THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 3, 2017

MEETING NO. 2017-06: 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. ROLL CALL

Assembly Present: Mary Becker, Maria Gladziszewski, Norton Gregory, Loren Jones (telephonic), Jesse Kiehl, Ken Koelsch, Jerry Nankervis, Beth Weldon and Debbie White.

Assembly Absent: None.

Staff Present: Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Jane Sebens, Assistant Attorney; Bob Bartholomew, Finance Director; Rob Steedle, Community Development Director; Kris Sell, Lt., JPD; Ed Quinto, Assistant Fire Chief, CCFR; Merrill Jensen, Jensen-Olson Arboretum Manager; John Coleman, Airport Administrative Officer; Greg Chaney, Lands and Resources Manager; Carl Uchytil, Port Director.

II. SPECIAL ORDER OF BUSINESS

A. Honorary Mayors

Mayor Koelsch recognized high school "Honorary Mayors" and invited them to participate in the Assembly meeting:

Katie Bachman, from Yaakoosge Daakahidi High School
Tasha Elizarde from Juneau-Douglas High School
Rouel de la Cruz from Thunder Mountain High School

B. Recognizing Riley John and Seth Gerrin

Mayor Koelsch, Kris Sell, Lieutenant, JPD, and Ed Quinto, Assistant Chief, CCFR, thanked Riley John, Seth Gerrin and their families for the boys' heroism and quick thinking in rescuing a child that fell into Gold Creek.

C. Recognizing the Salvation Army

Mayor Koelsch thanked Lts. Lance and Dana Walters, the staff and congregation of the Salvation Army for opening their doors and welcoming homeless and displaced persons into their temporary warming shelter during cold nights in Juneau. He said the community appreciated the assistance provided to the former tenants of the Bergmann Hotel.

D. Proclamation - Commemorating Douglas Days

Mayor Koelsch read and presented a proclamation to Paulette Simpson, Mary Kay Pusich and other residents of Douglas, proclaiming April 20 through July 5, 2017 as "Douglas Days," in recognition of the work of the Treadwell Historic Preservation and Restoration Society, along with the Douglas Advisory Board, the Douglas Island Neighborhood Association, and the Douglas Fourth of July Committee to commemorate the centennial of the Treadwell Mine cave-in on April 21 and 22, 1917.

III. APPROVAL OF MINUTES

A. March 6, 2017 Regular Assembly Meeting 2017-05

Hearing no objection, the minutes of the March 6, 2017 Regular Assembly Meeting 2017-05 were approved.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Cosgrove asked that Resolution 2796 be pulled from the consent agenda so the chair of the Human Resources Committee could address a change to the Bartlett Regional Hospital Board By-laws.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

William Quayle spoke about the Commercial Passenger Vehicle regulations that were open for public comment. He said that he was disappointed that the regulations were not separated out for pedicabs as they were so dissimilar from the motorized vehicles covered in the regulations. He said the fee proposed was still too high. He would like the area of operations to be expanded. He would like to be able to operate his commercial pedicab at night.

Kathy Tran and Justin Sleppy were present from the student government of Thunder Mountain High School to report on the recent AASG Conference. They distributed a written report to the Assembly and said that 330 students attended the event in Juneau. The students had an opportunity to meet with their legislators. Juneau students planned this conference for six months and they said they were very proud of themselves and they were thankful for the community support. Students bring resolutions to the AASG table and one impactful resolution was adopted to support HB 115 in the legislature, which reconstructs the Permanent Fund Dividend and implements an income tax.

Joyce Levine spoke about the eviction of the residents of the Bergmann Hotel. She understood the situation was unsafe, but was concerned that those residents had paid $700 for the month of their eviction and they were out those funds. She asked the Assemblymembers to consider giving these residents back their rent. She would like to see the rules and regulations tightened up for apartment buildings. Low income people deserved to live in safe residences and she explained the difficulty of fighting for their rent to be returned.

VI. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

Mr. Nankervis requested that the discussion on the SEAL Trust v CBJ Assessor Appeal be moved to executive session

C. Assembly Action

MOTION, by Nankervis, to adopt the consent agenda with the removal of Resolution 2796, and to discuss the appeal matter in executive session. Hearing no objection, the consent agenda was adopted.

1. Ordinances for Introduction

   a. Ordinance 2016-09(AK) An Ordinance Transferring $2,760 to the Jensen-Olson Arboretum Endowment Fund, Funding Provided by Unexpended Capital Project Funds from the Closure of the Jensen-Olson Arboretum Capital Improvement Project P42-075.

      This ordinance would close one Capital Improvement Project (CIP P42-075) and return funds totaling $2,759.88 to the original funding source, the Jensen-Olson Arboretum Endowment Fund.

The Jensen-Olson Arboretum Advisory Board approved this request at its February 8, 2017, meeting.

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

b. Ordinance 2016-09(AL) An Ordinance Appropriating to the Manager the Sum of $120,000 as Funding for the Relocation of the Gruening Park Sewer Pump Station Generator Building in the Glacier Highway Sewer-Anka to Walmart Capital Improvement Project; Funding Provided by Alaska Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities (ADOT) has requested the CBJ relocate the generator building as it is in the way of their new construction plans for Glacier Highway. This appropriating ordinance provides $120,000 for design, construction estimate and bid document preparation. Funding for construction and associated work will be provided by ADOT upon completion of the design and construction cost estimate.

The Public Works and Facilities Committee heard this issue and reviewed project timelines at its March 20, 2017, meeting and forwarded this ordinance to the full Assembly for approval.

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

c. Ordinance 2016-09(AM) An Ordinance Appropriating to the Manager the Sum of $700,000 as Funding for the Juneau Housing First Collaborative (JHFC) Capital Project, Funding Provided by the Sales Tax Fund's Fund Balance.

In January, 2016, the Assembly approved Ordinance 2015-20(Z) providing $1.8 million in "bridge funding" to Juneau Housing First Collaborative (JHFC), for construction of the Housing First facility. The bridge funding had the potential to become a permanent increase in funding, provided by the CBJ to the JHFC project, if other planned fundraising sources did not work out.

Construction of the JHFC is nearly done and tracking towards opening in July, 2017. The total estimated cost for design, construction (including change orders) and administration is projected to be $7.6 million. Total construction costs are $6.7 million (which includes a health clinic). To date JHFC has collected or has committed funding of $6.4 million, including a $1.5 million grant from CBJ. There remains a current funding shortfall of $1.2 million. At this point JHFC has no additional sources of funding they are highly confident are available.

JHFC is requesting that $1.2 million of the bridge financing be converted to an increased CBJ grant. On June 30, 2016, the CBJ Finance Department encumbered $500,000 of the original financing (estimating a potential future request) and reduced available fund balance. To provide the total increased grant of $1.2 million this ordinance for a $700,000 FY17 supplemental appropriation is needed.

The Assembly Finance Committee will review this request at its April 5, 2017, meeting.

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

d. Ordinance 2016-09(AN) An Ordinance Appropriating to the Manager the Sum of $125,000 as Funding for the Treadwell Mine Park Preservation, Office Building Rehab, Phase 2, Capital Improvement Project; Funding Provided through a Grant from the Rasmuson Foundation.

The request is to approve the $125,000 grant for the purpose of rehabilitation of the "New Office Building" at the Treadwell Historic Park. CBJ Parks and Recreation is working with the Treadwell Historic Preservation and Restoration Society to rehabilitate the "New Office Building" into an open air shelter for public use.

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

e. Ordinance 2017-08 - An Ordinance Amending the Penal Code Relating to the Discharge of Firearms in the Mendenhall Wetlands.

At its meeting on February 13, 2017, the Assembly directed an ordinance be drafted to amend City and Borough code to allow for shotgun use on accreted parcels formerly part of the Mendenhall State Game Refuge.

This ordinance amends the City and Borough of Juneau's penal code in accordance with the Assembly's direction.

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

f. Ordinance 2017-10 - An Ordinance Authorizing the Sale of Foreclosed Property Located at 15860 Glacier Highway by Public Auction.

This ordinance address the final step in the foreclosure process of real property located at 15860 Glacier Highway. The back property taxes owed on the property total $16,356.10 and are from tax years 2014, 2015, and 2016.

State law provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold. This ordinance would establish that the property is not needed for a public purpose, and authorizes the manager to dispose of it by public outcry auction held in accordance with CBJ 53.09.230.

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

2. Resolutions

a. Resolution 2795 - A Resolution In Support of Legislation Authorizing the Creation and Enforcement of Municipal Liens.

This resolution would express Assembly support for SB 100, a bill intended to return to municipalities the authority to provide for the creation, recording, and enforcement of municipal liens.

The City Manager recommends adoption of this resolution.

3. Bid Award

a. Bid Award for Aurora Harbor Re-Build-Phase II – DH17-021

Construction of this project would remove and replace main walks, and finger floats for moorage areas E through G at Aurora Harbor. New lighting, electrical, fire suppression, and domestic water systems would be installed.

A public bid opening was held on February 8, 2017. The bidders and their total bids are as follows:

Bidders	Total Bid
Northern Construction Service	$3,452,060.00
Trucano Construction Company	$3,594,442.00
Tamico, Inc.	$3,619,500.00
Western Dock and Bridge	$3,667,950.00
Western Marine Construction	$3,778,000.00
Turnagain Marine Construction	$4,076,700.00
Engineer's Estimate	$4,110,922.00

The Docks and Harbors Board reviewed the bids at a special board meeting on March 16, 2017, and a regular board meeting on March 30, 2017.

The City Manager recommends the total bid be awarded to Northern Construction Services in the amount of $3,452,060.00.

4. Liquor License

a. Liquor License Renewals 2017/2018

The following 2017/2018 Liquor License Renewals are before the Assembly for action:

Club License #5414 BPO Elks Lodge $320 d/b/a Juneau Elks Club No. 420, 9321 Glacier Hwy., Juneau, AK 99801

Restaurant Eating Place License #4584 Doug Trucano no d/b/a and no premises. This license was formerly held by Zephyr and the Assembly waived its right to protest the license transfer of ownership to Doug Trucano on September 12, 2016.

Staff from the Finance, Fire, Public Works/Utilities, Police, and Community Development departments have reviewed the above list of renewals and recommend the Assembly waive its right to protest these renewals.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals for the 2017/2018 renewal period.

<u>Removed from the Consent Agenda:</u>

b. Resolution 2796 - A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital, which become effective upon Assembly approval by resolution. This resolution would accept the hospital board’s recommended amendments to its bylaws that were approved by the board at its regular meeting on February 28, 2017. Highlights of the amendments include:

1. Revision to BRH’s non-discrimination policy statement per §1557 of the

Affordable Care Act (p. 1)

2. Establishment of a standing board Governance Committee and setting out duties of same (p. 8)
3. Establishment of a standing board Compliance and Audit Committee and setting out duties of same (p. 8 - 9)
4. Provision of telephonic participation meeting rules (p. 11, 14)

The Human Resources Committee reviewed this resolution at its April 3, 2017, meeting and will forward its recommendation to the Assembly for action.

The City Manager recommends Assembly action according to the recommendation of the Human Resources Committee.

Public Comment: None.

Assembly Action:

Mr. Jones noted that the HRC discussed Resolution 2796 at its meeting immediately preceding this Assembly meeting.

MOTION, by Jones, to amend the by-laws, in Section 0164 Call of Meetings, Item 4, starting in the fourth line, "No more than the first three members for a Board meeting, or one member for a Committee meeting, to contact the Administrator may participate via telephone at any one meeting."

Mr. Jones said that almost all of the BRH committees consisted of three members. The HRC felt that a majority of the committee, or two, should be physically present at a meeting, and only one person be allowed to be on the phone.

Mr. Nankervis asked if anyone from BRH was present to comment. Mr. Jones said that Mr. Storer was present and understood the change and the reason.

Hearing no objection, the motion to amend the by-laws was adopted.

MOTION by Jones, to adopt Resolution 2796, and under section 1 in the resolution, to note the date of the final By-Laws. Hearing no objection, it was so ordered.

VII. PUBLIC HEARING

A. Ordinance 2016-09(AG) An Ordinance Appropriating to the Manager the Sum of $100,000 as Funding for the Manager’s Office Operating Budget; Funding Provided by the Sales Tax Fund’s Fund Balance.

This ordinance would appropriate $100,000 of Unrestricted Sales Tax from the Sales Tax Fund's Fund Balance in FY17.

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 FY17 as a reserve to be used by the City Attorney at the direction of the Assembly to defend the ongoing litigation by CLIA.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gregory, to adopt Ordinance 2016-09(AG). Hearing no objection, it was so ordered.

B. Ordinance 2016-09(AH) An Ordinance Appropriating to the Manager the Sum of $309,578 as Funding for the Juneau International Airport Part 121 Ramp Capital Improvement Project; Funding Provided by Passenger Facility Charges.

This ordinance would appropriate $309,578 to the Juneau International Airport Part 121 Ramp capital improvement project (CIP). Funding is provided as follows:

Passenger Facility Charges (PFC):	$309,578

The funding will be used with existing PFC funding to construct an Air Cargo Hardstand, and a concrete slab at Gate 5.

The Airport Board approved this action at its March 14, 2017, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to adopt Ordinance 2016-09(AH). Hearing no objection, it was so ordered.

C. Ordinance 2016-09(AI) An Ordinance Appropriating to the Manager the Sum of $15,000 as Funding for the Jensen-Olson Arboretum Parking & Conservatory Capital Improvement Project; Funding Provided by the Jensen-Olson Arboretum Fund's Fund Balance.

This ordinance would appropriate $15,000 to Jensen-Olson Arboretum Parking & Conservatory CIP, for parking lot improvements.

Funding is provided from the Jensen-Olson Arboretum fund's fund balance.

The Public Works and Facilities Committee forwarded this recommendation to the Assembly for approval at its meeting on February 27, 2017.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by White , to adopt Ordinance 2016-09(AI). Hearing no objection, it was so ordered.

D. Ordinance 2016-09(AJ) An Ordinance Appropriating to the Manager the Sum of $127,000 as

Funding for the Jensen-Olson Arboretum Residence Deferred Maintenance Capital Improvement Project; Funding Provided by the Jensen-Olson Arboretum Fund's Fund Balance.

This ordinance would appropriate $127,000 to Jensen-Olson Arboretum Residence Deferred Maintenance CIP, for Arboretum Manager home repairs.

Funding is provided from the Jensen-Olson Arboretum fund's fund balance.

The Public Works and Facilities Committee forwarded this recommendation to the Assembly for approval at its meeting on February 27, 2017.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to adopt Ordinance 2016-09(AJ). Hearing no objection, it was so ordered.

E. Ordinance 2016-26(b) An Ordinance Amending the Land Use Code Relating to Access Standards.

The primary purpose of this ordinance is to create a new access option for certain subdivisions by allowing shared private access. This would allow for an exception from the requirement that lots have frontage on a public right of way, and instead allow the lots to be accessed via private shared access located in a private easement. Private shared access ways would be maintained solely by the homeowners.

On October 25, 2016, the Planning Commission approved moving the ordinance to the Assembly for its consideration.

The ordinance was introduced at the November 7, 2016, Assembly meeting and referred to the Committee of the Whole. It was heard by the Committee at its November 21, 2016, January 9, 2017, January 30, 2017 (which was a joint meeting with the Planning Commission), and March 13, 2017, meetings. The Committee of the Whole requested a few changes to the ordinance, and approved moving the amended ordinance to the next Assembly meeting for public hearing. The memorandum in your packet from the Municipal Attorney explains the changes made by the Committee.

The City Manager recommends this ordinance be adopted.

Public Comment:

Woody Dvorak said that he would like to develop property he owned behind the Tamarack Trails Condominiums and build a driveway to one house in the public right of way. Building to full street standards seemed to be overkill, and he asked the Assembly to consider amending the ordinance to allow this by allowing such development within the urban service boundary. He said he was not alone in this situation, and according to the CDD, there are other "landlocked" properties in the area.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2016-26(b).

Ms. White asked to hear comment from CDD Director Steedle about the change Mr. Dvorak proposed.

Mr. Steedle said that the effect of the change suggested - putting driveways in to platted but undeveloped right of ways that could be allowed within the urban service area, was similar to the situation outside of the urban service area, and would allow Mr. Dvorak and other people in his situation to construct a private driveway to his property. This pattern of development was happening outside of the code over time. At the last Committee of the Whole meeting the Assembly allowed development of driveways through easements in the urban service area, but this would be similar, in allowing driveways to be constructed through platted right of ways.

Ms. Mead said such an amendment would no longer require paving in minor subdivisions, and therefore required some re-working of the street standards table in code. There was some thinking previously that people in an urban service area had expectations of paving.

Ms. White said paving and other improvements drive up the cost of development. This type of change should be allowed for smaller subdivisions to allow for infill, and to provide for more housing.

Mr. Kiehl said this was a complicated issue and he did not know if it was possible to do this type of development with a cap at four lots. We have done some in depth research on this topic, to meet the needs of increasing density, and to address concerns of the public for service level expectations. He felt that this potential amendment needed additional review as a whole package; to look at this issue separately as a matter for code change on its own, and not attempt to address it at this meeting.

Ms. White would like to investigate the proposed change.

Ms. Gladziszewski said she supported looking at the proposal. She did not want to make it an amendment to this ordinance, which had the benefit of significant research, and preferred to provide the Planning Commission with an opportunity for review. There was general agreement.

Hearing no objection, Ordinance 2016-26(b) was adopted.

VIII. UNFINISHED BUSINESS

None. The discussion about the SEAL Trust v CBJ Assessor Appeal Decision was moved to "Executive Session."

IX. NEW BUSINESS

A. Request for Authorization for the City Manager to Enter into a Negotiated Fair Market Value Sale of Juneau Townsite, Block 115, Lot 6, with the Adjacent Property

The Lands Office received an application to purchase Juneau Townsite, Block 115, Lot 6. The applicants are the owners of lot 7, which neighbors the property requested for purchase. The applicants wish to acquire the lot to make structural improvements to their existing home for mitigation against natural hazards and to better develop single-level living to assist a family member who is unable to navigate stairs.

On February 27, 2017, the Assembly Lands Committee reviewed and adopted a motion of support to the Assembly for a fair market value sale of Lot 6 to the applicants. The land sale is subject to review by the Planning Commission and authorization by the Assembly by ordinance.

As established in CBJ§53.09.260(a) staff recommends that this proposal be pursued by direct negotiation with the original proposers because the hillside behind the subject property is very steep and has been designated as a hazard zone. Due to the "hazard" designation, it is listed in the Land Management Plan for retention. However, by selling this lot to the original proposers who are adjacent to the property, a defensive structure could be built to help reduce the risk to the applicants' existing home as well as neighboring homes downslope.

The City Manager requests a motion of support to enter into direct negotiations for the disposal of Juneau Townsite, Block 115, Lot 6 to the applicants.

Public Comment:

Chris Siddon said he was the applicant attempting to purchase the property and he supported the manager's report.

Assembly Action:

MOTION, by Becker, to authorize the City Manager to enter into a negotiated fair market value sale of Juneau Townsite, Block 115, Lot 6, with the adjacent property owner. Hearing no objection, it was so ordered.

B. Request for Authorization for the City Manager to Enter into Negotiations for the Disposal of a Fraction of ATS 14 for Fair Market Value

The Lands Office received an application to acquire approximately 5,000 square feet from Savikko Park in Douglas. The applicant is the owner of 522 St. Ann's Avenue which is adjacent to Savikko Park. This part of Savikko Park it is not being actively used for park functions. The applicant has requested this property be conveyed at no cost because of an understood verbal agreement from the 1960's made with the previous Mayor of Douglas. Verbal agreements to sell or convey real property are not legally enforceable. Staff believes it is appropriate to sell the property to the applicant for fair market value for the reasons explained in the memorandum included in your packet.

The Lands Committee and the PRAC reviewed the application and both passed motions of support to the Assembly for this disposal.

Title 53.09.260 *Negotiated sales, leases, and exchanges* states that once an application has been received, the proposal "shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals." In this case, an invitation for further proposals is not a valid option because the lot to be acquired is an extension of the applicant's backyard.

The City Manager requests a motion of support to enter into negotiations for the disposal of a Fraction of ATS 14 to Ruth Pedersen for fair market value.

Public Comment:

Ruth Pedersen said they bought the property when they first moved to Juneau and they gave away 10 feet for road construction to the City of Douglas in exchange for property behind their home; however, much of the paperwork from the City of Douglas was lost in the transition of government and the final platting was never completed. The property had been marked at one time; however, during a storm the markers were lost. She related a discussion with city officials at the time of construction of their home in which they pointed out the area that would be her property. She said that the former Douglas clerk, Virginia Post, told her that was the understanding and she should contact an attorney. She said that this issue was hanging over her head for a long time and she asked for a fair resolution.

Former Mayor Merrill Sanford said he spoke to Ruth Pedersen and her family. The Lands Division had done some research. There was no written agreement; however, the City of Douglas took ten feet of the Pedersen's property without payment for the road construction and he related the similarity of the situation with adjacent property. He distributed a motion for Assembly consideration.

Ms. Gladziszewski asked if it was a fact that the adjacent properties had not paid for property in exchange for right of way. Mr. Sanford said he believed that to be the case, and explained the situation as the City of Douglas providing that city property in equal value.

Ms. White said that Ms. Pedersen would need to get a new as-built survey done for the property and she should have to pay that cost; however, she supported the following motion.

Assembly Action:

MOTION, by White, to authorize the City Manager to enter into negotiations for the disposal of a Fraction of ATS 14 , a 20 foot strip, at no cost, with the exception of the cost for the Pedersen family to pay the cost of the as-built survey.

Mr. Kiehl asked Ms. Mead for her thoughts. Ms. Mead said there are costs for a lot line adjustment in the subdivision process. Ms. Mead said the city was barred from giving away property with the exception of certain circumstances, such as an extremely long, drawn out land exchange.

Ms. White said that she saw this as a land exchange. Ms. Mead said there was a fee for a lot line adjustment that would be required in city code. Ms. Becker said she was not in favor of adding additional fees because this situation should have been resolved years ago when the current rules were not in effect. Following a brief recess to confer with the Municipal Attorney, Ms. White restated her motion to read:

To direct CBJ staff to offer the land as a land exchange, a 20 foot strip of land on the hillside as noted on the map in the Assembly's packet material, as a trade for the ten feet of street level property received in the past. She asked that the property be provided at no additional cost to the family with the exception of the $500 fee they had already paid, the fee to survey the new property lines and the recording fee, and the city would waive any additional costs, including the planning commission lot line adjustment fee.

Hearing no objection, the motion passed unanimously.

Ms. Pederson thanked the Assembly and said she could now get some sleep.

C. Regulation Docks & Harbors Title 5 Chapter 15 Fees and Charges

Docks & Harbors properly noticed the proposed changes consistent with CBJ ordinance. Docks & Harbors received no comments regarding the proposed regulations change. The Docks and Harbors Board hearing on these regulations was held on March 30, 2017, and they forwarded the proposed regulations as found in your packet.

In reviewing proposed regulations, CBJ 01.60.260 provides that the Assembly may:

1. Take affirmative action to approve the regulation.

2. Take affirmative action to disapprove the regulation. (If the Assembly disapproves the regulation, the Assembly may state its reasons for doing so, but it may not specify explicit conditions for subsequent approval or direct the requesting department to adopt any particular amendments to the regulation.)

3. Allow the regulation to take effect and be deemed approved by not actively considering the regulation. (The Assembly's historical practice is to move 'orders of the day,' requiring the body to

consider the next item on its agenda without active consideration of the regulation in order to allow the regulation to take effect without explicit Assembly action.)

4. Direct that an ordinance or resolution in lieu of the regulation be prepared for its consideration.

Public Comment: None.

Assembly Action:

Mr. Kiehl asked for information on the costs of the bulk water rate and Mr. Uchytil responded. Mr. Kiehl said he wanted to clarify that the city was not subsizdizing water sales to the cruise ships.

MOTION, by Nankervis, to allow the regulations to take effect, without taking the item up for Assembly consideration in accordance with CBJ Code 01.60.260. Hearing no objection, the proposed regulations were allowed to become effective.

X. STAFF REPORTS

None.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch asked the Honorary Mayors to introduce themselves, provide the Assembly with their plans for their coming year, why they like Juneau and what issue they would work on to make it a better place.

Tasha Elizarde said she is a senior and would take a gap year before attending college in Massachusetts, in which she would volunteer in India teaching as well as do some political work, possibly in the legislature or in Washington, DC. She loves Juneau because of the atmosphere, where people are involved, happy, and cheerful, which makes her feel passionate about Juneau. Her issue would be access to education, including civic and health education.

Katie Bachmann said she is a senior and is considering going to college in Europe in order to be a drama therapist to help people with mental health disorders such as PTSD, anxiety and depression through acting. She likes the landscape in Juneau and its beauty, and how close-knit the community is. Her issue is homelessness and the problems of low-income persons.

Rouel de la Cruz said he is a sophomore and in the next year he hoped to volunteer more, advocate in city hall and in the Capitol. He liked that people in Juneau were thoughtful, and how the people liked to be together. His issue was the budget crisis in Alaska at the legislature.

Mayor Koelsch said all three Honorary Mayors were born in Juneau. He had the pleasure of spending time with them and said that they gave him lots of hope for the youth in the community. He thanked them for their interest in local government.

B. Committee and Liaison Reports

Eaglecrest Board: Liaison Gregory said that this was the final week for Eaglecrest to be open and the "Slush Cup" would be held Saturday, closing Sunday.

Juneau Economic Development Council: Liaison Weldon said JEDC has been active issuing small business loans to a small cleaning company, a new manufacturer and they have organized a meeting about shoplifting and are organizing the Maritime Festival on May 6. The next meeting is set for April 5.

School Board: Liaison Weldon said the board held its final hearing and adopted its budget, was reviewing the annual contract, the middle school travel ban, and CIP projects. JSD hired school teacher Nancy Peel as Auke Bay School Principal. She will replace Lori Hoover, who is retiring.

Aquatics Board: Liaison White said the board was continuing work on the budget process to increase revenue and drop expenses.

Lands and Resources Committee: Chair White said the next meeting was set for April 10.

Planning Commission: Liaison White said the April 11 meeting was canceled due to lack of items on the agenda.

Travel Juneau: Liaison White said times were busy with the Folk Festival, the Travel Festival at the JACC, and the Tour and Attraction training for the largest volunteer corps in the country. Travel Juneau members will experience guest experience training on May 10.

Parks and Recreation Advisory Committee: Liaison Gladziszewski said PRAC is working on its master plan update, has done a telephone survey and among other issues have found 77% of respondents think P&R programs are important or very important. Some things people want is more ice rinks and an ORV park. People feel the Lemon Creek area is underserved. They have formed a steering committee for the rest of the process that is separate from the PRAC, with nine members to assist with this effort. The next PRAC meeting is April 4.

Bartlett Regional Hospital: Liaison Gladziszewski said BRH is working on their processes, including the by-laws adopted at this meeting. The new president is attempting to tighten up the meetings. The Board is doing the CEO evaluation process.

Juneau Commission on Sustainability: Liaison Gladziszewski said the commission met March 8, heard about RecycleWorks and is working on finalizing the energy plan, which they hope to bring to the COW soon. The new chair is Duff Mitchell. The next meeting is set for April 12.

Human Resources Committee: Chair Jones reported that the HRC met prior to this meeting and heard an annual report from the Juneau Affordable Housing Commission. The committee discussed Eaglecrest liquor sales and the attorney will draft proposed changes to code and the HRC would meet with risk management in April with a goal of meeting with the COW in May on this topic.

Hearing no objection, the Assembly accepted the recommendation of the HRC and made the following board appointments:

> Juneau Affordable Housing Commission:
> Reappointment of Honey Bee Anderson to a term expiring January 1, 2020.
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> Juneau Public Library Endowment Board:
> Reappointment of Barbara Berg to a term expiring January 1, 2020.
>
> Parks and Recreation Advisory Committee:
> Appointment of Edric Carillo to a term expiring February 1, 2019.
>
> Youth Activities Board:
> Appointment of Edric Carillo to a term expiring August 31, 2018.

Airport Board: Liaison Jones said efforts are being made to place a new jetway to replace Gate 2, the outside stairs which board the Alaska Airlines combi planes which are being eliminated. The next meeting was set for April 11.

Local Emergency Planning Committee: Liaison Jones said the next meeting was set for April 12.

Downtown Business Association: Liaison Jones said the DBA has doubled its membership, is amending its by-laws and is collaborating with the Chamber of Commerce, JEDC and Travel Juneau. The next meeting was set for April 11. Mr. Jones reported on his intent to attend the Main Street USA meeting on behalf of Juneau - he would pay for all of his travel with the exception that DBA would pay his registration fees and he had reported this to the attorney in accordance with the conflict of interest code. The Assembly expressed no objection to this plan.

Finance Committee: Chair Kiehl said April 5 would kick off the weekly meeting schedule for work on the budget, and following its adoption, he anticipated additional meetings to work on the 1% sales tax reauthorization ballot measure.

Alaska Municipal League: Liaison Kiehl said the League has been extremely busy advocating for municipalities in the legislature and he anticipated no further cuts to municipal revenue sharing this year, and no proposal to change the PERS/TRS rate at this time.

University of Alaska Southeast Campus Council: Liaison Kiehl said the University was addressing difficult cuts being proposed to the University system in the state budget at the rate of 8-9% of their general funds. A new bill proposes to eliminate need- based scholarship grants.

Public Works and Facilities Committee: Chair Becker said the PWFC met and discussed the interest of private snow plows in a place to put snow. CBJ will no longer thaw water lines.

Docks and Harbors Board: Liaison Becker said that the wiring for 1% for art on the cruise ship dock was in progress and the sculptures are anticipated to be installed in September. She gave the dates for several ribbon cutting ceremonies celebrating completed projects, including:

Cruise Ship Dock North Berth - Friday, May 5, Noon

Statter Harbor - Friday, May 19, Noon

Douglas Harbor - Friday, May 26, Noon

Chamber of Commerce: Liaison Becker said that Chamber had met and discussed the cruise ship sales tax and a McDowell Group study on shipping costs in Juneau it had commissioned as an assignment from the Juneau Economic Development Plan.

Committee of the Whole: Chair Nankervis said the COW met on March 13 and discussed the Auke Bay Marine Station and the shared access ordinance. On March 20, the COW met with the Bartlett Regional Hospital Board, received an update on RecycleWorks, and discussed the idea of a CBJ wellness program and an essential public facilities ordinance. The next meeting was set for April 10 and agenda items included meeting with the Aquatics Board and updates on fireworks from JPD, the economic development plan, housing and Pederson Hill development.

C. Presiding Officer Reports

Mr. Kiehl reserved his report for executive session.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Gregory welcomed and thanked the Honorary Mayors for their participation. He asked Ms. Mead about the pending ordinance which referenced discharge of firearms in the area of the Mt. Roberts trailhead, and mentioned that the trailhead had moved. Ms. Mead said that language was in existing code and she would review the matter.

Ms. Weldon said she participated in the meeting with the representatives of the Mongolian government, which was an emerging democracy and said they were fun. She asked Assembly permission to work with Ms. Mead on potential amendments to the mining ordinance proposed by the Alaska Miners Association. The review would include any duplication locally with state and federal requirements within the mining ordinance. She wants to meet with Law to work on potential amendments regarding the mining ordinance.

Ms. Gladziszewski said that at some point this issue needs to go to the Planning Commission. Ms. Mead said a draft has been circulated and it was up to the Assembly on how to proceed. She recommended Assembly review prior to sending a draft to the Planning Commission. Ms. Gladziszewski said she needed more information.

Ms. Becker said she had no opposition to Ms. Weldon meeting with the attorney and thought the Assemblymembers had met or been provided with material from an interest group that had proposed changes.

Mr. Jones said he had no objection to the attorney looking at the proposal and letting the Assembly know what the changes meant but he was not in support of putting this into any ordinance format.

Mayor Koelsch said Ms. Weldon's request was to meet with the attorney to put the request into ordinance form.

Mr. Kiehl said he appreciated all the leeway he had been given to work on proposals and he did not object but he did not want to see CBJ yield its responsibility to citizens in regards to mining in the CBJ, but he would look at a draft.

Ms. Gladziszewski had no objection to working on this but duplication is just one issue and it is a big ordinance. Ms. Mead said her first step would be to review and see how the proposal differs from current code.

Hearing no objection, Mayor Koelsch said that Ms. Weldon had permission to meet with the attorney to work on the proposal regarding the CBJ mining ordinance.

Ms. White said she attended the budget presentation at the valley library and enjoyed the opportunity to speak with city staff.

Ms. Gladziszewski asked about the Bergmann tenant rent issue and wondered what the CBJ could do to help in this situation. Ms. Mead said she had spoken to Alaska Legal Services and they are willing and able to take on these cases. We have attempted to be responsive to help with paperwork to get their money back. Ms. Gladziszewski asked if there was anything more proactive. Ms. Mead said it was a civil landlord tenant act issue.

Mr. Jones attended the city hall budget presentation and learned some new information. The Lemon Creek planning committee meeting was postponed to April 20. The Juneau Empire said Northrim Bank is offering a program on April 12 at Centennial Hall on how businesses can address strange economic times, including issues on the Affordable Care Act, etc., with free registration and he encouraged people to attend.

Mr. Kiehl said he had an opportunity to meet with AASG students and was impressed. He thanked the Honorary Mayors. He appreciated JPD installing the mobile speed detection equipment near Centennial Hall during the Folk Fest. He said he was invited by residents of a large downtown apartment building to a tenant meeting with JPD and a security firm from building management to discuss an issue of non-tenants accessing the building.

Ms. Becker said she just returned from attending a Sesquicentennial Celebration of the State of Alaska in Washington, DC, at which she attended a Press Club dinner and an event at the State Department. The First Lady Donna Walker and the Alaska delegation spoke at all events. On July 3, the Seward statue will be erected.

Mr. Nankervis thanked the "mini-mayors" for their participation and interest. He also had an opportunity to meet with the Mongolian Delegation and the translation was excellent. It was surprising how quickly they grasped Juneau issues - especially taxation. He asked Ms. Mead if there was a public information request ordinance for CBJ. He asked to work on a local ordinance to address this issue to ensure that there are reasonable costs and fees associated with the response.

Ms. Gladziszewski asked if the municipality has the authority to charge and Ms. Mead said other municipalities have such an ordinance and they have not been challenged. Hearing no objection, Mr. Nankervis was given permission to work on the matter with the attorney.

Mayor Koelsch reported a concern about late fees being charged on utility bills paid by automatic bank payments. Mr. Bartholomew will follow up.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Dennis Galey spoke about sales tax on groceries and said that groceries should not be taxed. Single parents feeding children should not subsidize a season pass for a lobbyist at Eaglecrest. He would prefer to see the sales tax rate raised as a whole in order to eliminate the tax on groceries.

XIV. EXECUTIVE SESSION

A. Southeast Alaska Land (SEAL) Trust v CBJ Assessor - Decision on Appeal

Assembly Action:

MOTION, by Nankervis, to enter into executive session to review the written decision in the matter of SEAL Trust v CBJ Assessor. Hearing no objection, the Assembly entered into executive session at 9:30 p.m. and returned to regular session at 9:55 p.m. Mr. Gregory and Ms. White, who did not participate in the appeal hearing, left the meeting.

MOTION, by Kiehl, to adopt the written decision as provided to the parties in the matter of SEAL Trust v CBJ Assessor.

Roll call:
Aye: Becker, Gladziszewski, Jones, Kiehl, Nankervis, Weldon
Nay: Koelsch
Motion passed, 6 ayes, 1 nay.

The decision was adopted.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:57 p.m.

Signed:___________________________ Signed:________________________________

Laurie Sica, Municipal Clerk Kendell D. Koelsch, Mayor

XVI. SUPPLEMENTAL MATERIALS