THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - September 12, 2016

MEETING NO. 2016-32: 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, Jamie Bursell, Maria Gladziszewski (teleconference), Loren Jones, Jesse Kiehl (teleconference), Ken Koelsch, Jerry Nankervis, Kate Troll and Debbie White.

Assembly Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Roger Healy, Engineering and Public Works Director; Rich Etheridge, Fire Chief; Dan Jaeger, Fire Marshal; Scott Ciambor, Chief Housing Officer; Patricia Wahto, Airport Manager; Ken Nichols, Airport Engineer.

II. SPECIAL ORDER OF BUSINESS

A. Recognition - Dan Jager

Chief Rich Etheridge said that Fire Marshal Dan Jager recently received a certification from the Center for Professional Excellence, a worldwide recognition, and there were only 110 Fire Marshals with this certification. Mr. Jager has been with CCFR for about 12 years and he has done significant research. Chief Etheridge provided him with his challenge coin. Mr. Jager said he has a great job and that his achievements were based on a team effort of his chief, fellow employees and family.

B. Homelessness Awareness

Chief Housing Officer Scott Ciambor said that Charleston, SC had created a public art display with 530 figurines of homeless people outside their City Hall to raise awareness of the problem. Charleston sent each capital city a figurine for display, with a Q-code attached so that people could link their phones to an explanation of the project. Mr. Ciambor provided statistics on homelessness in Juneau and said a press release would be issued about the art installation.

III. APPROVAL OF MINUTES

A. August 22, 2016 Assembly Minutes

Hearing no objection, the minutes of the August 22, 2016 Regular Assembly Meeting 2016-32 were approved.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested removal of Resolution 2767 be removed from the consent agenda for introduction at a future meeting. Hearing no objection, it was so ordered.

Mr. Nankervis requested that an item be added to executive session to provide a report from the City Attorney compensation subcommittee. Hearing no objection, it was so ordered.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

William Quayle asked the Assembly to address the changes he provided to the City Manager regarding Commercial Passenger Vehicles and pedicabs at a future Assembly meeting.

Dana Ruaro spoke on behalf of the Goldbelt and Baranof Hotels, stating that the businesses and other organizations were affected by the construction noise on Egan Highway over the weekend. Several people have met as a group and she said they do not oppose the project, but were frustrated by the noise levels and the lack of appropriate notice about the project. She asked the Assembly to direct the manager to create a stakeholder group for the project going forward. She provided a packet of information to each Assemblymember.

Philician Bennett said she lived at the Parkshore Condominiums and said that the work on Egan Drive over the Labor Day weekend brought the entire project for this year and next to the neighbors attention. She spoke about the impact of the noise and the reaction to the lack of notice about the work. They would like to avoid these issues in the future and agreed that a working group needed to be formed, particularly for next year's "mega project."

VI. 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 Becker, to adopt the consent agenda with the removal of Resolution 2767. Hearing no objections, the consent agenda was adopted.

1. Ordinances for Introduction

a. Ordinance 2016-33 An Ordinance Authorizing the Port Director to Lease Tracts B-1 and B-2, Alaska Tidelands Survey 1328, to Central Council Tlingit and Haida Indian Tribes of Alaska, d/b/a Tlingit & Haida Immersion Park, LLC.

Docks & Harbors has managed the 1.21 acre property at 4400 Thane Road, formerly known as the Thane Ore House, since 2001. The property became available for lease in 2014 after the former lease was terminated.

In 2015, Docks & Harbors posted a Request For Proposal (RFP) to determine the best qualified to enter into negotiations with CBJ for a long term lease.

Based on an appraisal conducted by Horan & Company, the value of the property is $86,000. Docks & Harbors set the annual lease rent at a minimum of 10% of the appraised value.

Three proposals were received and the Central Council of Tlingit & Haida Indian Tribes of Alaska (CCTHITA) was determined to have submitted the highest scored proposal. CCTHITA proposed creating a Tlingit & Haida Cultural Immersion Center and offered the minimum lease rent plus a $1 per "participant rate" for all customers entering the Immersion Center.

CCTHITA applied for and received a Conditional Use Permit for the Immersion Center at the June 14, 2016, Planning Commission meeting.

The lease was approved by the Docks & Harbors Board at its August 18, 2016, meeting.

The Assembly Lands Committee reviewed the lease at its August 29, 2016, meeting.

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

b. Ordinance 2016-34 An Ordinance Authorizing the Port Director to Lease Alaska Tidelands Survey 33 to Andrew's Marina, Incorporated.

On February 8, 2001, the ATS 33 lease (also known as ADL 2480) was transferred to the City and Borough of Juneau. This area has been leased - first by the State and then by the CBJ - since 1961. The proposed lessee, Andrew's Marina, has leased the area since 2015.

An appraisal with effective date of February 24, 2016, was conducted by Horan & Company establishing the fair market rent of $0.10/SF or $5,549.50/year for the 55,495 square foot property. Under CBJ 53.20.100, Andrew's Marina has a preferential privilege to re-lease the property and desires to exercise this right.

The Docks & Harbors Board approved this lease at its meeting on July 28, 2016.

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

c. Ordinance 2016-09(I) An Ordinance Appropriating to the Manager the Sum of $2,311,219 as Funding for the Juneau International Airport Design & Construct Geothermal Loop Field for Snow Removal Equipment Facilities Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport through a legislative grant that has 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.

d. Ordinance 2016-09(J) An Ordinance Appropriating to the Manager the Sum of $700,000 as Funding for the Juneau International Airport Taxiway A & Runway Incursion Mitigation (RIM) Capital Improvement Project; Funding Provided by the Federal Aviation Administration and the Juneau International Airport Fund's Fund Balance.

The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport. The Alaska Department of Transportation (ADOT) will not be providing matching funds on this project.

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.

e. Ordinance 2016-09(K) An Ordinance Appropriating to the Manager the Sum of $3,746,000 as Funding for the Juneau International Airport Runway Safety Area Phase IIB Capital Improvement Project; Funding Provided by the Federal Aviation Administration and Juneau International Airport Fund's Fund Balance.

The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport as forward funding for the anticipated State funding to follow. The matching grant from the Alaska Department of Transportation is anticipated to follow shortly (est. $111,125.)

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 meeting.

2. Resolutions

a. Resolution 2766 A Resolution Adopting the Emergency Operations Plan for the City and Borough of Juneau, and Repealing Resolution 2219.

This resolution provides for the adoption of an updated City and Borough of Juneau Emergency Operations Plan (EOP). The CBJ is required to adopt an emergency plan by CBJ 03.25.040 and AS 26.23.060.

The primary changes to the plan were done so that the plan maintains compliance with the National Response Framework (NRF) and so that it includes changes made at the Federal level to the National Incident Management System (NIMS) and the Incident Command System (ICS).

The Committee of the Whole was briefed on this item on August 29, 2016.

The City Manager recommends this resolution be adopted.

b. Resolution 2767 A Resolution Establishing the Fees for Animal Control and Protection Services, and Repealing Resolution 2081.

The Gastineau Humane Society and Juneau Police Department request increases to the dog license fees. Dog licenses allow GHS to track dogs within the City and Borough of Juneau, as well as return them to their rightful owner when found. The current license fee for each dog over the age of 6 months is $35, or $15 for spayed females and neutered males. The dog license fee has not been increased since 2000. GHS and JPD are requesting the license fee be increased to $45 for unaltered dogs and $20 for altered dogs. It is intended that any increased revenue will be used to help offset the costs for animal control and protection services in the CBJ.

The City Manager recommends this resolution be adopted.

This item was removed from the consent agenda.

3. Bid Award

a. JNU Runway Safety Area Improvements, Phase 2B - BE17-045

This project consists of drainage improvements, utility installation and relocations, geothermal loop piping and well field, aircraft tie-downs, hot mix asphalt pavement, taxiway edge lights and reflective markers, pavement marking, and placement of recycled asphalt pavement.

Bids were opened on August 24, 2016. The bid protest period expired on August 26, 2016. Results of the bid opening are as follows:

Bidders	Total Bid
SECON	$3,974,321.00
Miller Construction Company Ltd.	$4,020,072.00
Admiralty Construction, Inc.	$4,243,578.00
Glacier State Contractors, Inc.	$4,514,412.90
Engineer's Estimate	$4,362,263.20

The City Manager recommends award of this project to SECON for the total amount bid of $3,974,321.00.

4. Liquor License

a. Liquor License Transfers

The following liquor license transfers are before the Assembly to either protest or waive its right to protest these transfers. The Finance, Police, Fire, and Community Development departments have reviewed these businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest either of these license transfers, 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.

Transfer of Restaurant/Eating Place Liquor License #4584 Zephyr LLC, d/b/a Zephyr, Location: No Premises TO: Doug Trucano, No d/b/a, No Premises.
Transfer of Beverage Dispensary Liquor License #76 Arctic Bar, Inc., d/b/a Arctic Bar Location: 148 S. Franklin Street TO: The Narrows Bar LLC d/b/a, The Narrows Bar LLC, Location: 148 S. Franklin Street.

The City Manager recommends the Assembly waive its right to protest the above liquor license transfers.

VII. PUBLIC HEARING

A. Ordinance 2016-31 An Ordinance Providing for the Issuance and Sale of a General Obligation School Refunding Bond in the Aggregate Principal Amount of Not to Exceed $18,900,000; and Providing for the Form and Terms of the Bond and for Unlimited Tax Levies to Pay the Bond.

This ordinance would authorize the issuance of up to $18.9 million in bonds to refund (refinance) the 2006A general obligation school bonds. The original $44 million in bonds were sold September 15, 2006. The original bonds were sold directly into the market by CBJ but the refunding is being done through the Alaska Municipal Bond Bank.

The amount being refunded is $18.8 million plus issuance costs. If CBJ issues the refunding bonds in October 2016 the refunding will result in an estimated total savings of $1.4 million over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment December 2021).

These bonds qualify for 70% reimbursement under the state's School Construction Bond Debt Reimbursement Program. However, the reimbursement under the State's Debt Reimbursement Program is subject to annual appropriation by the Legislature. The debt service component of the property tax mill rate funds the remaining portion of the payments.

An informational update was provided to the Assembly Finance Committee at its September 8, 2016, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Bursell, to adopt Ordinance 2016-31. Hearing no objection, it was so ordered.

B. Ordinance 2016-09(F) An Ordinance Appropriating to the Manager the Sum of $14,382,817 as Funding for the Juneau International Airport to Construct a Snow Removal Equipment Building Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $14,382,817 to construct a Snow Removal Equipment Building (SREB) capital improvement project. Funding is provided as follows: Federal Aviation Administration grant: $14,382,817. The FAA funds 93.75% of the project with the remainder being split between State of Alaska Dept. of Transportation (ADOT) and Juneau International Airport local match. Airport local match has been previously appropriated, and an ADOT matching grant is anticipated shortly.

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

The Airport Board approved this action at its July 28, 2016, special meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Bursell, to adopt Ordinance 2016-09(F).

Ms. Troll asked if the matching grant was expected shortly and Mr. Watt said it would be received within a month. There were sufficient funds available to move forward with the project without delay.

Hearing no objection, Ordinance 2016-09(F) was adopted.

C. Ordinance 2016-09(H) An Ordinance Appropriating to the Manager the Sum of $73,344 as Funding for the Juneau International Airport Aircraft Rescue and Fire Fighting (ARFF) Building Modifications Capital Improvement Project; Funding Provided by the State of Alaska Department of Transportation.

This ordinance would appropriate $73,344 in State of Alaska Department of Transportation (ADOT) funding to the Aircraft Rescue and Fire Fighting (ARFF) Building Modifications capital improvement project. Funding from the FAA and Juneau International Airport has previously been appropriated. The FAA funds 93.75% of the project with the remainder being split between ADOT and Juneau International Airport. The total project cost is approximately $2.3 million.

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, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

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

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

A. Liquor License Transfer #851 Rodfather's, LLC

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of the following liquor license transfer:

Restaurant/Eating Place Liquor License #851
Transfer FROM: Rodfather's LLC d/b/a The Broiler
Transfer TO: Rodfather's LLC d/b/a Papa Rod's located at 356 S. Franklin, Juneau, AK

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development departments reviewed this license establishment for compliance with city code. Following is the recommendation from the Finance Department to the Assembly: All Finance Divisions other than Sales Tax show the business/license owner is in good standing with their payments to CBJ.

The Sales Tax Division opposes the license transfer action. The policy for the Sales Tax Division is to recommend protest of any liquor license action if there is an outstanding balance due. This position does not change even when there is an approved payment plan in place. The Finance department's policy to protest license accounts with outstanding balances, whether or not a payment plan is in place, has been consistently applied for many years and has been a very effective tool in collecting funds due to CBJ.
The Sales Tax Division entered into a payment plan with the license owner in October 2015 for an outstanding sales tax liability of $26,000. A $5,000 down payment was made at signing, with an agreement for $1000 monthly payments until the debt was satisfied. The license owner requested and was approved to defer one payment and was delinquent on four payments. The current outstanding balance is $14,788 in sales tax, penalties and interest.
At the February 8, 2016, Assembly meeting, this same state liquor license was up for renewal; at that time there was an outstanding balance on the payment plan. The

Assembly decided to waive its right to protest the renewal as long as the collection agreement was followed. As noted above, the business owner is not in good standing with payment plan conditions.

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

CBJ Code 20.25.025 provides the licensee with the right to an informal hearing before the Assembly to address this issue. This matter was initially considered at the Assembly Human Resources Committee (HRC) meeting immediately preceding this Assembly meeting and the HRC will forward its recommendation to the Assembly for action. Should the applicant wish to participate in an informal hearing before the Assembly, this is the time for that to occur.

The City Manager recommends the Assembly conduct the informal hearing, if one is requested by the licensee, and act in accordance with the recommendations of the Assembly Human Resources Committee.

<u>Public Comment</u>:

None.

<u>Assembly Action</u>:

Mr. Jones said the committee heard from the license holder and the Finance Department at the HRC meeting immediately preceeding the Assemby meeting.

<u>MOTION</u>, by Jones to waive the right to protest this transfer, with the condition that Mr. Morrison and CBJ agree to a "Confession of Judgement" to be accomplished before September 16, the 60th day in the review period.

Ms. White said she understood that a COJ is a stronger financial instrument and asked what additional authority does it provide. Mr. Jones said that it give a stronger position in court. Ms. Mead said a COJ states that a party admits it owes a debt. If the stipulated payment plan is not adheared to the city can issue a writ.

Mr. Nankervis questioned the timeframe and asked if this COJ is not addressed by the window to protest, and no COJ was obtained, would CBJ not be able to file a protest. Mr. Jones said the motion was to waive the protest, as long as the COJ was done by the 16th. We will protest the transfer of the license if no COJ. They have the license and in February, CBJ waived protest of the license renewal. This is a transfer of location of the place of business. We are making the same waiver as happened in February but we feel the COJ is a stronger motion. Ms. Mead said that is her understanding of the Assembly's motion. If the COJ is not signed, the Assembly would file a protest.

Hearing no objection, it was so ordered.

X. STAFF REPORTS

Mr. Watt said the Egan Drive water project got significant public attention, staff would review what went wrong regarding the notification, and would meet with those testifying tonight to discuss a stakeholder group for this project and the one next year.

Ms. Cosgrove said that MEBA ratified their tentative agreement and it was too late to put the matter in this meeting packet. It would come before the Assembly at its next meeting and the outcome was consistent with direction given at the last Assembly meeting.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch reported on his attendance at the Whale Park celebration, the Labor Day picnic at Sandy Beach, and the 9/11 Ceremony at Rotary Park. He was proud to be part of a community that remembers the victims and recognizes the first responders.

B. Committee and Liaison Reports

Committee of the Whole: Chair Kiehl said the COW met and received an update on the Emergency Operations Plan, the historic preservation planning process and the Housing Action Plan. U. S. Senator Sullivan visited the meeting to speak to the Assembly. The next meeting is set for October 10.

UAS Campus Council: Liaison Kiehl said the UA Board of Regents and on Sept 15 would hold a community forum at the UAS Recreation Center. He encouraged people to tell the regents how important UAS is to the community and region and Mr. Kiehl believes that UAS should take the lead on the teaching, fisheries and public administration programs. He encouraged attendance.

School Board: Liaison Kiehl said the School Board would hold an "open house" on September 13 at 4:30 p.m. preceeding the regular meeting at 6 pm at Thunder Mountain High School.

Public Works and Facilities Committee: Chair Gladziszewski said the committee heard about the Bartlett uninterrupted power source project, Meander Way erosion, West Douglas Road, Willoughby parking study and recycling. The next meeting was set for October 10.

Bartlett Regional Hospital: Liaison Gladziszewski said the board met and was introduced to Katie Bausler, the new Public Relations Director, heard a report on the CAMHU project, discussed the success of the hospitalist program and set the next meeting for September 27. The BRH Foundation annual gala is October 8 and she encouraged everyone to attend.

Parks and Recreation Advisory Committee: Liaison Gladziszewski said the PRAC met and too testimony on fireworks, then continued discussion in a separate special meeting. PRAC will be sending a recommendation to the Assembly to prohibit fireworks in parks on all days with the exception of July 3 and 4 and December 31 - January 1, and other dates permitted by the Parks and Recreation Director. The next meeting is set for October 11.

Planning Commission: Liaison White said the PC met and approved the Stabler Point rock quarry expansion and the Sweetheart Lake Hydro project permits. The next meeting was set for September 12.

Travel Juneau: Liaison White said the National Association of Farmers Market Nutrition Programs met in Juneau, the Alaska Association of Realtors will meet this week and later in the month the Alaska Moose Lodges would be meeting in Juneau. International media and tour operators are currently being hosted in advance of "Adventure World Summit" in Anchorage and the new Convention Sales Manager at Travel Juneau is Kirk Stagg.

Assembly / School Joint Facilities Planning Committee: Chair Becker said the next meeting was set for September 15.

Chamber of Commerce: Liaison Becker said the CofC continues to hold luncheon meetings every Thursday and on Sept. 22 there would be a candidate forum at the Moose Lodge.

Finance Committee: Chair Nankervis said the committee met and passed information on to the Finance department on drafting ordinances on how to backfill the $4.3 million budget deficit. This includes an unexpected $500,000 from increased sales tax revenues, $700,000 from deferred maintenance, $500,000 from anticipated operational savings from departments and the rest from fund balance. The $450,000 request from the school district would be addressed in November. The next meeting was set for November 9.

Docks and Harbors: Liaison Nankervis said the fabricated floats for Douglas Harbor are arriving and substantial completion is due March 31. Statter Harbor final completion is expected November 1. The Thane Ore House lease would be before the Assembly at the next meeting. There are recycling bins located at Aurora and Statter Harbor now for cardboard, aluminum and plastic. The application for the NOAA building in Auke Bay was submitted to MRAD. The next meeting was set for September 22.

Lands and Resources Committee: Chair Troll said the committee met and discussed the Docks and Harbors lease of the Thane Ore House, the negotiated sale of the North Franklin Parking lot, the disposal of Lot 3 in the Renninger Subdivision to the Juneau Housing Trust for less than fair market value and parking. The next meeting was set for October 10.

Affordable Housing Commission: Liaison Troll said the committee met and heard about loan programs from the Alaska Housing Finance Corporation, continued to work on prioritization of the Housing Action plan, discussed the mobile home down payment plan and drafted a letter of support for the housing proposal at 2nd and Franklin St. The next meeting was set for October 4.

Juneau Commission on Sustainability: Liaison Troll said the commission held a hearing on the energy plan in light of the news about Juneau Hydro, Sweetheart Lake and central district heating that was well attended.

Eaglecrest Board: Liaison Bursell said the board met and the Eagle's Nest lodge roofing project is complete and the board discussed power options - wind and solar are being considered. Significant maintenance has been done over the summer and many new employees will start at the end of September. Season tickets went on sale September 1 and the prices increase Oct 17 and Nov 14. Currently a $269 weekday pass is available now.

Local Emergency Planning Committee: Liaison Bursell said the committee met and reviewed plans for the September 17 emergency drill which is federally mandated at the Airport. Many volunteers are still needed for the effort and if interested people can contact Asst. Fire Chief Ed Quinto at 586-0259 or email volunteer@jnuairport.com. The next meeting was set for September 14 at the KTOO building.

Human Resources Committee: Chair Jones said the committee met prior to assembly meeting and discussed proposed changes to the Youth Activities Board establishing resolution. A revised resolution will be presented at a future Assembly meeting. The committee also reviewed the liquor license transfer on the Assembly agenda and received a report following up on a survey of members who attended a recent board and commission training.

MOTION, by Jones, to accept the recommendation of the HRC and appoint the following board members. Hearing no objections, the following appointments were made:

Historic Resources Advisory Committee:
John Fox to a term expiring June 30, 2018 and Chuck Smythe to a term expiring June 30, 2019.

Downtown Business Association: Liaison Jones said the DBA met and discussed the Main Street USA project. He thanked the Finance Committee for approving funding for this effort. An ad hoc group would meet to discuss parking with the city manager. There was a discussion on "buttoning up" the seasonally used buildings downtown.

Juneau Economic Development Council: Liaison Jones said the council met and has been reviewing the issues and opportunities and are realigning the work plan regarding the Juneau Economic Plan. The next meeting was set for October 5.

Juneau Commission on Aging: Liaison Jones said CHO Scott Ciambor has met with the group to discuss senior housing issues and Bob Bartholomew has met and discussed senior sales tax issues. The next meeting was set for October 13.

Airport Board: Liaison Jones said the board met and approved a new leasing policy and law has reviewed the matter. The next meeting was set for October 11.

C. Presiding Officer Reports

Meek v Planning Commission: Presiding Officer Jones said the matter was on track for the December 19 hearing.

Nestler v Planning Commission: Presiding Officer Jones said the clerk was still trying to set a pre-hearing conference date and no hearing date has been set.

Olmo v Planning Commission: Presiding Officer Gladziszewski said the hearing date is November 21, 2016.

Seal Trust v Assessor: Chair Kiehl said a pre-hearing conference was held and a hearing was set for February 1, 2017.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Becker said she attended an electric car show at Sandy Beach, the Whale statute welcoming event and the 9/11 ceremony. She reported that the Housing First project just received a $600,000 community grant.

Mr. Nankervis asked for an update from DOT regarding the Egan Highway project from Main to 10th St. The work will have a big impact on the community. He said he attended the Whale Statue unveiling by boat.

Ms. Troll said she attended the 9/11 Rememberance Ceremony - it is always moving. She said it was very exciting to see the electric car display - there were 30 - 40 of them. She spoke to Mariya Lovischuk about the Housing First grant, and was told this success would effect the next grant project positively. She congratulated Michele Elfers on her work on a "Mayors Institute on Design."

Ms. Bursell gave a "shout out" to volunteers in the community, especially those working for children's sports, academics and clubs.There are an amazing number of clubs and organized sports and the coaches do incredible work. She gave kudos to JDHS cross country coach Tristan Knudson Lombardo who helped with the search for the missing young man recently.

Mr. Jones gave kudos to Mr. Healy for the work to pave the street near the Douglas Post Office. Mr. Jones said he had read that the governor's vetos were done incorrectly, that OMB may not argue some of the points, and this will likely get straightened out by the next Finance Committee meeting. He reported as a member of the Marijuana Control Board about recent licenses issued.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

A. Update from City Attorney on CLIAA Litigation

MOTION, by Nankervis, to receive an update on a pending legal issue from the city attorney on the CLIA lawsuit and to hear a report from the Attorney Salary Review subcommittee and discuss a personnel matter.

Hearing no objection, the Assembly adjourned into executive session at 8:16 p.m. and returned to regular session at 9:00 p.m.

Mr. Kiehl said that during executive session the Assembly received an update on the CLIA Lawsuit and gave direction to the subcommittee on city attorney compensation for discussion.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:01 p.m.

Signed:__________________________
Laurie Sica, Municipal Clerk

Signed:______________________________
Kendell D. Koelsch, Mayor

XVI. SUPPLEMENTAL MATERIALS