THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - December 18, 2017

MEETING NO. 2017-23: 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 (telephonic), Maria Gladziszewski, Norton Gregory (telephonic), Jesse Kiehl, Ken Koelsch, Jerry Nankervis, and Beth Weldon.

Assembly Absent: Loren Jones.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Beth McKibben, Planning Manager; Sherri Layne and Emily Wright, Assistant Attorneys.

III. SPECIAL ORDER OF BUSINESS

A. Recognition of Tom Wagner

Ms. Mead, joined by Sherri Layne and Emily Wright of the CBJ Law Department; honored Tom Wagner, who is leaving his position as contract attorney for CBJ and has served as a public defender for the past 16 years. In that time he has handled over 11,000 cases for CBJ. She extolled his virtues as a dedicated public servant.

Mr. Wagner said that being a lawyer is an honor and a privilege. The position as a contract public defender for the city has been his favorite job, in that he is working with poor people who are in trouble and he can help them.

IV. APPROVAL OF MINUTES

A. November 27, 2017 Regular Meeting 2017-21

Hearing no objection, the minutes of the November 27, 2017 Regular Assembly Meeting 2017-21 were approved.

B. December 2, 2017 Assembly Retreat Meeting 2017-22

Hearing no objection, the minutes of the December 2, 2017 Regular Assembly Meeting 2017-22 were approved.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

William Quayle said that since the Whale Park and Seawalk are almost complete, he would like to be able to use his pedicab on the seawalk. Regulations say that pedicabs can't cross Egan Drive. The rules should be amended. Another idea he has is to install an amusement park in Juneau, which would bring in revenue, and could be run year-round and include a large Ferris Wheel. A light rail to the Glacier would also be a good idea. He wished the Assembly a "Merry Christmas."

Doug Woodby represents Renewable Juneau, which is a local group providing information, education and advocacy for a clean energy Juneau. He distributed a letter to the Assembly. Supporting the recently drafted Juneau Renewable Energy Strategy will help the city save money. Renewable Juneau sought support from 80 businesses to support an 80% renewable power target goal by 2045 and are now up to almost 100 local businesses in support of this goal. They look forward to working with the Assembly and the community on this issue.

Stuart Cohen spoke for Interfaith Power and Light, which is a group representing religious groups interested in clean energy and that have concerns about climate change. He spoke about the ill effects of climate change and said that Juneau has an ability to effect positive change. The good news is we can address the concerns through the Juneau Renewable Energy Strategy, and this will be a positive economic benefit to the community as well. He spoke about his study to install heat pumps and said he would be providing the Assembly with more information on this study in the near future. He said Juneau needs to take action in a visible way by issuing press releases, providing college internships, and by becoming an innovative community.

Margo Waring said that December 21, 2017 is the last opportunity for CBJ to send in a notice to the RCA to participate in the discussion about the acquisition of the local power company by a Canadian company. She said Juneau needs to ensure equal treatment of Juneau residents along with other power company customers in other states. We need to advocate for the needs of the community and this is the time to do it. The RCA's charge in this does not include concerns of local government. She urged the Assembly to get a seat at the table.

Lin Davis encouraged the Assembly to pursue the Juneau Renewable Energy Strategy. Juneau can show the world what a small group of dedicated citizens can do. Young people in the community can create new economies and the cost of creating renewable energies have declined as fossil fuels become more expensive and have wild price swings. Renewable energy plants show more resilience. 2017 has given us many weird weather reasons to move forward.

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

MOTION, by Nankervis, to adopt the consent agenda. Hearing no objections, the consent agenda was adopted as presented.

1. Ordinances for Introduction

a. Ordinance 2017-06(X) An Ordinance Appropriating to the Manager the Sum of $250,000 as Funding for the Manager's Office Operating Budget; Funding Provided by the Sales Tax Fund's Fund Balance.

This ordinance would appropriate $250,000 of unrestricted sales tax revenue. The CBJ strongly supports and welcomes cruise ship tourism, and will continue to work cooperatively with the industry to address impacts caused by the visitation of approximately one million visitors to the CBJ per year. At the same time, the CBJ must defend its marine passenger and port development fees against the constitutional challenges raised by the industry in the litigation brought by the Cruise Lines International Association (CLIA).

These funds would be appropriated in FY18 as a reserve to be used by the City Attorney at the direction of the Assembly to defend the ongoing litigation by CLIA. The Assembly Finance Committee took up this matter at its meeting on December 13, 2017.

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

b. Ordinance 2017-06(Y) An Ordinance Appropriating to the Manager the Sum of $400,000 to begin Replacement of the Maier Drive Forcemain Emergency Repair Capital Improvement Project; Funding Provided by an Insurance Settlement from Lexington Insurance Company.

The CBJ has received initial funding from our insurance company for $400,000 to begin the replacement of the failed Maier Drive sewer forcemain. These funds need to be appropriated into a CIP in order to spend them. The funds will be appropriated into the existing CIP created

to begin the planning and design work for the forcemain repair.

The Public Works and Facilities Committee approved this action at its November 20, 2017, meeting.

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

c. Ordinance 2017-29 An Ordinance Amending the Land Use Code Relating to Development in the Vicinity of Eagle Nests and Eagle Habitat.

This ordinance would amend CBJ Title 49 to delete the prohibitions of development near eagle nests and eagle habitat. Existing CBJ code prohibits development within 330 feet of eagle nests on public land and within 50 feet of eagle nests on private land during the nesting period. This ordinance would remove those development prohibitions.

The existing CBJ code related to eagles is difficult to enforce and is unnecessary. The CBJ does not have an inventory of eagle nests nor the capability to determine if a nest is in use or will be used in the future. Although the U.S. Fish and Wildlife Service provided this information to the CBJ in the past, the USFWS has not had the personnel to make those determinations for many years. This ordinance is anticipated to reduce costs of development near eagle nests and habitat without any adverse impact on eagles because the eagle population in Juneau is healthy.

CBJ staff has consulted with the USFWS. The Planning Commission recommends the Assembly adopt this ordinance. The Lands Committee reviewed this ordinance at its meeting on November 20, 2017, and unanimously moved that it go before the full Assembly.

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

d. Ordinance 2017-34 An Ordinance Amending the Comprehensive Plan by Adopting the Lemon Creek Area Plan.

The Lemon Creek Area Plan was reviewed by the Assembly Committee of the Whole at its November 20 and December 4, 2017, meetings. At the latter meeting, the Committee of the Whole voted to send the Plan, as amended, to the full Assembly for adoption as an addendum to the Comprehensive Plan.

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

e. Ordinance 2017-36 An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties.

State law requires that if a municipality prescribes a penalty for a violation of a municipal ordinance and there is a comparable state crime under either AS 11 (the state's criminal code) or AS 28 (motor vehicle and driving offenses) with elements that are similar to the municipal ordinance, the municipality may not impose a greater punishment than that imposed for a violation of the state crime. This provision applies to all municipalities, including home rule.

This ordinance would amend CBJ Code to make it consistent with state law, including changes required by SB 54.

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

2. Resolutions

a. Resolution 2813 A Resolution in Support of the City and Borough's Application to FEMA for its Cooperative Technical Partner Grant Program.

The Emergency Services Office and the Community Development Department are applying for a Federal Emergency Management Agency (FEMA) Cooperative Technical Partner (CTP) grant to pay for landslide hazard mapping and analysis. This work is intended to inform local decision making in order to reduce future losses from natural hazards. The purpose of this resolution is to communicate to FEMA that the Assembly supports this funding request. There is no match requirement.

At its December 4, 2017, meeting, the Public Works and Facilities Committee voted to forward a resolution in support of the application to the Assembly for its approval.

The City Manager recommends this resolution be adopted.

b. Resolution 2814 A Resolution in Support of Full Funding from the State of Alaska for the Municipal Harbor Facility Grant Program.

The substantive portions of this resolution were drafted by the Alaska Association of Harbormasters and Port Administrators (AAHPA), of which CBJ Docks & Harbors is a member.
This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. In 2015, the CBJ received a $2 million Tier II grant for Phase II of the Aurora Harbor project. Prior to that, the CBJ has been a beneficiary of approximately $9 million in harbor grant funding since the program's

inception. The CBJ has submitted an application this year for $260K for installation of zinc anodes for Harris Harbor and Mike Pusich Douglas Harbor.
The City & Borough of Juneau along with the municipalities of the City of Anchorage, City of Ketchikan, City and Borough of Sitka, City of Whale Pass, and the City of Whittier have offered to contribute $9,820,141 in local match funding for FY2019 towards eight harbor projects of significant importance for Alaska.
The Docks & Harbors Board reviewed this resolution at its November 2, 2017, meeting, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends this resolution be adopted.

3. Liquor Licenses

   a. Liquor License Transfer - Percy's Liquor Store Package Store License #849

      Package Store Liquor License # 849 Transfer of Ownership
      FROM: Oke Hui Rodman d/b/a Percy's Liquor Store
      TO: Thibodeau's Market Inc. d/b/a Percy's Liquor Store
      Location: 214 Front Street, Juneau

      The above package store liquor license transfer is before the Assembly for one of the following actions: to protest, waive its right to protest, or refer this matter to the Assembly Human Resources Committee for additional review and recommendation.

      Staff from the Community Development, Fire, Police, Finance, and Engineering/Public Works departments have reviewed this license for code compliance and recommend the Assembly waive its right to protest this license transfer.

      CBJ Code 20.25.025 sets out the basis by which the Assembly may protest a license transfer. The Assembly has until January 28, 2018, to take final action on this liquor license transfer.

      The City Manager recommends the Assembly waive its right to protest the transfer of liquor license #849.

   b. Liquor License Renewals 2018/2019

      The following 2018/2019 liquor license renewal applications have been received from the Alcohol Beverage Control Board so far for the upcoming license renewal cycle.

Beverage Dispensary Licenses
License # 1166 Triangle Club Inc. d/b/a Triangle Club, Location: 251 Front Street, Juneau

License #728 JD Entertainment, Inc. d/b/a The Island Pub, Location: 1102 2nd Street, Douglas

The above liquor licenses are before the Assembly for one of the following actions: to protest, waive its right to protest, or refer the license to the Assembly Human Resources Committee for additional review and recommendation.

Staff from the Community Development, Fire, Police, Finance, and Engineering/Public Works departments have reviewed these licenses for code compliance and recommend the Assembly waive its right to protest these license renewals.

CBJ Code 20.25.025 sets out the basis by which the Assembly may protest liquor license renewals.The 60-day local governing body comment period expires as of January 19 for the Triangle Club and January 26 for the Island Pub licenses respectively.

The City Manager recommends the Assembly waive its right to protest the renewal of the above liquor licenses.

4. Other Items for consent

   a. New Marijuana Licenses - AMCO #s 13217, 13221, & 13222

   Below are three new marijuana licenses before the Assembly for local governing body review. Staff from the Police, Fire, Finance, and Public Works departments have reviewed these applications for compliance with CBJ Code 20.25.025 and recommend the Assembly waive its right to protest the issuance of these licenses. The Community Development Department noted that each of the below licenses received a Conditional Use Permit as of November 3, 2017 but they do not yet have a CBJ license to operate; however CDD staff recommends allowing the applicant to move forward to obtain the state license.

   Retail Marijuana Store
   AMCO License #13217
   ForgetMeNot Enterprises, Inc. d/b/a Glacier Valley Shop
   Location: 8505 Old Dairy Road, Suite 1, Juneau

Standard Marijuana Cultivation Facility
AMCO License #13221
ForgetMeNot Enterprises, Inc. d/b/a Green Valley Enterprises
Location: 8505 Old Dairy Road, Suite 2, Juneau

Marijuana Product Manufacturing Facility
AMCO License #13222
ForgetMeNot Enterprises, Inc. d/b/a Southeast Essentials
Location: 8505 Old Dairy Road, Suite 3, Juneau

The 60-day local governing body comment period for all three licenses ends on December 30, 2017. Copies of the AMCO notice, the redacted online application and the premises diagrams for these three licenses are included in the public packet. Complete AMCO documents regarding these licenses are available upon request of the Clerk's office during regular business hours.

The City Manager recommends the Assembly waive its right to protest the issuance of the above marijuana licenses.

VIIIPUBLIC HEARING

A. There are no ordinances set for public hearing at this meeting.

IX. UNFINISHED BUSINESS

A. Liquor License Transfer Thibodeau's Douglas Depot Package Store License #828

The below liquor license transfer is before the Assembly to either protest or waive its right to protest.

Package Store Liquor License #828 Transfer
From: Thibodeau's Market Inc. d/b/a Thibodeau's Liquor, Location: No Premises
To: Thibodeau's Market Inc. d/b/a Thibodeau's Douglas Depot, Location: 1017 3rd Street, Douglas, AK 99824

The Finance, Police, Fire, and Community Development departments have reviewed the above liquor license and found it to be in compliance with CBJ Code.

In the event the Assembly does protest the transfer of this license, CBJ Code 20.25 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 their right to an informal hearing before the Assembly. The sixty-day comment period for local governing body action on this license will expire as of Monday, December 25, 2017.

This license was originally on the November 27 Assembly agenda and was referred to the Assembly Human Resources Committee and Assembly agendas for December 18 for additional opportunity for public hearing and an informal hearing before the Assembly. Copies of the CBJ Code 20.25.025 pertaining to the basis upon which the Assembly may protest a license are included in your packets. The Douglas Advisory Board met on December 13, 2017 and a copy of their letter of recommendation regarding this matter is also included in your packets.

The City Manager recommends the Assembly act in accordance with the recommendation from the Human Resources Committee following action at its December 18 meeting.

Public Comment:

None.

MOTION, by Gladziszewski, to waive the right to protest the transfer of location of package store liquor license #828 from Thibodeau's Market, Inc. d/b/a Thibodeau's Liquor, no premise, to Thibodeau's Market Inc. d/b/a Thibodeau's Douglas Depot, Location: 1017 3rd St., Douglas, AK 99824. Hearing no objections, it was so ordered.

X. NEW BUSINESS

A. Notice of Appeal - Granite Mountain Properties LLC v Planning Commission - USE2017 0022

On October 24, 2017, the Planning Commission approved a conditional use permit for a marijuana cultivation facility in an industrial zone at 2001 Anka Street. On November 22, 2017, a timely appeal of the Planning Commission's decision was filed.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

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

MOTION, by Nankervis, to accept the appeal. Hearing no objections, it was so ordered.

MOTION, by Nankervis, to assign this matter to a hearing officer. Hearing no objections, it was so ordered.

B. Authorization to Negotiate Sale of Property to the Alaskan Brewing Company

In accordance with CBJ 53.09.260, the City Manager requests a motion directing him to commence negotiations for the sale of SSG Subdivision Lots 4 & 5 and SSG Subdivision Phase IV Lots 41 & 42 to the Alaskan Brewing Company.

MOTION, by Weldon, to direct the city manager to negotiate a sale of SSG Subdivision Lots 4 & 5 and SSG Subdivision Phase IV Lots 41 & 42 to the Alaskan Brewing Company.

Mr. Kiehl asked the terms of the sale and Ms. Mead said the municipal code requires a sale at fair market value.

Hearing no objections, it was so ordered.

XI. STAFF REPORTS

Mr. Watt said that the Assembly had scheduled a COW with AVISTA and Hydro One tomorrow but an unfortunate event required cancellation of the meeting. In an effort to get the Assembly more information, Mr. Bartholomew and I have been attempting to get a former RCA
commissioner, an administrative law judge, to explain the activities of the RCA at a future meeting in January.

Ms. Gladziszewski asked about a December 21 deadline. Mr. Watt said the initial filing from Hydro One was withdrawn and resubmitted. The first comment period expires December 21, but that said, he did not believe CBJ was ready to make substantive comments. CBJ could send a letter to note its interest in a neutral position in a letter to RCA. Ms. Gladziszewski asked how that letter might hold a place. Mr. Watt said he has looked into this, but has been told that RCA will allow CBJ to comment later but as the community affected, the argument is that we tell RCA that we are interested in the subject and we are tracking.

MOTION, by Gladziszewski, to send a letter to RCA to note Juneau's interest in following the matter.

Mr. Kiehl said if this letter keeps the door open, then he supported sending it and hearing from the former commissioner in the near future.

Hearing no objection, it was so ordered.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch reported on events he had attended since the last Assembly meeting and on a successful Assembly retreat. He distributed a copy of the draft Assembly goals and asked Ms. Cosgrove to explain her work on the document. She said that the second page is the modified Assembly goals, including information from the retreat. New concepts were distributed and she received feedback from the Assembly including a poll for the level of support for the concepts. Mayor Koelsch opened the floor for discussion.

Mr. Nankervis said he appreciated a short list of items to accomplish.

MOTION, by Nankervis, to add the first three items to the goals list that were supported by 8 of 9 Assemblymembers:

- *Update the Comprehensive Plan*
- *First Responder Recruitment and Retention*
- *Develop a business case for a new City Hall facility*

Mr. Kiehl said that 7 out of 9 members supported a fourth goal:

- Secure the $22 million of diverted Juneau Access funds for transportation infrastructure projects for the community.

MOTION, by Weldon, to amend the motion to add the fourth item regarding securing $22 million in state funding for local projects. Hearing no objection, it was so ordered.

Hearing no objection, the main motion, as amended, was adopted.

Mayor Koelsch said "Look Local First" was a program that was suggested to the Mayor's office, and after discussion with staff he asked Ms. Becker, to work with the JEDC, the Chamber of Commerce and the City Manager to develop guidelines for a "Look Local First" program and identify appropriate funding.

Mr. Nankervis asked if this would be for the FY19 budget or FY18. Mr. Watt recommended the FY19 budget would be appropriate and a report would be made to the Finance Committee in its work on the upcoming budget. There were no objections to this activity.

Mayor Koelsch noticed a Special Assembly meeting to be held on Thursday, December 28 at Noon in the City Hall Mayor's Office to meet with the US Consul General in Vladivostok, Michael Keays.

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

Jerry Nankervis:

The Assembly Public Safety Task Force will hold its next meeting on December 19, at Noon in City Hall Conference Room 224 to line out suggested actions to address issues of concern.

The Assembly Committee of the Whole will hold its next meeting on January 29, with tentative agenda items including the Juneau Renewable Energy Strategy, RecycleWorks, snow storage, a marijuana update, and "essential public facilities." He also noticed a special COW meeting on January 3, 2018 at Noon with a single topic of Annexation. He said the list of topics before the COW was long and he requested cooperation of the Assemblymembers to conduct a few "lunch hour" meetings to get through this list.

The Assembly received additional information from "Salmon without Borders" regarding development of large-scale hard rock mine proposals and operation in British Columbia and potential effects on Alaska's communities and habitats surrounding the transboundary rivers which flow from Canada into Southeast Alaska.

MOTION, by Nankervis, to direct the Mayor to draft a letter to Secretary of State Rex Tillerson, highlighting the Assembly's support for CBJ Resolution 2710, adopted in 2015, which supports the International Joint Commission's involvement in the Alaska and British Columbia transboundary region, and the Assembly's support for a November 13, 2017 letter to Secretary Tillerson, signed by Governor Walker, Lt. Governor Byron Mallott, US Senators Murkowski and Sullivan and US Representative Young. Hearing no objection, it was so ordered.

Mr. Nankervis acknowledged Heather Hardcastle's work on this issue.

Mary Becker:

The Assembly Lands Committee met on December 4 and discussed a cell tower installation, Juneau Youth Services ending its lease of the Cornerstone Home property owned by CBJ, and access to city property through the Aurora Arms condos.

The Alaska Committee will hold its annual meeting on January 20 at 9 am in the Airport Conference Room. The annual legislative welcome reception will be held on January 17 at 5 pm in Centennial Hall and the Hangar on the Wharf will be catering.

The CBJ/JSD Joint Facility Committee met on December School / CBJ facility committee met on December 13 and will continue its work.

Jesse Kiehl:

The Assembly Finance Committee met on December 13 and received an update from the Juneau School District on its budget and deferred a decision on a request to reprogram over $160,000 from reduced enrollment that can not be accepted from the CBJ in its current form. This topic was set for a future meeting. The Riverview Senior Assisted Living and Memory Care project provided an update and is continuing its work. An update and discussion was held on sales and property tax exemptions and the committee forwarded an ordinance to support additional funding supporting the CLIAA lawsuit. An executive session directed staff on employee negotiations.

The UAS Campus Council met on December 4 and discussed funding shortfalls, tuition increases and actions taken to promote UAS to new students and retain existing students, including partnerships with the Yukon University in Whitehorse.

Mr. Kiehl acknowledged the city museum for being a "Blue Star Museum," which allows free admission for active military and their families to the museum.

Mr. Kiehl said he would not be available on January 3 for the special COW meeting and did not support a move to Noon meetings any more than necessary for those Assemblymembers who were working. It was also difficult for the public to attend Noon meetings.

MOTION, by Kiehl, to direct the city manager to request that the Alaska Mental Health Trust to process an application and do an analysis of the sale of Lot C1 located on the Juneau waterfront next to the old AJ Fuel Dock and to provide the information to the applicants, without taking a CBJ position on the matter as to whether to sell, lease, or decline to act.

Mr. Kiehl said the AMHT had accepted an application fee for conducting this analysis in May of 2017 and had taken no action to date on this matter.

Hearing no objection, it was so ordered.

Mr. Kiehl encouraged people to submit comments to the Parks and Recreation Department on Project Playground.

Mr. Kiehl spoke about events he had attended, including a meeting he attended, held by the DOT/PF, on the "Fred Meyer" Intersection safety and access improvements. He wished all a "Happy Hanukkah."

Maria Gladziszewski:

The Assembly Human Resources Committee met December 18 and hearing no objections, the Assembly accepted the following recommendations of the HRC for committee appointments:

Americans with Disabilities Act Committee:
Appointment of Elizabeth Harrington for a term to expire 8/31/2020.

Youth Activities Board:
Appointment of Mary (MK) MacNaughton to the Juneau Arts and Humanities Council Seat for her term of service with JAHC.

Utilities Advisory Board:
Appointment of Kevin Buckland for a term expiring 5/31/2020.

The Bartlett Board met on November 28 and reviewed its audit, discussed PERS, received a Quality Committee report on patient quality and safety which shows high marks. New officers are Brenda Knapp, President; Dr. Bob Urata, Vice President; and Lance Steven, Secretary. The next meeting is set for December 21.

The Affordable Housing Commission met on December 5 and discussed the accessory apartment program, the community land trust, and how to bring Juneau builders' concerns to the city. The next meeting is set for January 2.

Beth Weldon:

The Aquatics Board met on November 28 and reviewed finances, the status of the pool cover, revenue enhancement ideas and the recent presence at the Juneau Public Market, which was successful. The next meeting was set for December 19.

The Planning Commission met on December 12 and heard a zone change request for property in Auke Bay from D-10 to Light Commercial, which was complicated by the approval of the Auke Bay Plan and the need to affect implementation of the Auke Bay Plan in the code, including definitions of "Traditional Town Center" and "view planes." The PC is working on an amendment to Title 49 regarding variances. The next meeting was set for January 3.

Norton Gregory:

The Eaglecrest Board met on December 7 and reviewed a capital improvement budget through 2024 to be presented to Assembly Finance Committee. The Board is considering changes to the pay scale. The Juneau Community Foundation is leading an effort with the Nordic Ski Club to build a ski cabin for rentals. The Board is reviewing the electrification of the Black Bear chair lift currently running on diesel. The Eaglecrest Foundation has an endowment which generates approximately $100,000 per year. The Board received an updated of current year sales. The Porcupine chair lift is the only one running now and snowmaking has resumed. Additional snow guns would help keep the ski area open more often and bring in more revenue. The Field House

Board is meeting on December 20. Beer and wine sales will begin during the next ski season.

The Parks and Recreation Advisory Committee met on December 5 and reviewed commercial use fees on CBJ owned trails, which may be undervalued. A specific discussion was held about the use of Treadwell Trails by Alaska Canopy Adventures with significant public comment against the idea.

The Assembly Mining Committee will meet on January 3 at 5:15 pm, location TBA.

Rob Edwardson:

The Docks and Harbors Board met on November 30 and focused discussion on the Urban Design Plan. The result is that the Board approved the plan, forwarded it to the COW, and the Assembly has requested additional information, including more on land exchange/sales/lease, a funding package and paths to execute the deal, public comment process, and a commercial policy on the waterfront. The next meeting is set for December 21.

The Local Emergency Planning Committee (LEPC) met on December 13 and discussed membership, attendance, and the committee is drafting a letter to the Assembly to add a "health" seat to the committee in addition to BRH seat.

C. Presiding Officer Reports

None.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

MOTION, by Nankervis, to enter executive session to discuss matters, the immediate knowledge of which may have an adverse effect on the finances of the City and Borough of Juneau, specifically, a personal injury litigation update and the City Manager and City Attorney performance evaluations and compensation packages. Hearing no objection, the Assembly entered executive session at 8:35 pm and returned to regular session at 9:15 p.m.

A. Personal Injury Litigation Update

B. City Attorney and City Manager Performance and Compensation

Upon return to regular session, Mr. Nankervis said that the Assembly received

information and gave direction to the city attorney on a personal injury litigation case.

MOTION, by Weldon, that the annual salary of the Manager of the City and Borough of Juneau increase from $164,008 to $171,500, retroactive to July 1, 2017 and that the Manager be paid a one-time bonus payment of $2000 in lieu of any additional pay increase. Additionally, affective July 1, 2018, the salary of the Manager of the City and Borough of Juneau increase an additional 2.2% from the salary in effect on June 30, 2018.

Mayor Koelsch objected.

Roll call:
Aye: Becker, Edwardson, Gladziszewski, Gregory, Kiehl, Nankervis, Weldon.
Nay: Koelsch
Motion passed, 7 ayes, 1 nay.

MOTION, by Weldon, that the annual salary of the Attorney of the City ad Borough of Juneau increase from $151,985 to $161,000, retroactive to July 1, 2017. Additionally, that effective July 1, 2018, the salary of the Attorney of the City and Borough of Juneau increase an additional 2.2% from the salary in effect on June 30, 2018.
Hearing no objection, it was so ordered.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:20 p.m.

Signed:_____ Signed:_____
Laurie Sica, Municipal Clerk Kendell D. Koelsch, Mayor