THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - October 17, 2016

MEETING NO. 2016-34: 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. SPECIAL ORDER OF BUSINESS ASSEMBLY REORGANIZATION

A. Recognition of Outgoing Assemblymembers

Mayor Koelsch recognized Kate Troll, who was not present. She was elected in October 2013, and her addition to the Assembly allowed Douglas Island to account for 4/9ths of the representatives. He spoke about her knowledgeable participation in committees and as a liason to several boards as a member of the Assembly, including the Juneau Commission on Sustainability. She co-chaired with the late Mayor Greg Fisk, the CBJ Task Force on NOAA Fisheries in Alaska. She played a role in getting several NOAA fisheries jobs relocated to Juneau. She served as Liaison to the Juneau Affordable Housing Commission, Juneau Economic Development Council and the Alaska Coastal Rainforest Center. She served on the Assembly Human Resources Committee, the Tax Exemption Review Committee, and the Assembly Lands Committee as Chair. Mayor Koelsch expressed the Assembly's thanks for her work and wished her "fair winds and following seas."

Mayor Koelsch recognized Jamie Bursell for her service to the Assembly and called her "tenacious." She joined the Assembly in 2016 as an appointed member and she worked hard during her tenure. She thanked CBJ staff for their assistance, the Assembly and the citizens. She said she was proud to be a part of the Assembly that passed the equal rights ordinance and she said hearing citizen's concerns were a highlight of the job. She listed her committee service and said she would apply to a board to continue her service. She would miss the job, she would continue to care and said it was everyone's job to play a part. She congratulated the newly elected officials and welcomed them to the Assembly.

B. Swearing-In of Newly Elected Officials

Mayor Koelsch noted that Assemblymember Beth Weldon was sworn in to office by Ms. Mead the previous week.

Assistant Attorney Robert Palmer swore Norton Gregory and re-swore Mary Becker to their three-year terms of office.

The Clerk called the roll in order of seniority and the Assemblymembers took their preferred seats.

II. ROLL CALL

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

Assembly Absent: None.

Staff Present: Mila Cosgrove, Deputy City Manager; Robert Palmer, Asst. Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk, Deb Senn, Law Office Manager; Bob Bartholomew, Finance Director; Dallas Hargrave, HRRM Director; Ed Mercer, Deputy Police Chief; John Coleman, Airport Admin Officer II; Carl Uchytil, Port Director.

III. SPECIAL ORDER OF BUSINESS

A. Selection of Deputy Mayor

MOTION, by Becker, to nominate Jerry Nankervis as Deputy Mayor.

Mr. Kiehl called for the nominations to be closed, and asked for unanimous consent.

Mr. Jones said he did not object, but wanted to note that recent tradition was that the Deputy Mayor was someone who was of a different philosophy than the Mayor and he did not fee that was the case this time. It is important to maintain non-partisanship.

Hearing no objection, Mr. Nankervis was elected Deputy Mayor.

The Assembly seating was set as follows: Mayor Koelsch, Jerry Nankervis, Mary Becker, Jesse Kiehl, Loren Jones, Maria Gladziszewski, Debbie White, Beth Weldon, Norton Gregory.

IV. APPROVAL OF MINUTES

A. September 26, 2016 Regular Meeting No. 2016-33

Hearing no objection, the minutes of the September 26, 2016 Regular Assembly Meeting 2016-33 were approved with a correction from Mr. Kiehl.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Albert Judson provided written testimony to the Assembly and asked the Assembly to reconsider the senior sales tax exemption. He noted figures about the senior population, nationwide, in the state and in Juneau, and the senior economy of the community.

William Quayle congratulated Mary Becker, Norton Gregory and Beth Weldon for their victory. He said he was tired of his pedi-cab business being treated like a taxi cab in the CBJ regulations. A taxi can carry six people. Auto insurance is not possible for pedicabs. Right now it costs $2000 to legally operate but there will be very few who will be able to invest that much to start a business. He asked the Assembly to add this item to its agenda. The Docks and Harbors will also be determining how much to charge pedicabs, and they will be charging the same as cabs. To pay $1500 for one license for one pedicab is too steep.

Mayor Koeslch asked Ms. Cosgrove about the issue and she said the matter was cued for review in the late fall, following the busy season for the industry. There is a lengthy administrative process and staff wanted to allow the season to end before attention could be paid to this matter.

Kristin Cox, Tobacco Coordinator, National Council on Alcohol and Drug Dependence, said the tobacco industry spends $1 million an hour on advertising. The influence of advertising is equal to the influence of parental smoking. The advertising is greater in low income neighborhoods. This preserves tobacco disparity between income and racial groups. She looked around Juneau and found little external advertising due to the sign ordinance. She reported the exceptions to the CBJ Community Development Department, which investigated and the signs were pulled down. The city's sign ordinance was working to prevent this external advertising.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

Mr. Jones pulled resolution 2771 from the consent agenda.

C. Assembly Action

MOTION, by Nankervis, to adopt the consent agenda, as amended with the removal of Resolution 2771. Hearing no objections, the consent agenda was adopted as amended.

1. Ordinances for Introduction

a. Ordinance 2015-20(AW) An Ordinance Appropriating to the Manager the Sum of $1,802,195, to Fund Bartlett Regional Hospital's Fiscal Year 2016 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate $1,802,195, which is the State's FY16 relief rate of 5.19% for each FY16 employer payroll and 27.19% on-behalf PERS benefit paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration which was authorized by passage of HB2001 during the 2015 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.

b. Ordinance 2016-09(O) An Ordinance Appropriating to the Manager the Sum of $111,125 as Funding for the Juneau International Airport Construct Runway Safety Area Phase 2B Capital Improvement Project; Funding Provided by the Alaska Department of Transportation.

This ordinance would appropriate $111,125 to the Construct Runway Safety Area Phase 2B capital improvement project. Funding is provided as follows:

Alaska Department of Transportation (ADOT): $111,125

This project will construct aircraft parking pavement in the northwest development area. The Federal Aviation Administration (FAA) funds 93.75% of the project with the remainder being provided by Juneau International Airport and ADOT. FAA and Airport funds have previously been appropriated.

The Public Works and Facilities Committee reviewed this action at its June 27, 2016, meeting.

The Airport Board approved this action at its September 6, 2016, meeting.

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

c. Ordinance 2016-09(P) An Ordinance Appropriating to the Manager the Sum of $556,467 as Funding for the Juneau International Airport Construct Snow Removal Equipment Building Capital Improvement Project; Funding Provided by the Alaska Department of Transportation.

This ordinance would appropriate $556,467 to the Construct Snow Removal Equipment Building (SREB) capital improvement project. Funding is provided as follows:

Alaska Department of Transportation (ADOT): $556,467

The Federal Aviation Administration (FAA) funds 93.75% of the project with the remainder being split between Alaska Department of Transportation (ADOT) and Juneau International Airport. Airport and FAA funds have previously been appropriated.

The Public Works and Facilities Committee reviewed this action at its June 27, 2016, meeting.

The Airport Board approved this action at its August 9, 2016, and September 6, 2016, meetings.

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

d. Ordinance 2016-09(Q) An Ordinance Appropriating to the Manager the Sum of $160,000 as Funding for the Emergency Management Performance Grant; Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.

This ordinance appropriates $160,000 from the Alaska Department of Military and Veterans Affairs under the 2016 Emergency Management Performance Grant.

These funds are provided to reimburse the City and Borough of Juneau for payroll and benefit costs incurred in direct support of the goals and activities of the Emergency Management Performance Grant for CBJ Emergency Programs, Police, and Fire staff in the performance of emergency management functions in planning, training, exercise, and equipment procurement within the grant performance period.

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

e. Ordinance 2016-09(R) An Ordinance Appropriating to the Manager the Sum of $230,000 as Funding for the 2016 State Homeland Security Program / SHSP; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

This ordinance appropriates to the manager the sum of $230,000 from the Alaska Department of Military and Veterans Affairs under the 2016 State Homeland Security Program, awarded to the City and Borough of Juneau.

These funds are provided to reimburse the City and Borough of Juneau for expenses incurred in direct support of the goals and activities of the SHSP. Funding from this program is provided to support, build, and sustain the ability of states, territories, and urban areas to prevent, protect against, mitigate, respond to, and recover from terrorist attacks and other all-hazard events through planning, training, exercise, and equipment procurement.

Projects funded:

1. Purchase and installation of upgrade to the Peterson Hill Radio System; including communication tower, backup power generation, radio systems, and wireless datalinks. $150,000
2. Development, purchase, and installation of a structural collapse simulator at the Hagevig Fire Training Center. Complete NFPA Collapse Level I and II training course in Urban Search and Rescue. $80,000

There is no match requirement for this grant.

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

f. Ordinance 2016-09(S) An Ordinance Appropriating to the Manager the Sum of up to $23,405 as Funding for Multiple Training Events for the Juneau Police Department; Grant Funding Provided by the United States Department of Justice, Office of Justice Programs, FY16 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The Juneau Police Department has been awarded up to $23,405 in grant funding for various training opportunities.

The JPD leadership team is finalizing a plan of what training opportunities will be funded with this grant. The potential opportunities include forensic traffic accident reconstruction training, National Emergency Number Association conference, leadership training, National Incident-Based Reporting System (NIBRS) training, and report builder training.

No local match is required.

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

g. Ordinance 2016-09(T) An Ordinance Appropriating to the Manager the Sum of $114,200 as Funding to Provide for Mobile Data Terminals and Accessories at the Juneau Police Department; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

The Juneau Police Department has received $114,200 in grant funding from the State of Alaska, Department of Transportation and Public Facilities, Alaska Highway Safety Office to purchase mobile data terminals (MDTs) and required accessories.

MDTs are the computers officers use in the patrol vehicles. They provide immediate access to databases and information that enhances the ability for them to do their jobs.

We estimate the entire project will cost around $220,000 when it is complete. This project had originally been budgeted to be funded using JPD's equipment replacement reserve fund. This grant greatly reduces the amount of funding needed from the equipment replacement reserve fund. Still, there is a match requirement for this grant of $23,000, which is included in the total $220,000 and already in the equipment replacement reserve fund. This equipment will continue to be scheduled on the equipment replacement schedule in future years.

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

h. Ordinance 2016-09(U) An Ordinance Appropriating to the Manager the Sum of $19,360 as Funding for Body-Worn Cameras; Funding Provided by the Roaded Service Area Fund Balance, Asset Forfeiture Reserve.

The Juneau Police Department has received $25,060 in grant funding from the U.S. Department of Justice as part of the Body-Worn Camera Policy and Implementation Program.

JPD will use the grant funds to purchase body-worn cameras. The goal is to outfit 40 officers with BWCs to allow us to meet our operational goals of capturing factual interactions with the public; de-escalating situations to lower the rate of use of force; identify any structural issues within the department; lower the rate of unfounded grievances filed; save time and money on unnecessary investigations and lawsuits; document interrogations and crime scenes; identify training issues; provide high quality digital multimedia evidence to attorneys; and be accountable and transparent with the citizens of Juneau.

The grant funds already fit within JPD’s budget; however, this grant has a matching requirement, which is not currently in JPD’s budget. The required match is $26,826.30. Of that amount, $7,466.30 is budgeted in personnel costs. This leaves $19,360 to be funded. JPD would like to use asset forfeiture funds to cover the balance of $19,360.

The BWCs have a warranty of three years. In conjunction with purchasing the new equipment, they will also be placed on our equipment replacement schedule to be replaced every three years; however, as we find with a lot of our equipment, they generally last longer than they are guaranteed. After three years' time, the cameras will be evaluated for replacement determination and each year after until they need to be replaced.

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

i. Ordinance 2016-32 An Ordinance Amending the General Penalty Chapter of the City and Borough Code Relating to the Payment of Fines.

This ordinance would adopt language similar to AS 12.55.051(a), which provides a meaningful enforcement tool for the court when defendants willfully refuse to pay fines imposed as part of a sentence in a criminal case.

The court is prohibited from imposing a jail sentence if the failure to pay the fine or restitution is because of an inability to pay, and the judge is required to make a factual finding that inability to pay is not a factor.

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

2. Resolutions

a. Resolution 2772 - A Resolution Providing For Interest Rates For The General Obligation School Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.

On October 17 & 18, 2016 CBJ is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately $18.9 million in year general obligation bonds in order to refund/refinance bonds originally issued in September 2006.

The issuance of the bonds was authorized by the Assembly in Ordinance 2016-31 (adopted September 12, 2016). The final Assembly action, per CBJ Charter, related to these bonds is to "prescribe" (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts.

CBJ legal counsel K&L Gates has prepared Resolution 2772 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution lists the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all of the bonds is estimated to be 1.5% and result in a net present value savings of $1.3 million.

The City Manager recommends this resolution be adopted.

b. Resolution 2773 - A Resolution Providing For Interest Rates For The General Obligation Bond Being Issued Through The Alaska Municipal Bond Bank.

On October 17 & 18, 2016, CBJ is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately $3.05 million in year general obligation bonds. This bond sale is a portion of the $25 million authorized by the voters in October 2012 and by Ordinance 2012-44 in December 2012. The proceeds will be used to fund a portion of the Capital Transit bus maintenance facility. The sale consists of 10-year bonds.

The final Assembly action, per CBJ Charter, related to these bonds is to "prescribe" (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts.

CBJ legal counsel K&L Gates has prepared Resolution 2773 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution lists the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all of the bonds is estimated to be 1.9%.

The City Manager recommends this resolution be adopted

3. Bid Award

a. Bid Award Approval for B17-116 - Purchase and Delivery of Submersible Chopper Pumps.

The CBJ seeks purchase and delivery of five submersible chopper pumps to be used for the Public Works Department Utilities Division. The estimate was $175,000.

Bids were opened on October 4, 2016. Upon review of the specification, the award posting occurred on October 11, 2016. The bid protest period expired at 4:30 p.m. on October 12, 2016. Results of the bid opening are as follows:

Alaska Roteq Corporation	$198,800
Delta Pump and Equipment	$200,290
Alaska Pump & Supply	$204,139

The City Manager recommends award of Bid No. 17-116 to Alaska Roteq Corporation on the basis of having the lowest responsive and responsible bid price in the amount of $198,800 based on Total Bid.

4. Liquor License

a. New Brewery Liquor License #5517 - Devil's Club Brewing, LLC

This application for Devil's Club Brewing, LLC to be located at 100 N. Franklin Street, Juneau, is before the Assembly to either protest or waive its right to protest the issuance of this new brewery license. As is our practice for all license actions, the Finance, Police, Fire, Engineering/Public Works and

Community Development departments have reviewed the above business and found it to be in compliance with CBJ Code.

In the event the Assembly does protest the issuance 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 City Manager recommends the Assembly waive its right to protest the issuance of Brewery Liquor License #5517.

5. Other Items for consent

a. CBJ Review of New State Marijuana Licenses

The Alcohol Marijuana Control Office (AMCO) sends local governing bodies notice of Marijuana License applications which allows local governing bodies the opportunity to protest or waive its right to protest the issuance or renewal of these licenses.

CBJ received notice of the following Marijuana Licenses:

i. Retail Marijuana Store License # 10050 - Rainforest Farms, LLC
Location: 216 2nd Street, Juneau, AK

ii. Retail Marijuana Store License #10800 - The Fireweed Factory, LLC
Location: 237 Front Street, Juneau, AK

iii. Marijuana Product Manufacturing Facility License #10271 - Top Hat Concentrates, LLC
Location: 2315 Industrial Blvd., Suite B, Juneau, AK

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommend that the Assembly waive its right to protest the issuance of these licenses. As to CDD's recommendation, although the applicants do not yet have a local license and The Fireweed Factory, LLC does not yet have a conditional use permit, CDD recommends allowing the applicants to move forward to obtain the state license. The applicants will not be allowed to operate in the borough until the conditional use permit is approved and the license is issued.

Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)
- MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram

- CBJ Planning Commission Conditional Use Permits - Notices of Decision

Copies of all the documents relating to these licenses are available upon request from the office of the Municipal Clerk during regular business hours.

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

6. Transfers

a. Transfer T-981 Transfers $488,600 from Runway Safety Area to Airport Revolving Capital Reserve Account.

This ordinance transfers $488,600 from the Runway Safety Area (RSA) CIP to the Airport Revolving Capital Reserve Account (ARCRA).

The transfer replaces funds that were borrowed from the ARCRA (transfer # T-918 dated June 28, 2010) for temporary local match in the RSA project until dirt royalties ($2.1m) were received. The final dirt royalties were appropriated to the project at the May 26, 2016, Assembly meeting (2015-20 (AN)). $500,000 was originally borrowed, and $11,400 has since been replaced, leaving $488,600 for this transfer.

At its October 11, 2016, meeting, the Airport Board approved this transfer.

The City Manager recommends this transfer be approved.

Removed from the Consent Agenda:

b. Resolution 2771 - A Resolution Authorizing the Manager to Enter into an Amendment to the City and Borough PERS Participation Agreement.

This resolution would request from the State an amendment to the current CBJ PERS participation agreement contract to exclude hospitalist medical director, advance practice registered nurse, and nurse practitioner from the PERS retirement system. The Bartlett Regional Hospital (BRH) Board of Directors has passed a motion requesting exclusion of these job classifications from PERS participation. These job classifications have not been created at BRH; however, it is anticipated that they may be created in the future.

In addition, the Eaglecrest Board has passed a motion requesting that the only Eaglecrest limited position that remains in PERS is the Patroller III (senior patroller). This amendment would allow Eaglecrest to keep employees currently occupying Patroller III (senior patroller) positions in the PERS service, while removing other Eaglecrest limited positions that are currently vacant.

The City Manager recommends this resolution be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Jones, to adopt Resolution 2771.

Mr. Jones said he had no questions about Eaglecrest, but regarding the Hospital positions, the memo lists all BRH personnel that are excluded from PERS, including the CEO, CFO, Hospitalist, Physicians Assistant, and general surgeon classifications. This would add three additional job titles. He asked why the hospitalist medical director does not fall under "hospitalist." He said that regarding the CEO/CFO and physicians, it was discussed that they were professionals that generally had their own retirement set up and hired under a contract, not direct employment. He was not aware that applied to advanced practice nurses or nurse practitioners.

Mr. Hargrave said BRH intends to implement the hospitalist program in CY2017 and hospitalists are already excluded and they anticipate that the hospitalist medical director added that will be physician also exempt from PERS. Regarding advance practice registered nurse - this is a job class that BRH is looking at for the future and they are typically exempt. A certain amount of their salary is set up for a 401A program in lieu of PERS. Mr. Jones asked if these positions that work in the ER are working under a contract. Is the hospitalist an employed position? Mr. Hargrave said yes. The nurse practitioner was a future position and not in existence now. Mr. Jones said he would have preferred to have this matter go through committee for review.

Roll call:
Aye: Becker, Gladziszewski, Gregory, Nankervis, Weldon, White, Koelsch
Nay: Jones, Kiehl
Motion passed, 7 ayes, 2 nays.

VIII. PUBLIC HEARING

A. Ordinance 2016-09(L) An Ordinance Transferring $155,892 of Unexpended FY16 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer $155,892 of unexpended Marine Passenger Fee (MPF) revenues, budgeted for specific purposes in FY16 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 FY16 budget but were not fully expended by the end of FY16.

Franklin Dock	$ 28,824
AJ Juneau Dock	39,151
Goldbelt	9,837
Tug Assists	30,000
Streets	523
CCFR	47,557
Total	**$ 155,892**

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 adopted.

Public Comment:

None.

Assembly Action:

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

B. Ordinance 2016-09(M) An Ordinance Appropriating to the Manager the Sum of $18,139 as Funding for the Local Emergency Planning Committee; Grant Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.

This ordinance provides funding from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management under the 2017 Local Emergency Planning Committee grant awarded to the City and Borough of Juneau.

These funds are provided to reimburse the CBJ for payroll benefits and LEPC program implementation costs incurred in direct support of the goals and activities of the 2017 Local Emergency Planning Committee grant for the Juneau LEPC.

There is no match requirement for this grant.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

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

C. Ordinance 2016-35 An Ordinance Authorizing the Manager to Convey Lot 3 of the Renninger Subdivision to the Juneau Housing Trust.

Staff recently solicited letters of interest for the disposal of six residential lots in the Renninger Subdivision. The Lands Committee reviewed four letters of interest at its April 24, 2016, meeting, and at its May 16, 2016, meeting recommended authorizing the City Manager to negotiate with the Juneau Housing Trust for the sale of Lot 3.

In accordance with CBJ 53.09.270, this sale is for less than fair market value as the Trust's proposal is to work with the University of Alaska Southeast and the Juneau School District to build affordable single family homes while teaching students in the Educational Home Build Program. Homes built by the program will be held in a 99 year land lease and will service the 80 - 120% median income range. This lot will service the program for between six and eight years.

The City Manager recommends this ordinance be adopted.

Public Comment:

Ms. Cosgrove requested that the Assembly delay the matter to the November 7 meeting for additional review and comment by the parties subject to the agreement and sale.

There was no public comment.

Assembly Action:

MOTION, by Nankervis, to reschedule Ordinance 2016-35 to a public hearing on November 7.

Mr. Nankervis asked if there would be substantive changes requiring reintroduction. Mr. Palmer said any changes would be minor that would not require a reintroduction.

Mr. Jones asked if the proposed schedule of breaking up the lot for several houses, building one a year, would meet the standards for land development without doing a planned unit development. He would like more information about the proposal and how it meets the Land Use Code.

Hearing no objection, it was so ordered.

D. Ordinance 2016-36 An Ordinance Amending the Animal Control and Protection Code Relating to Potentially Dangerous and Dangerous Domestic Animals.

The Animal Hearing Board and Gastineau Humane Society request several amendments of CBJ Chapter 8.30 relating to potentially dangerous and dangerous domestic animals. The changes clarify some of the requirements that go with owning a potentially dangerous and dangerous domestic animal, and add an additional requirement to have potentially dangerous and dangerous animals microchipped.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by White, to adopt Ordinance 2016-36.

Ms. Gladziszewski said that this ordinance has not gone to a committee and that she had several questions about it. She asked what issues were being addressed and asked for more information about the context.

Ms. White had questions about the definition of dangerous dog.

Mr. Jones asked about past appeals of the Animal Control Board's decisions to the Assembly and asked about future appeals, and how and appeal of a decision to micro-chip an animal would be handled. He asked about maintaining history on the animal, or on the animal's keeper, or both, regarding violations of the ordinance.

MOTION, by Jones, to postpone the ordinance to the November 28 Assembly meeting. Hearing no objection, it was so ordered.

Mr. Jones asked that this matter be scheduled for a Committee of the Whole meeting on November 21. Mr. Nankervis said he would accommodate that.

Due to technical difficulties, Mr. Kiehl dropped out of the meeting.

E. Ordinance 2016-37(b) An Ordinance Amending the Uniform Sales Tax Code Relating to the Appeal Process for the Senior Citizen Sales Tax Exemption Hardship Rebate.

CBJ 69.05.046(d) allows Senior Citizen Sales Tax Hardship Rebate applicants to appeal a denial of their application directly to the Assembly.

Finance staff requests that CBJ 69.05.046(d) be amended so that rebate appeals are governed by CBJ 69.05.180. CBJ 69.05.180, the general appeal section under the Sales Tax Code, provides for an initial informal appeal before the Treasurer. The Treasurer's decision is then appealable to the Sales Tax Board of Appeals, and ultimately to the CBJ Assembly.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewki, to adopt Ordinance 2016-37(b).

Mayor Koelsch objected and asked why there was no fee for this appeal. Ms. Cosgrove said the amount to be appealed was relatively small and staff wished this to be streamlined and not cumbersome. Mayor Koelsch said that in most cases there was a $500 appeal fee. We are now looking at four appeals before us. He felt there should be some fee if someone wanted to make a case potentially to the Assembly, on this matter.

Mr. Jones asked about any appeal fee for the senior citizens property tax hardship exemption appeal. Mr. Palmer said the general rule for any board was $500 and at the last Assembly meeting, Resolution 2768, the appeal fee for this specific appeal was reduced from $500 to $0.

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

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

A. Liquor License #447 Involuntary Re-transfer of Ownership FROM: Suite 907, LLC TO: Alaska Promotions, LLC

In 2014, Liquor License #447 was transferred from Alaska Promotions, LLC d/b/a Brandi's Airport Bar to Suite 907, LLC located at 9121 Glacier Highway. According to a conversation the Deputy Clerk had with AMCO Director Cynthia Franklin, Alaska Promotions, LLC maintained a security interest in the license and this application is for an involuntary retransfer of the license back to Alaska Promotions, LLC. Per Ms. Franklin, this involuntary retransfer is done in accordance with AMCO policies and procedures established relating to AS 04.11.670, AS 04.11.360(4)(B), and 3AAC 304.107.

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development departments reviewed this license to insure compliance with city code. All Finance Divisions other than Accounts Receivable show the business/license owner is in good standing with their payments to CBJ. All other departments forwarded recommendations for the Assembly to waive its right to protest this retransfer.

The Accounts Receivable department of the Treasury Division opposes the license transfer action. The basis of this protest is that the license owner, Suite 907 LLC, has an outstanding balance of $2,644.08 on their account. This amount represents the outstanding billing plus finance charges for two events that occurred at Centennial Hall on 2/27/16 and 3/25/16. Suite 907 did sign a contract with Centennial Hall for these events but have failed to make payments in full as agreed, resulting in this delinquent balance.

Therefore the Finance Department is recommending the Assembly protest the transfer of this license until such time that all outstanding balances are paid in full.

In the event the Assembly does protest the issuance 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. That notice was sent on Friday, October 7, 2016 and a copy of the letter is included in your packet.

The City Manager recommends the Assembly protest the transfer of this license until such time that all outstanding balances are paid in full.

Ms. Cosgrove noted a document in the red folder indicating that payment had been made on the outstanding debt and as a result CBJ staff has no issue and the manager recommended that the Assembly waive its right to protest the transfer.

Public Comment:

None.

Assembly Action:

MOTION, by Jones, to waive the Assembly's right to protest the involuntary re-transfer of Liquor License #447. Hearing no objections, it was so ordered.

XI. STAFF REPORTS

A. 2nd/North Franklin Lot

Mr. Kiehl noted that he was reconnected to the meeting.

Ms. Cosgrove said at the last meeting the Lands Committee forwarded a recommendation to not proceed with a sale to Eagle Rock Ventures of the 2nd and North Franklin Lot.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to prepare an ordinance for introduction on Nov. 7, with an intended public hearing date of November 28, to outline the sale of the property at 2nd and North Franklin. Hearing no objection, it was so ordered.

Mr. Kiehl did not object.

Hearing no objection, it was so ordered.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch distributed a sheet of committee and liaison assignments and said it best reflected the input he received from Assemblymembers.

Mr. Kiehl said the sound quality was too difficult and he left the meeting.

MOTION, by Becker, to approve the committee and liaison assignments. Hearing no objection, the assignment sheet was approved.

Mayor Koelsch noted distribution of "*Quiet Defiance,*" authored by Karleen Grummett, which tells the story of the empty chair. Every 5th grade student in Juneau would receive a copy of the book.

Mayor Koelsch traveled to Charleston to attend a design conference on behalf of CBJ, however, he was evacuated out due to the hurricane, and the conference would be rescheduled.

Mayor Koelsch read a statement about property crimes and public safety in Juneau. JPD is moving towards a neighborhood policing model and is seeking community assistance to secure vehicles, homes and businesses at night and when people are not at home. Neighbors can be extra sets of eyes and ears for JPD. Deputy Chief Ed Mercer agreed with Mayor Koelsch's comments that Juneau is a safe place to live. Juneau has had a rash of burgleries and JPD was actively working on all cases - most of which stem from drug use and supporting a habit. JPD appreciates the support of the Assembly and community.

Ms. White said her neighborhood appreciated a recent meeting with JPD about neighborhood crime. Deputy Chief Mercer said JPD was offering home and neighborhood inspections to provide tips on crime prevention.

B. Committee and Liaison Reports

Finance Committee: The next meeting is set for November 9.

Docks and Harbors Board: Liaison Nankervis provided an update on work at Douglas, Aurora and Statter Harbor. The next meeting was set for October 27.

Chamber of Commerce: Liaison Becker said that Erik Erikson was recently elected president of the Chamber of Commerce. JPD Lt. Kris Sell was named Citizen of the Year and Paulette Simpson was honored with a Lifetime Achievement award. She requested that the Assembly send letters of congratulation to both.

Human Resources Committee: Chair Jones said the next meeting was set for November 7 and a date needed to be found for interviewing applicants for the Planning Commission, BRH Board and Aquatic Board in December.

Downtown Business Association: Liaison Jones said that a Main Street USA event would take place on November 1 & 2 and there was a set time to meet with city officials. More information would be forthcoming.

Juneau Economic Development Council: Liaison Jones said the STEM program was going well. The next meeting was set for October 31 and JEDC would be submitting their recommendation s to the Assembly for board appointments.

Airport Board: Liaison Jones said the board heard a presentation on keeping eagles away from the flight path, discussed budget issues, the airport master plan and would present information to the Assembly at the December 12 COW and hold a public meeting on the Master Plan on December 13.

Commission on Aging: Mr. Jones said the last meeting was cancelled due to lack of quorum and the next meeting was set for November 10.

Public Works and Facilities Committee: Chair Gladziszewski said the committee met and discussed the Juneau Coordinated Transportation Coalition Grant resolution, heard from Pat Carroll on DOTPF projects this year and next, heard about proposals for river erosion mitigation at the Meander Way bend in the Mendenhall River and discussed Franklin Street reconstruction work. The next meeting was set for October 31.

Parks and Recreation Advisory Committee: Liaison Gladziszewski said the committee met and is working on the master plan, with plans to have a draft available in the fall of 2017 and adoption in the spring of 2018. The PRAC asked for Assembly permission to support a request of the Fisheries Advisory Committee to send a letter supporting a grant application by SEAL Trust to increase roadside fisheries. There was no objection from the Assembly.

BRH Board: Liaison Gladziszewski said the board met and approved reinstating the hospitalist program, expressed willingness to contribute an additional $100,000 for the Housing First medical facility, finished revising its personnel rules and she noted openings on the BRH Board.

Travel Juneau: Liaison White noted attendance at the ATIA conference in Anchorage.

Planning Commission: Liaison White said the next meetings were set for October 25 and agenda items included reviewing the FY18 CIP proposals, the draft energy plan and an amendment to Title 49 regarding shared access.

Lands & Resources Committee: Chair White said the committee met and forwarded the sale of property at 2nd & Franklin to the full Assembly, and would discuss a potential land trad with Rich Harris at a future meeting.
School Board: Liaison Weldon said the school board is welcoming new members Dan Debartolo and Steve Whitney.

Juneau Economic Development Council: Liaison Weldon said that JEDC was unveiling its new Economic Indicators report.

C. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Becker said that the recent BRH Foundation Gala dinner was fantastic, organized by Maria Uchytil. She reported on attending Miner Meetings on Friday morning and said that she was also attending early childhood education meetings with a goal of starting a Pre-K program in Juneau Schools.

Ms. White noted that CBJ Staff members Beth McKibben and Laura Boyce both spoke recently to the Southeast Realtors Board. She was impressed by the Centennial Hall's ability to quickly turn from the Chamber of Commerce event to the Ducks Unlimited event.

Mr. Nankervis said he was happy to see the voter turnout had increased from last fall's election.

Mr. Jones spoke about a successful meeting with homeowners on Meander Way regarding the river erosion and mitigation.

Mr. Jones encouraged the public to attend the Juneau World Affairs Council annual fall forum October 20-22, co-sponsored with UAS.

Ms. Gladziszewski asked about plans to address concerns with the CPV ordinance and discussed her previous experience as part of those discussions. She offered to meet with Ms. Cosgrove on the project.

Ms. White thanked the voters. She believes that this Assembly will work well together and she was happy with the committee assignments.

Ms. Weldon said she was happy to see the snow.

Mr. Gregory recently attended the annual conference on homelessness and housing in Anchorage and said that Juneau continues to make good progress. He urged people to apply for the seat he was vacating on the Affordable Housing Commission.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Res 2773- significant deterioration of the fuel tanks - worst tanks in town and the city owns these. Lots of work done on the building but the fuel tanks are a disgrace. He encouraged the assembly to drive by the tanks and take a look.

Mr. Nankervis - bus transit facility - next to fish and game research building.

XV. EXECUTIVE SESSION

None.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:05 p.m.

Signed:__________________________
Laurie Sica, Municipal Clerk

Signed:______________________________
Kendell D. Koelsch, Mayor

XVII. SUPPLEMENTAL MATERIALS