.75% FAA, 6.25% local. Local match is provided by Passenger Facility Charges (PFC) recently appropriated to this CIP, as well as Airport CIP revolving funds that will be transferred temporarily until a PFC amendment is approved.

This project was approved by the Public Works and Facilities Committee at its August 6, 2018, meeting. The Airport Board approved this action at its August 14, 2018, meeting.

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

h. Ordinance 2018-11(N) An Ordinance Appropriating to the Manager the Sum of $140,000 as Partial Funding for the Douglas Harbor Pile Anodes Capital Improvement Project; Grant Funding Provided by the State of Alaska, Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities has agreed to fund a $140,000 FY19 Harbor Facilities Grant.

CBJ Docks & Harbors successfully submitted the grant application for installation of zinc anodes on the pilings in Mike Pusich Douglas Harbor which will extend the useful life of the facility. The Harbor Facilities Grant is a 50-50 match program and Docks & Harbors will match

$140,000 from Harbor Fund Balance to complete the project.

The Docks & Harbors Board recommended approval of this action at its August 30, 2018, meeting,

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

i. Ordinance 2018-11(O) An Ordinance Transferring $30,945 of Unexpended FY18 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer $30,945 of unexpended Marine Passenger Fees (MPF) revenues, budgeted for specific purposes in FY18 and not expended by the fiscal year end, to the Open Space Waterfront Land Acquisition CIP. This transfer is consistent with the Assembly's direction on the disposition of unexpended MPF funds.

The amounts below are the result of monies appropriated from the Marine Passenger Fee Fund for specific purposes in the FY18 budget but were not fully expended by the end of FY18.

Franklin Dock Enterprises	$ 8,013
Downtown Business Association	3,000
City Manager	6,120
Capital City Fire Rescue	13,812
Total	**$ 30,945**

For accounting purposes, the funds will first be refunded to the Marine Passenger Fee Fund and then be transferred to the Open Space Waterfront Land Acquisition CIP.

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

j. Ordinance 2018-44 An Ordinance Amending the Penal Code General Provisions Relating to Avoidance of Ignition Interlock Device.

The CBJ has code provisions that require the use of an ignition interlock device upon a conviction for certain offenses. However, the CBJ does not have a code provision to penalize the failure to use an ignition interlock device when required. This ordinance would amend the penal code by creating a code section relating to avoidance of ignition interlock device, which is consistent with state law (AS 11.76.140 and AS 12.55.102).

The City Manager recommends this ordinance be introduced and set

for public hearing at the next regular Assembly meeting.

k. Ordinance 2018-45 An Ordinance Amending the Traffic Code Relating to Duties and Responsibilities of Drivers and Others.

This ordinance would amend the traffic code by making the code sections relating to duty of an operator to give information and render assistance consistent with State law (AS 28.35.050 and AS 28.35.060), and by making the penalties to be imposed consistent with State law.

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

2. Resolutions

a. Resolution 2832 Authorizing the Manager to Execute a Utility Easement with Rainforest Telecom, Inc. across City and Borough Property.

The Manager received an application requesting a utility easement across a fraction of Lot 1, U.S. Survey 3810 from Rainforest Telecom, Inc. for power and communications cables servicing a communications tower which is located on the adjacent Forest Service property. This utility easement would start across from the Auke Bay Ferry terminal near 13445 Glacier Highway.
The Lands Committee, at its meeting on August 27, 2018, unanimously passed a motion of support for the Assembly to grant this easement. At the June 12, 2018 meeting the Planning Commission recommended that the CBJ Assembly approve the easement.
This easement has a term of 20 years and will automatically terminate on June 30, 2038. Grantee shall have the option to renew the easement for up to one additional ten-year renewal period. An appraisal was complete on July 8, 2018 and Rainforest Telecom has agreed to pay the City and Borough $500.00 per year. The fee will be adjusted every five years based on the Anchorage Consumer Price Index.

The City Manager recommends this resolution be adopted.

b. Resolution 2833 A Resolution Celebrating the Installation of Bronze House Posts and Juneau’s Multi-Cultural History and Naming of Heritage Square.

The Sealaska Heritage Institute (SHI) recently installed three bronze house posts at the corner of Front and Seward Streets. The installation continues SHI's progress toward developing Juneau as the center of Pacific Northwest Coast Arts.

The house posts are located in front of SHI's Walter Soboleff Building and across the street from the planned Native arts campus.

The intersection of Front and Seward Streets represents the symbolic center of Juneau's cultural, historical and economic fabric, located near the Capitol, the Sealaska Corporation and Heritage Institute, City Hall, the downtown business district and the cruise ship docks and is on the original shoreline.

After consulting with SHI officials, the Mayor requested that a resolution designating the area as Heritage Square, be drafted and scheduled for Assembly action.

The City Manager recommends this resolution be adopted.

c. Resolution 2834 A Resolution Approving the Juneau International Airport Sustainability Master Plan.

The Juneau International Airport Sustainability Master Plan develops a framework for future airport development based on forecasted aviation demand, while considering environmental and socioeconomic impacts. The draft plan went out for public comment from March through May 2018. The FAA approved the aviation forecast and completed its review in August. This plan reviews, revises and reprioritizes the existing master plan with the added sustainability components for the next 20 years. Major elements of the plan include:

- Existing Conditions: Current and Historical Activity, Environmental Conditions and Community Demographics
- Sustainability Focus: Economic Viability, Operational Efficiency, Environmental and Social Responsibility
- Forecast of Aviation Demand: Passengers, Aircraft Operations, Mail and Cargo
- Facility Requirements: Terminal and Gates, Hangar Development, Airfield/Runway Capacity and Use, Protection of Airspace, Aircraft Rescue/Fire Fighting and Aviation/Airport Support Services
- FAA Requirements/Criteria (Safety, Runway Incursion Mitigation)
- Airport Layout Plan: Planned Development of the Airport
- Financial Implementation Plan: Capital Improvement Program

The final draft of the plan, which would be adopted by this resolution, may be found at the Airport's website.

The City Manager recommends this resolution be adopted.

d. Resolution 2835 A Resolution in Support of Full Funding from the State of Alaska for the Municipal Harbor Facility Grant Program.

This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately $11 million in harbor grant funding since the program's inception. CBJ was recently notified of a $140,000 Tier II grant for zinc anode installation at Douglas Harbor.
Docks & Harbors has submitted applications this year for $2,000,000 for the next phase of Aurora Harbor and $120,000 for installation of zinc anodes in Harris Harbor. The CBJ and the municipalities of the City of Ketchikan, the City and Borough of Sitka, the Municipality of Anchorage and the City of Angoon have offered to contribute $7,409,439 in local match funding for FY2020 towards seven harbor projects of significant importance for Alaska.
The Docks & Harbors Board reviewed this resolution at its special board meeting on September 10, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends this resolution be adopted.

3. Bid Award

a. Docks & Harbors Bid Award

This project would clean, prepare, and apply new corrosion protecting coating to the steel sheet pile wall adjacent to Marine Park on the water side. Installation of the protective coating will complete a series of projects to protect the steel pilings and sheet pile wall of the downtown docks.

A public bid opening was held on August 30, 2018. The bidders and their total bids were as follows:

Bidders	Total Bid
Purcell P&C LLC	$260,000.00
Dama Industrial LLC	$374,074.00
Engineer's Estimate	$192,000.00

The Docks and Harbors Board reviewed the bids at its regular public board meeting on August 30, 2018 and recommended the Assembly approve the bid from Purcell P&C, LLC.

The City Manager recommends the total bid be awarded to Purcell P&C, LLC in the amount of $260,000.

4. Liquor License

a. New Liquor License, Restaurant Eating Place L.L., AMCO License #5706, Canton Asian Bistro, LLC., DBA Canton Asian Bistro, located at: 8585 Old Dairy Road #105, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development departments have reviewed the above license and recommend the Assembly waive its right to protest this new license application. Copies of the documents associated with this license are in the Assembly's e-packet or available in hard copy upon request to the Clerk's Office.

The City Manager recommends the Assembly waive its right to protest AMCO license 5706 liquor license application.

5. Other Items for consent

a. AMCO Marijuana License Applications-NEW

CBJ received notice of the following new Alcohol Marijuana Control Office (AMCO) marijuana license applications [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

- ***Retail Marijuana Store, License #16213, Alaskan Kush Company LLC, DBA Alaskan Kush Company, located at: 159 S. Franklin St., Juneau***
  (The 60-day comment period for local governing body action expires Sunday, September 30, 2018.)

- ***Retail Marijuana Store, License #15246, Borealis Mountain, Inc., DBA Thunder Cloud 9 located at: 5310 Commercial Blvd 2B, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, September 22, 2018.)

- ***Standard Marijuana Cultivation Facility, License #15245, North Star Gardens, Inc., DBA North Star Gardens, located at: 5310 Commercial Blvd 2A, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, September 22, 2018.)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses.

In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

As to CDD's recommendations; although Alaskan Kush Company, LLC, does not yet have a local license, CDD recommends allowing the applicant to move forward to obtain their state license and although Borealis Mountain, Inc. dba: Thunder Cloud 9, does not yet have a local license or conditional use permit, CDD recommends allowing the applicant to move forward to obtain their state license. However, neither entity will be allowed to operate in the borough until city requirements are met.

The City Manager recommends the Assembly waive its right to protest the issuance of the following AMCO marijuana licenses: License #16213, License #15246, and License #15245.

b. AMCO Marijuana License-RENEWALS

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications [*Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office*]:

- ***Renewal License, Standard Marijuana Cultivation Facility, License #11605, Always Redeye LLC, DBA Stoned Salmon Farms, located at: 2005 Anka Street, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, October 13, 2018.)

- ***Renewal License, Retail Marijuana Store, License #13217, ForgetMeNot Enterprises, Inc., DBA Glacier Valley Shop, located at: 8505 Old Dairy Road Suite 1, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, October 20, 2018.)

- ***Renewal License, Standard Marijuana Cultivation Facility, License #13221, ForgetMeNot Enterprises, Inc., DBA Green Valley Enterprises, located at: 8505 Old Dairy Road Suite 2, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, October 20, 2018.)

- ***Renewal License, Marijuana Product Manufacturing Facility, License #13222, ForgetMeNot Enterprises, Inc., DBA Southeast Essentials, located at: 8505 Old Dairy Road Suite 3, Juneau***
  (The 60-day comment period for local governing body action expires Saturday, October 20, 2018.)

- ***Renewal License, Standard Marijuana Cultivation Facility, License #10026, Rainforest Farms LLC., located at: 5763 Glacier Hwy., Juneau***
  (The 60-day comment period for local governing body action expires Tuesday, October 9, 2018.)

- ***Renewal License, Retail Marijuana Store, License #10050, Rainforest Farms LLC, located at: 216 2nd Street, Juneau***
  (The 60-day comment period for local governing body action expires Tuesday, October 9, 2018.)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses.

In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the renewal of the following AMCO marijuana licenses: License #11605, License #13217, License #13221, License #13222, License #10026 and License #10050.

6. Transfers

   a. A Transfer Request of $90,000 from the Cruise Ship Uplands Staging Area Capital Improvement Project to the Dock Cathodic Protection Capital Improvement Project.

      The request is to transfer $90,000 to an existing CIP account to allow the completion of a three phased project providing corrosion protection of key components of the downtown dock facilities. Phase III of the project will provide new corrosion protective coatings to the steel sheet pile wall waterside of Marine Park.

The low bid for the project was $260,000. The existing account (H51-104) currently has $240,342.71. The requested $90,000 would cover the bid amount plus engineering services for construction administration and inspection; project contingency; and staff times to manage the project.

If the transfer is approved account H51-104 would have sufficient funds to complete the project and account H51-114 would be closed.

The Docks and Harbors Board recommended the Assembly approve this transfer request at a special Docks and Harbors Board meeting on September 10, 2018. The Chair of the Public Works & Facilities Committee was consulted and concurred with staff recommendation to forgo the PWFC process to expedite the project award.

The City Manager recommends this transfer be approved.

VIIIPUBLIC HEARING

A. Ordinance 2018-11(J) An Ordinance Appropriating to the Manager the Sum of $1,800,000 as Funding for the Juneau Housing First Collaborative (JHFC); Funding Provided by the Sales Tax Fund's Fund Balance, the Tobacco Tax Fund's Fund Balance and the General Fund's Fund Balance.

This funding is to provide match for the Alaska Housing Finance Corporation's FY2019 Special Purpose GOAL Round Notice of Funding Availability (NOFA) for supportive housing, issued May 24, 2018, with applications due on October 5, 2018. This funding opportunity was not anticipated and has a tight timeline for applications. This NOFA will provide grants, zero interest loans, tax credits and rental assistance to successful respondents who will acquire, rehabilitate, construct, or otherwise expand housing opportunities for Alaskans who have few, if any, housing options due to chronic homelessness, disability and/or histories that present barriers to accessing mainstream housing. These populations must require intensive support service delivery needs, though this is not a program to provide treatment or correctional facilities. The original Phase 2 request from Housing First included a $1.5 million grant and a $2.7 million loan. Based on experience from the first phase, the Assembly opted to provide a grant.

This ordinance was requested by the Assembly Committee of the Whole at its meeting on August 9, 2018.

The City Manager recommends this ordinance be adopted.

<u>Public Comment</u>:

Dr. Heidi Broshus, a lifelong resident of Juneau and lifelong social worker spoke in favor of the adoption of Ordinance 2018-11(J). Dr. Broshus said in her previous job at UAS, she was the evaluator in looking at the data for Housing First. She provided the following statistics regarding the effects of Phase I of Housing First including a decrease in the needs of service in a six month period.

- 236 fewer Emergency Room visits equaled 1.32 fewer complex patients daily;
- 436 fewer JPD contacts equaled 2.42 fewer police contacts daily;
- 1.9 fewer persons assisted daily at the Rainforest Recovery Center (sleep off center);
- 2.8 fewer transports daily by Capital City Fire and Rescue.

She said this translates into real time alleviation of the burdens Juneau has experienced. It is a model that has worked other places and this shows that it has worked in Juneau as well. She encouraged the Assembly to jump on this opportunity to expand on the success and encouraged them to put money into expanding the Housing First program in its next phase.

Ms. Janette Lacy Dunn stated that she is a Housing First boardmember and also the Director of Case Management at BRH and oversees the case managers that work in the BRH Emergency Department. She began the case management program at BRH ER in 2011. One of the main reasons they began the program was to work with the high utilizers of the ER. She said that while it can't be put in terms of direct savings, for Quarters 1 & 2 of 2018 they had 41 individuals experiencing homelessness that were high utilizers of the ER totaling $1.8 million in services. JEMA, the Juneau Emergency Medical Association, reported that they had $256,000 denials in Medicaid for charges for those visits. They expect similar numbers going into the future and stressed that they want to promote safety at BRH. The residents of Housing First benefit from better health care because they have a home to go to for recovery. JEMA offered $15,000 and BRH contributed $250,000 towards the next phase of Housing First and she encouraged the Assembly to adopt this ordinance.

Mr. Doug Harris of JAMHI health and wellness said that JAMHI operates the medical clinic adjacent to Forget-Me-Not Manor. He has been on the board and has seen the results and he would never have guessed that the results would be as good as they are.

Mr. Bruce Denton spoke to Ms. Dunn's comments and said that there are residents ready to move into Phase II and would likely have already moved into it if it had been built at the same time as Phase I. He looks at Housing First as the gift that keeps on giving.

Mr. Norton Gregory, speaking on his own behalf and not that of his employer, Tlingit Haida Regional Housing Authority, spoke in favor of the ordinance and for CBJ support of Housing First. He annually attends the Housing and Homeless Conference and during those conferences, Juneau has been shown as the one community doing the most on behalf of the homeless.

Assembly Action:

MOTION by Ms. Gladziszewski for adoption of Ordinance 2018-11(J) and asked for unanimous consent. *Hearing no objection, the motion carried.*

B. Ordinance 2017-06(AY) An Ordinance Appropriating to the Manager the Sum of Up to $16,425 as Partial Funding for the Cold Weather Emergency Shelter (FY18); Grant Funding Provided by the Alaska Mental Health Trust Authority (The Trust).

The Alaska Mental Health Trust Authority approved a grant request submitted by CBJ staff to cover the cost of rent to operate the CBJ Cold Weather Emergency Shelter program from Dec. 1, 2017 to April 15, 2018. Total rental costs for this time period were $16,425 which is the amount covered by the grant.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:

MOTION, by Mr. Jones, to adopt Ordinance 2017-06(AY). *Hearing no objection, it was so ordered.*

C. Ordinance 2018-11(H) An Ordinance Appropriating to the Manager the Sum of $74,000 as Partial Funding for the Project Playground Rebuild Capital Improvement Project; Funding Provided by Community Donations Collected by the Juneau Community Foundation.

Various community members and organizations are donating $74,000 to the CBJ for the reconstruction of Project Playground. The Juneau Community Foundation has been receiving these funds and will donate the funding to CBJ. These donated funds will be appropriated into the Playground Rebuild Capital Improvement Project, P41-095. The Public Works & Facilities Committee forwarded this request to the full Assembly at its August 6, 2018, regular meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:

MOTION, by Mr. Kiehl, to adopt Ordinance 2018-11(H). *Hearing no objection, it was so ordered.*

D. Ordinance 2018-38(b) An Ordinance Amending the Sales Tax Code Relating to Transportation Network Companies.

Alaska Statute 29.35.148(b) was recently amended by SB14 to allow municipalities the ability to require transportation network companies (TNCs) to collect and pay the municipal sales tax on behalf of transportation network company drivers. SB14 was needed due to the low level of compliance by individual drivers in registering with municipal sales tax offices and remitting municipal sales tax. Consistent with SB14, this ordinance would update the CBJ sales tax code so that TNCs are held to the same filing and remittance requirements that the TNC drivers and other sellers are normally held to.

After introduction at the July 23, 2018, Assembly meeting, CBJ staff had multiple discussions with the two TNCs that are currently operating in Juneau. Numerous questions were raised and generally resolved during these discussions. Only one topic resulted in a suggested amendment to the original ordinance.

In version (b) of the ordinance, CBJ staff no longer believes a sentence in CBJ 69.05.070(a), page 5 line 24 through page 6 line 2, is currently necessary. The sentence is now denoted with strikethrough and underlining. The sentence was initially proposed to require a TNC to submit the names and addresses of its drivers to the CBJ. Both TNCs expressed concern that this requirement would pose a direct conflict with their disclosure limitations in the contracts with the TNC drivers but the TNCs are able to require their drivers to register with the CBJ tax office before being eligible to drive for the TNC. Given the self-imposed enforcement assurances and the other amendments in this ordinance, CBJ staff believes the suggested amendment in version (b) deleting a sentence is reasonable. If version (b) is adopted and sales tax compliance with TNC drivers is still low, a subsequent ordinance could be considered that imposes more reporting requirements.

The City Manager recommends this ordinance be adopted.

Mr. Watt noted the differences between the initial version of the ordinance as introduced and version (b) of the ordinance which strikes the below sentence.

~~In addition to the information required above, transportation network companies shall submit the name and address of all transportation network drivers who provided rideshare services through the transportation network company for the filing period.~~

Mr. Watt also brought their attention to a letter that was received from Lyft which requested an amendment to **69.05.170 Registration.**

Mr. Watt recommended including Lyft's suggested amendment language to the ordinance and try it for a one year period.

Public Comment:

Ms. Erica Qureshi spoke to recent circumstances under which she ordered a Lyft ride for her parents who recently traveled to Juneau. She stated that the Transportation Network Companies (TNCs) provide a service to the community and that Juneau has been a difficult place for TNC drivers and if ordinance passes as it is, the services won't be able to be offered in Juneau.

Assembly Action:

MOTION by Mr. Nankervis to adopt Ordinance 2018-38(b).

AMENDMENT by Mr. Nankeris to include the language in 69.05.170 as proposed by Lyft:
69.05.170 Registration.

> **A person, firm, copartnership, corporation, or other business entity, including a**
> **transportation network company driver, shall register with the manager before making retail sales, rendering services or making rentals within the City and Borough. A transportation network company that collects and remits sales tax on behalf of a transportation network company driver shall notify such transportation network company driver of the registration requirement under this section. Nothing in this section shall be construed to require a transportation network company to register with the manager.**

Discussion took place with Assemblymembers asking a number of questions of staff about the current practices relating to the registration, collection, and reporting of sales taxes by TNC drivers. Sales Tax Administrator Clinton Singletary explained that currently TNCs are operating but currently drivers are not collecting sales tax due to the manner in which the apps are structured. He said less than half the number of drivers are registered and less than half of those are collecting and remitting sales tax. Assemblymembers and staff discussed the legalities involved, what can and cannot be required with respect to registration under the state law.

Roll Call vote on the Amendment:
Yeahs: Becker, Edwardson, Gladziszewski, Kiehl, Koelsch.
Nays: Nankervis, Jones
Amendment passed 5:2

Roll Call vote on adoption of Ordinance 2018-38(b) as amended:
Yeahs: Becker, Edwardson, Gladziszewski, Kiehl, Koelsch. Nankervis
Nays: Jones
Motion passed 6:1

IX. UNFINISHED BUSINESS

A. Request for Reconsideration of Assembly Decision re: Tom Williams vs. Airport Board, Appeal 2018-04

Mr. Williams filed an appeal of an Airport Board vote. On August 13, the

Assembly decided not to accept the appeal. At the Special Assembly meeting on August 20, Mr. Williams petitioned the Assembly to reconsider its decision pursuant to the CBJ Appellate Code, 01.50.180. On August 24, the Municipal Clerk formally notified Mr. Williams of the Assembly's August 13 decision and notified Mr. Williams that his petition for reconsideration would be placed on the Assembly's September 17 meeting agenda.

The Assembly may reconsider its August 13 decision. As stated in 01.50.180(a), "Unless granted by an affirmative vote of the appeal agency, the petition for reconsideration is deemed denied."

As this is a quasi-judicial matter, the City Manager has no recommendation.

MOTION by Mr. Kiehl to reconsider its decision not to take up the appeal of Tom Williams vs. Airport Board, Appeal 2018-04.

Mr. Kiehl stated that this is a close call in his view and the question the Assembly is looking at is at which point someone can bring a decision of an empowered board to the Assembly. He said that there are rational arguments on both sides. He sees it as the Airport Board pointed the apparatus of the city in a direction and a citizen paid the fee and asked the Assembly to check that. Mr. Kiehl said that Mr. Williams had many grounds that he laid out and the only appealable point should be if money is spent or property gets taken. He said the question is, "Is there something appealable?" and he feels it is close but he thinks there is.

Ms. Becker said this project went through a lot of discussion in public meetings and the board has approved the action. She does not feel the Assembly would be making a good decision by taking this up again; it was resolved by the board and the public and she encouraged the Assembly to continue to uphold the Airport Board.

Mr. Edwardson said he understands and sympathizes with what Ms. Becker says but that there is nothing more fundamental than the ability to appeal a record decision. He was on the fence and remained silent during the last discussion the Assembly had on this. However, the more he thought about this, the more he thought he would err on the side of allowing someone to take an appeal to the Assembly. He doesn't believe that hearing an appeal is showing a lack of support for the Airport Board but he does think that it is important when there is a record decision, that an individual who is affected has an avenue to appeal.

Mr. Jones asked the City Attorney some process questions. He noted that after the Assembly made a decision not to hear the appeal, the Airport provided a presentation to the Assembly on the issues that were part of the appeal. At that meeting, the Assembly asked questions and while the Assembly didn't give the Airport any direction, they didn't say no, they didn't say yes but rather took it all as information. Mr. Jones asked if there was a conflict since they had heard from the Airport Board and they had a chance to ask all the questions they could have asked given Mr. Williams' initial appeal, they didn't ask those questions, does that now present a conflict for considering this appeal?

Mr. Palmer said there are a couple of ways to look at this and Mr. Jones' question is one way to consider it. Another way was that when the Assembly heard the Airport discussion, the request for reconsideration had not yet been made. He noted that as Mr. Jones described, there were no decisions made by the Assembly during that meeting. He went on to explain that just because the Assembly heard that presentation in its legislative capacity, that does not necessarily mean that the Assembly in its quasi-judicial capacity, which is the way it would hear this appeal, would be tainted or biased one way or the other. If the Assembly decides to reconsider and accept the appeal, then there is still an opportunity for the Assembly to provide its own checks and balances if the members believe that they can do so from an unbiased perspective.

Ms. Gladziszewski asked Mr. Palmer to refresh the Assembly as to why the attorney initially opined that this was not an appealable decision. Mr. Palmer said that his recollection was that Ms. Mead indicated that a final decision had not been reached for which there were legal consequences. Mr. Palmer said that there were minutes in the packet associated with the Clerk's letter to Mr. Williams that provide more detail of the attorney's advice.

Mr. Kiehl said that his concern with the attorney's advice is that it leaves a situation like this one where the only thing that constitutes a a final decision is when the Assembly appropriates money which is of course not appealable. He said that he has nothing but respect for Ms. Mead but that it leaves the appeals code such that a citizen doesn't have any chance to challenge a decision by a board because it is somehow not a final agency action the way she read the law. He said this is a decision by an empowered board to set the machinery of the City and Borough Juneau in a particular direction and we owe a citizen a hearing on that.

Mr. Palmer said that even if the Assembly were to reconsider and accept the appeal, that doesn't preclude this argument from coming back up if the parties decide to brief it through that process.

Mr. Jones described past appeals to the Assembly as well as his experience serving on the Bartlett Hospital Board. He said that he can't imagine every decision those boards make being subject to appeal. If it is a regulation or interpretation of their own rules about setting rates, he can see it coming to the Assembly on appeal but just a policy decision to move ahead in a certain direction would not be appealable so he is not going to support reconsideration.

Ms. Gladziszewski said she has some of those same concerns and asked Mr. Palmer if he could address those questions. Would everything from one of the empowered boards be considered appealable?

Mr. Palmer said not everything would be appealable. The only decisions that are appealable are those under our code that are 1) final and 2) have some sort of legal implication or relevancy. He said that a policy decision or a project that requires Assembly funding, that probably can't be appealed until the Assembly has fully funded it and then there is the possibility of an opportunity for appeal. He is not quite sure where this one falls. If there is hesitation for opening the flood gates or for reconsideration, that makes this one a tough decision. He said Ms. Mead provided her guidance and he is not going to disagree with that at this point.

Ms. Gladziszewski asked what he meant by "final" or "legal?" Mr. Palmer stated that in our appeal code 01.50.020 it says *(a) "The provisions of this chapter shall apply to the following administrative and quasi-judicial proceedings in which legal rights, duties and privileges or penalties of persons are to be determined..."* it later provides *(b) "...An appeal shall be filed only from a final agency decision. Decisions which are not appealable include, but are not limited to, decisions to recommend, advise, or request an action, even if the recommendation, advice or request is procedurally required as a prerequisite to some other decision, which later decision is dispositive of the matter."* There is a way to read it such that a project that has not been funded and is not been completed through a design process is not a final agency decision and he thinks that is what Ms. Mead was suggesting. However, there are some members on the Assembly that have suggested something a bit different.

Mayor Koelsch called for any further questions/discussion. Hearing none, he asked for the roll call vote and reminded members that it would take 5 votes in the affirmative to reconsider the decision of the appeal Tom Williams vs. Airport Board Appeal #2018-04.

Roll Call Vote
Ayes: Edwardson, Gladziszewski, Kiehl, Koelsch
Nays: Becker, Jones, Nankervis
Motion Failed 4:3

Mr. Jones asked about returning the applicants $500 appeal fee and if that was something automatically done or if it required affirmative action by the Assembly.

Mr. Palmer said the easiest way to interpret the code is if the Assembly wants the appeal fee to be returned, they should pass a motion to order that to happen.

MOTION by Mr. Jones that the Assembly instruct the Manager to return the appeal filing fee and asked for unanimous consent. *Hearing no objection, the motion carried.*

X. NEW BUSINESS

A. Margaret Tharp and David Lendrum's Request to Purchase CBJ Property: Lot 3, Bonnie Subdivision, USS 2392.

The Lands Committee discussed this topic at its meeting on August 6, 2018, and unanimously adopted the following motion:

The Lands Committee recommends that the Assembly work with the original applicants (Margaret Tharp and David Lendrum) to dispose of this CBJ property in a manner that would result in platting a 60-foot wide public access and utility easement through Lots 2 and 3 of Bonnie Subdivision, USS 2392.

The City Manager requests a motion authorizing him to work with the original proposer.

Assembly Action

MOTION by Ms. Gladziszewski to authorize the City Manager to work with the original proposer on this item.

Mr. Jones objected to the motion. He stated that the area where this business is, has and was very controversial. The Planning Commission allowed the business to be at the end of a residential private driveway. It was not up to city street code. The Assembly had multiple appeals and the appellant lost eventually in the State Supreme Court trying to prevent this business from what they felt was ruining their neighborhood. He said he does not feel this is the right time to bring this up again as he knows the neighbors will be back before them if CBJ decides to negotiate with the business at this time.

Mr. Kiehl asked if there was any notice given to the neighbors about this request. Mr. Kiehl said that his recollection of the appeal was somewhat different from that of Mr. Jones. The question Mr. Kiehl has at this time was if notice was provided to the neighborhood and we have not heard back.

Mr. Watt said that the Lands Code requires that when someone comes in the door and asks to purchase a parcel that the next step is to come to the Assembly. Title 49 also requires that the Planning Commission review land disposals and comment to the Assembly. What he does not know is if the neighborhood was given notice of the proposed purchase. He said that such a notice is not required under Title 53 of the Lands Code but it is part of the Planning Commission review under Title 49. Mr. Chaney confirmed that notice to the neighbors has not been sent.

Additional discussion took place regarding the reason for the process under Title 53 and whether the Assembly wished to consider doing no sale, working with the original proposer or soliciting other purchasers.

Mayor Koelsch asked the Manager about his recommendation which was to work with the original proposer. Mr. Watt said he was just following the recommendation coming from the Lands Committee.

Lands Manager Greg Chaney pointed to the factor that this proposal includes the Lendrum family providing an easement access to CBJ such that the current 30 foot CBJ panhandle access would be widened to a 60 foot easement. Mr. Chaney said that was the main reason they were even considering this sale and no other property owner could provide that same access easement.

Assemblymembers had questions for staff regarding the CBJ land, easement, and the proposed sale to the Lendrums.

Mr. Kiehl said he felt it was worth advertising to others to purchase the property so he recommended a No vote on the motion.

Ms. Gladziszewski said she supported the motion since it will provide CBJ the 60 foot easement. Mr. Edwardson also supported the motion due to the 60 foot easement that would provide access to the CBJ lands beyond this area.

Roll Call Vote
Ayes: Gladziszewski, Becker, Edwardson, Nankervis, Koelsch
Nays: Jones, Kiehl
Motion carried 5:2

B. Senior Citizen/Disabled Veteran Late Filed Hardship Exemption Applications

The Assessor received the two below referenced Senior Citizen/Disabled Veteran Real Property Hardship Exemption applications which are being forwarded to the Assembly for consideration. The action required by the Assembly is to determine whether or not the late-filed tax assessment appeal will be heard. Evidence on the assessment itself or the merit of the appeal is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

<u>2018 Senior Citizen/Disabled Veteran Exemptions</u>

1) Applicant: Evelyn E. Myers Parcel ID: 5B2101060010
Physical Address: 2911 Linda Ave., Juneau
Legal Description: Green Acres 3 Lt. 13

2) Applicant: Jeffery Martin Parcel ID: 5B1401040061
Physical Address: 6907 Sunny Drive, Juneau
Legal Description: Sunny Way Lt. 4B

The burden of proof is upon the property owner to show the inability to file a timely appeal. In this context, the word “unable” does not include situations in which a property owner forgot about, or overlooked, the assessment notice, was out of town during the period for filing an appeal, or similar situations. Rather, it covers situations that are beyond the property owner's control and would prevent a property owner from recognizing what is at stake and dealing with it. Examples of this would include physical or mental disability serious enough to prevent a person from dealing rationally with their private affairs. Disagreeing with the amount of the assessment does not constitute inability to submit a timely appeal, nor does a notice of assessment being sent to a wrong address. The property owner is responsible for keeping a current, correct address on file with the assessor's office.

If the Assembly decides to accept one or more late-filed appeals, those assessment appeals will be referred to the Assessor for review and action.

MOTION by Mr. Nankervis to refer the late filed appeal of Parcel ID 5B2101060010 from Ms. Evelyn E. Myers to the Assessor for review and action. *Hearing no objection, the motion carried.*

MOTION by Mr. Nankervis to refer the Disabled Veteran exemption appeal of Parcel ID 5B1401040061 for Mr. Jeffery Martin to the Assessor for review and action.

Assemblymembers asked staff a number of questions about process and timing with respect to this type of application.

Hearing no objection, the motion carried.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch reported that he attended Southeast Conference and noted the following upcoming dates of events happening in the community:

- Wednesday, September 26, 3:00-4:30pm Jackie Street House Build Dedication Ceremony
- Friday, September 28, Noon West Douglas Pioneer Road Ribbon Cutting
- Saturday, September 29 beginning around Noon - Project Playground dedication
- Upcoming Municipal Election on October 2, 2018.

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

Ms. Gladziszewski reported that the Assembly Human Resources Committee (HRC) met just prior to the Assembly and was forwarding the following nominations for appointments to our boards and commissions. *Hearing no objections, the following appointments were confirmed by the Assembly:*

- Americans with Disabilities Act Committee - Ms. Charlene Steinman to a term

beginning immediately and expiring August 31, 2021.
- Parks and Recreation Advisory Committee - Mr. Will Muldoon to a term beginning immediately and expiring August 31, 2021.

Ms. Gladziszewski reported that the HRC meeting also included a presentation regarding the Community Development Block Grant (CDBG) and the applications that had been received by the Community Development Department staff. Staff recommended the Assembly co-apply for the CDBG with St. Vincent dePaul for the Dan Austin Center. The recommendation from the HRC was to have CDD staff work with St. Vincent de Paul to prepare an application to be brought back to the Assembly along with a Resolution for approval and submission to the State. Mr. Jones objected for procedural reasons.

Additional discussion took place, it was determined that an Assembly Standing Committee may request staff to draft a resolution to be brought back before the Assembly at a future meeting and no further action was required at this time.

Ms. Gladziszewski reported that the Hospital Board met August 28 an at that meeting, the Hospital Board supported donating $250,000 to Housing First project and JEMA gave $15,000 to the project as well.

Ms. Gladziszewski asked the Manger about the Mental Health Trust meeting and the process that they are doing with respect to Lot C1 on the Seawalk/Subport area. She asked him if he could briefly review what has been done so far, where they are right now, and what is the best way for the city to help move them off the dime.

Mr. Watt explained that this has been a lengthy and complex process. In December 2016, the Trust advertised for disposal of the lot. They received a number of proposals, one of which offered at 20-25% above market value. The Trust did not respond to that proposal, the Trust has not been responsive to that group and they said they had to wait for legislative audit. The Legislative audit was centered on the question of whether or not the Trust was following statute and regulation. In June 2017 Assembly passed Resolution 2799 in support of disposal of lot by the Trust. The Trust did not respond to the resolution. In February 2018, through a suggestion that Mr. Watt made to the non-profit group, the McDowell Group provided a financial analysis, signed off by both of the principals, advising the Trust that their analysis of a couple of cash flow models that the Trust could best meet its fiduciary responsibility by selling the lot. The legislative audit report was release in May 2018 finding that the Trust had not followed statute properly. At the time the Trust did two things. They sent a letter back to Legislative Audit which in essence said they read the audit and didn't agree with it. Mr. Watt said, that in his opinion, the analysis they provided is thin. The legislative audit is conclusive, well researched and a well documented audit. He commented that he can't think of any land owner who wouldn't jump at the chance of selling land at 25% above market value and then be able to invest in the Alaska Permanent Fund which has been performing quite well.

He said that tomorrow, there is a meeting of the Trust has a public process whereby they have invited the Urban Land Institute team of experts to come and inspect the land and to advise the Trust on what to do. Mr. Watt said he has been advised that the cost of that audit will cost $30,000. He said he has communicated firmly with the Trust in every way possible over the past two years and he feels it would be very appropriate for the Assembly to support a letter to be drafted by the Manager detailing this issue, signed by the Mayor and sent to the Trust. The Trust is charged with making decisions in the best interest of the Trust and its beneficiaries, which is synonymous with creating revenue for their programs. He said there is a strong case that they have been a poor manager of their public mission and he doesn't say that lightly.

MOTION by Ms. Gladziszewski to have the Manager draw up a letter to that affect to be signed by the Mayor and sent to the Trust members and its Executive Director. Hearing no objection, the motion passed.

Mr. Jones reported that the Public Works and Facilities Committee met on August 27. The two remaining members heard information about the Project Labor Agreement (PLA) for the Airport project and their intent to establish one. They also received an information update on the Valley Transit Center. The next PWFC meeting is on September 24.

Mr. Jones reported that the School Board met September 11 and their next meeting is scheduled for October 9. He reported that the next Downtown Business Association (DBA) meeting may get moved from October 2 to October 9. He also reported that the next meeting of the Juneau Commission on Aging (JCOA) is scheduled for October 9.

Mr. Kiehl reported that the UAS Campus Council last met September 10. He said he didn't attend that meeting but the main agenda topic was the Alaska College of Education. He attended the Campus kickoff for the fall semester on August 31. Mr. Kiehl also attended the Alaska Municipal League (AML) summer meeting in August. Major topics of discussion were the state's long term budget and AML's support for state revenue solutions; they held a candidate forum for the governor's race. AML is convening an expert group on the topic of internet sales tax. He hopes Mr. Bartholomew will participate in that discussion since he has been active in researching those issues and a great resource for the rest of the league. He also reported that AML is working on recruiting for lobbyist services as their long-term lobbyist has retired.

Mr. Kiehl attended the Labor Day celebrations and the 9/11 memorial at Rotary Park. He also attended a memorial service honoring Kay Shelton who was the State librarian who was active the with historical collection and one of the original progenitors of idea of a combined state library archive and museum. She lived long enough to see that completed but her passing is a great loss to our community.

Mr. Kiehl said he attended Southeast Conference and was gobsmacked that before the new ferries even left the shipyard that DOT is looking at redesign and re-purposing those vessels. He said he is deeply concerned that the net result of that would be to take those vessels off the purpose they were designed for, expressly daily, predictable service to communities in Lynn Canal and he asked that they would direct the Manager to write to DOT/PF and express our concern. Those ferries were the only part of the Juneau Access project that never saw a lawsuit. Every long term plan for transportation in Southeast Alaska has called for a day boat, shuttle service on a predictable schedule which they have seen can be successful as has been shown by the Inter-Island Ferry Authority to the south.

MOTION by Mr. Kiehl to direct the Manager to write a letter to DOT/PF expressing the concern of this change on behalf of Juneau and the communities of northern Southeast who will be affected by this change. *Hearing no objection, the motion carried.*

Mr. Nankervis reported that the Committee of the Whole last met on August 29 at which they heard about the Airport North Terminal project, Abandoned Vehicles and the Comp Plan. The next COW meeting will be held September 24 with a start time change to 5:00pm since the Lands Committee meeting was cancelled. The tentative agenda topics include the Historic Plan, the JEDC Survey, the Museum presentation and Chamber Freight study.

Mr. Nankervis reported that many of the Assemblymembers were at the 9/11 memorial service as well as at the Labor Day picnic. He said many of them also attended an event at the Fillipinio Hall over the weekend. On September 8, he presented the proclamation on behalf of the Mayor at the Electric Vehicle commemoration event which had approximately 150 people in attendance.

Ms. Becker said Southeast Conference held a very good conference. Ms. Becker also reported on a number of meetings that took place while she was out of town. She reported that the Airport Board met while she was on her way to SE Conference and that their next meeting is October 9. The Alaska Committee meeting has a meeting coming up on Wednesday, September 19. *[Due to a poor telephone connection, it was difficult to hear Ms. Becker's full report.]*

Mr. Edwardson reported that the Docks and Harbors Board next meeting is scheduled for September 27. The next meeting of the Local Emergency Planning Committee (LEPC) is scheduled for October 17. He said he did attend the 9/11 memorial and has attended each one since its beginning and he appreciated seeing the rest of the Assemblymembers there as well. He pointed out that on this evening's consent agenda, there was a resolution recognizing the celebration of the three bronze totem poles in front of Sealaska Heritage building and the dedication of Heritage Square. The three bronze totem poles were replicas of the ones done in wood by three artists from Hydaberg, Metlakatla, and Ketchikan. They are fantastic pieces of art and every time he has passed them, people have been marveling at them.

C. Presiding Officer Reports

None.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

A. Contract Negotiations

MOTION by Mr. Kiehl to recess into Executive Session to discuss a matter, which by law should be kept confidential, specifically to discuss contract negotiations, the immediate knowledge of which could have a detrimental affect on the finances of the City and Borough of Juneau.

There being no public comment, and hearing no objection, the meeting recessed into Executive Session at 9:58p.m.

The committee returned from Executive Session at 10:40 p.m.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:41 p.m.

Signed:_____________________
Elizabeth J. McEwen, Municipal Clerk

Signed:_________________________
Kendell D. Koelsch, Mayor