THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - May 19 2014

MEETING NO. 2014-15: 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 Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Karen Crane (telephonic), Loren Jones (telephonic), Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Carlton Smith, Kate Troll and Randy Wanamaker.

Assembly Absent: None.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Bob Bartholomew, Finance Director; Rorie Watt, Engineering Director; Hal Hart, Community Development Director; Greg Chaney, Lands and Resources Manager; Kirk Duncan, Public Works Director; Bonnie Chaney, Budget Analyst; Jean Hodges, Assistant Controller; Robert Barr, Library Director; Brent Fischer, Parks and Recreation Director; Lindsey Brown, P&R Administrative Officer; John Kern, Transit Manager; Mila Cosgrove, HRRM Director; David Means, School Administrative Director; Chuck Bill, Hospital Administrator.

II. SPECIAL ORDER OF BUSINESS

A. John Kern, Capital Transit Superintendent

Rob Steedle congratulated John Kern on 37 years of service to CBJ. He began as a Planner and was successful in placing downtown on the national register of historic places. He began with Capital Transit when it was a 12 year old operation and used surplus busses. He had worked to improve and expand the service into one of the most producting systems the CBJ transit planners have seen. Capital Transit was the first fully accessible public transit system in the state.

Mr. Kern thanked the community and the Assemblies over the years that worked to help make Capital Transit so special.

B. Bonnie Chaney, Budget Analyst

Bob Bartholomew thanked Bonnie Chaney for 24 years of service. He had worked with her for two years and had learned so much from her. Bonnie had an outstanding commitment to getting a job done with no regard for time in order to do thorough work. She was a public servant overseeing public funds and CBJ would miss her oversight. Bonnie oversaw the creation of the budget book, which had won awards due to the volume of information in it about CBJ. CBJ was losing her historical knowledge which was invaluable.

Ms. Chaney said that the employees of the CBJ were a hard working dedicated group of people that the community could be proud of.

C. Chuck Bill, New Bartlett Regional Hospital CEO

Mr. Chuck Bill said he had been in Juneau for a week and he and his wife were thrilled to be here. His mother grew up in Juneau and he still had a cousin in town. Last week was National Hospital

Week and BRH celebrated the employees in parties. It was a great opportunity for him to meet the staff. He thanked the community for the warm welcome and appreciated the opportunity to serve.

III. APPROVAL OF MINUTES

A. April 21, 2014 - Special Assembly Meeting 2014-12

Hearing no objection, the minutes of the April 21, 2014 Special Assembly Meeting 2014-12 were approved.

B. April 23, 2014 - Special Assembly Meeting 2014-13

Hearing no objection, the minutes of the April 23, 2014 Special Assembly Meeting 2014-13 were approved.

C. April 28, 2014 Regular Assembly Meeting 2014-14

Hearing no objection, the minutes of the April 28, 2014 Special Assembly Meeting 2014-14 were approved, with Ms. Troll noting that she was a member and not a liaison to the NOAA Task Force.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

William Leighty asked the Assembly and community to ask the Governor to veto the funding for the Juneau Access project. The Environmental Impact Statement was not finished. The Assembly had an opportunity to take leadership and to request the removal of the line item now from the capital budget. The capital move fear had always been with Juneau. Many have said that the road was needed but it was a panacea and distraction, and we could do other things to make this a better capital city. Two recent big changes have made this an idea no longer tenable – the large, continuing, "no end in site" deficit for both state and federal funding and the use of fossil fuels. We do not want to encourage people to drive here and we don't want the embodied energy used to build this large public works project. It was patriotic to encourage wise responsible uses of our funds and to protect environment. He urged everyone to write a letter to the Governor and he referred to the points he outlined in the letter he had published in the Juneau Empire.

Mayor Sanford said the Assembly had a resolution that supported the Juneau Access, and that resolution was still in effect. Mr. Leighty said that could be changed by a vote of the Assembly.

Mrs. Becker said Juneau was not distracted in any way from making Juneau a better capital city.

VI. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

MOTION, by Troll, to introduce Ordinance 2014-14, and refer the matter to the June 16 Committee of the Whole meeting. Following Assembly discussion on the matter, there was no objection.

C. Assembly Action

<u>MOTION</u>, by Becker, to adopt the consent agenda as amended. Hearing no objection, the consent agenda was adopted.

1. Ordinances for Introduction

a. Ordinance 2014-14 An Ordinance Amending the Land Use Code Relating to Rezoning Procedures.

This ordinance would address two issues related to the CBJ's rezoning process. First, it would reconcile an inconsistency between CBJ 49.75.130 and CBJ 49.10.170. While the latter provides that the Planning Commission's role with respect to rezoning is only to "make recommendations to the Assembly on all proposed . . . zonings and rezonings," 49.75.130 authorizes the Planning Commission to make "final" decisions on rezonings that are then only reviewable by the Assembly on appeal.

Second, it would eliminate the reference to "appealing" the denial of a rezoning request to the Assembly. Small scale rezoning decisions are legislative acts, not quasi-judicial, and are not subject to appeal as provided by CBJ 01.50. (*See*, *Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001)). ("[T]he decision of a legislative body is subject to review by appeal only where the decision is a quasi-judicial one." *Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001). *See also* "As a general rule, an applicant whose rezoning petition is denied cannot seek a direct review of that denial…" 3 Rathkopf's The Law of Zoning and Planning § 40:4 (4th ed.)).

The Planning Commission reviewed this ordinance at its April 22, 2014 meeting and recommended forwarding to the full Assembly for approval.

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

(Removed from the Consent Agenda, introduced, and referred to the June 16, 2014 Committee of the Whole.)

b. Ordinance 2014-29 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 3873 and a Portion of USS 3406 FR, Located South of Auke Lake in the Pederson Hill Area, From D-1(T)D-5 to a Mix of D-10 and D-10SF.

In 2010, a study was done evaluating the potential development areas, potential development densities, and transportation access of the Pederson Hill area. That same year, sewer installation was completed. The area is currently classified as a transition zone, D-1(T)D-5.

The requested change to the zoning aligns with the MDR Comprehensive Plan designation, which calls for densities of 5-20 units per acre. The proposed D-10 and D-10SF both allow for a density of ten units per acre which is a higher density than the D-5 transition zone. This proposed density better implements the identified CBJ goals of providing low and moderate income housing.

The Planning Commission, at its March 25, 2014 meeting, reviewed this ordinance and recommended forwarding to the full Assembly for approval of the rezone of the described land from D-1(T)D-5 to a mix of D-10 and D-10SF.

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

c. Ordinance 2014-30 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 381 FR, Located at the Corner of Atlin Drive and Mendenhall Loop Road, from D-10 to Light Commercial.

This proposed ordinance is a result of the Harris v. CBJ Planning Commission appeal heard by the Assembly on March 17, 2014. In that case, Mr. Harris sought a rezoning of his property, located at 9050 Atlin Drive, from D-10 to Light Commercial.

After considering the parties' briefs and hearing oral argument, the Assembly granted Mr. Harris's appeal, directing that an ordinance providing for the requested rezone be drafted and forwarded to the Assembly for introduction.

This ordinance would amend the Official Zoning Map of the City and Borough to change the zoning of Mr. Harris's property at 9050 Atlin Drive from D-10 to Light Commercial, consistent with the Assembly's March 17, 2014 decision.

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

d. Ordinance 2014-31 An Ordinance Providing for a Penalty Relating to Motorized Uses on Auke Lake.

On April 7, 2014, the Assembly adopted Ordinance 2014-20, which amended code section 67.01.095 related to motorized uses on Auke Lake. Ordinance 2014-20 eliminated the prohibition against certain sized vessels and added a prohibition against the rinsing or flushing of boat engines in the lake, along the wayside, or within 50 feet of the lake shoreline.

This ordinance would amend the fine schedule by eliminating the penalty related to vessel length, and by providing for a $250 penalty for the illegal rinsing or flushing of boat engines, as prohibited by CBJ 67.01.095(e).

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

e. Ordinance 2013-11(AS) An Ordinance Appropriating to the Manager the Sum of $2,890 as Partial Funding for the Purchase of Bullet Proof Vests; Grant Funding Provided by the United States Department of Justice and Local Funding Provided by the Juneau Police Department.

This ordinance would appropriate $2,890 in grant funds from the U.S. Department of Justice, Office of Justice Programs for the purchase of bullet proof vests. The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. The grant funds are anticipated to pay fifty percent of the total costs for thirteen vests with the remaining 50% (the grant match) from JPD's operating budget.

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

2. Resolutions

a. Resolution 2691 A Resolution Authorizing the Manager to Donate a 1995 E-One Chevrolet Ambulance to the City of Angoon.

Approximately seven years ago, the Juneau Police Department received a 1995 E-One Chevrolet Ambulance from Capital City Fire Rescue, which JPD has since used for its Explosive Ordnance Disposal Unit. A recent bluebook quote for the vehicle was listed at $3300. JPD recently received a replacement ambulance from CCFR for the EOD unit and does not need both vehicles for police operations.

CBJ 53.50.220 provides that upon a determination that the best interests of the public would be served, surplus property with an estimated value of over $3,000 may be transferred to another governmental unit after approval by the Assembly by resolution.

JPD received a letter from Angoon Mayor Matthew Kookesh informing us that his community was in need of an ambulance and fire engine. Mayor Kookesh said Angoon only has one older ambulance, which is not equipped to allow for the provision of medical care; it is only capable of transporting.

Based on Mayor Kookesh's request, I am requesting that the City and Borough of Juneau donate the ambulance to the City of Angoon.

The Manager recommends this resolution be adopted.

3. Bid Award

a. Bid Results - Bid 15-009 - Term Contract for CBJ Roadway Painting

The City requested bids for roadway painting of various streets throughout the Borough. It is the responsibility of the vendor to provide all paint, materials, equipment, labor, insurance and required traffic control to complete the project.

Bids were opened on Thursday, May 8, 2014, the bid protest period expired at 4:30pm on Tuesday, May 13, 2014. Results of the bid opening were as follows:

BIDDERS	TOTAL PRICE
Apply-A-Line	$137,626.08
Specialized Pavement Marking	$155,377.60

The Manager recommends approval of this bid award to Apply-A-Line, for the total bid amount of $137,626.08.

4. Liquor License

a. Liquor License Location Transfer of Beverage Dispensary License #3695 South of the Bridge, LLC d/b/a Louie's Douglas Inn

The following liquor license application is before the Assembly to either protest or waive its right to protest this location transfer.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the below business and found it to be in compliance with CBJ Code.

In the event the Assembly does protest the transfer of this license, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

Beverage Dispensary License #3695 - Location Transfer
South of the Bridge, LLC d/b/a Louie's Douglas Inn
Transfer from: No Premises
Transfer to: 915 3rd Street, Douglas, AK 99824

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

b. Liquor License Transfer of Beverage Dispensary License #447 FROM Alaska Promotions LLC d/b/a Brandi's Airport Bar TO Suite 907, LLC d/b/a Suite 907

The following liquor license application is before the Assembly to either protest or waive its right to protest this transfer of ownership, location, and name change.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the below business and found it to be in compliance with CBJ Code.

In the event the Assembly does protest the transfer of this license, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

Beverage Dispensary License #447 - Transfer of Ownership, Location, & Name Change
Transfer From: Alaska Promotions, LLC d/b/a Brandi's Airport Bar located at 1873 Shell Simmons Drive, Juneau
Transfer To: Suite 907, LLC d/b/a Suite 907 located at 9121 Glacier Hwy., Juneau

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

VII. PUBLIC HEARING

A. Ordinance 2014-13 An Ordinance Amending the Purchasing of Supplies and Services

Code Related to the Disposal of Surplus Property.

This ordinance would streamline and modernize how the City and Borough deals with surplus property. It would remove from the Purchasing Code most of the administrative process requirements, while authorizing the City Manager to establish an administrative policy to administer and control the program.

This amendment also changes the section specifying when the Assembly must approve, by resolution, a transfer of surplus property to a another governmental or non-profit organization by increasing the threshold property value from $3,000 to $50,000.

Finance Department staff developed an administrative policy for surplus property with an emphasis on utilizing web-based technology to communicate and facilitate the disposal process. The policy clarifies the departments' roles and responsibilities for disposal, and outlines procedures for how to manage the property until its final disposal. The policy incorporates the Code's original intent to dispose of surplus property by selling it to the highest bidder.

The Committee of the Whole reviewed the revised Code and administrative policy at its April 14, 2014 regular meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2014-13.

Mr. Kiehl asked if the administrative policies that were replacing the detail in code would be available to the public so that the process was transparent. Ms. Kiefer said yes, all the administrative policies were published to the CBJ website.

Hearing no objection, Ordinance 2014-13 was adopted.

B. Ordinance 2014-18(b) An Ordinance Amending the Personnel Management Code Relating to the Applicability of the City and Borough Personnel Rules to Bartlett Regional Hospital.

This ordinance would eliminate an inconsistency currently existing in the City and Borough Code relating to the applicability of Title 44.05, Personnel Plan, to the employees of Bartlett Regional Hospital. While the more specific Hospital Code at Title 40 provides that the personnel ordinances apply to hospital employees except to the extent modified by regulations issued by the hospital administrator pursuant to CBJ 01.60 and upon approval by the City Manager, CBJ 44.05.010, specifying the scope of the personnel code, exempts Bartlett Regional Hospital.

This ordinance also clarifies that partially exempt employees are not subject to the reduction in force personnel rule regulations.

Finally, version (b) of the ordinance, included in your packet, additionally makes clear that BRH's Chief Executive Officer and Chief Financial Officer are exempt for purposes of the pay plan, similar to the City Manager and City Attorney.

The proposed ordinance was presented as an informational item to the BRH Board's Executive Committee on April 7, 2014, and to the full BRH Board at its meeting on April 29, 2014.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Troll, to adopt Ordinance 2014-18(b). Hearing no objection, it was so ordered.

C. Ordinance 2014-22(b) An Ordinance Amending the City and Borough of Juneau Code Relating to Street and Sidewalk Vending.

This ordinance would amend the City and Borough Code relating to sidewalk and street vending. With respect to sidewalk vending, the ordinance would amend CBJ 42.20.210 to clarify that persons with sidewalk vending permits are exempt from the off-street solicitation provision. With respect to street vending, the ordinance would allow the use of both carts and vehicles, and would eliminate the prohibition against vending from parking spaces in certain areas.

As to both street and sidewalk vending permits, the ordinance would:
1. increase the monthly permit fee from $100 to $150 for sidewalk vending permits and from $150 to $200 for street vending permits;
2. allow a 25% increase in allowable vendor space size from 15 to 20 square feet;
3. require vendors to provide proof of “open flame” permits when appropriate; and
4. specify that goods handcrafted or characteristic of the heritage or culture of Southeast Alaskan Natives sold directly by the artist are one type of goods allowed to be sold with a permit.

The primary difference between version (b) of the ordinance, included in your packet, and the ordinance originally introduced is that the elimination of the street vending permit provisions, as was originally proposed, has been reversed. This version leaves the street vending permit provisions of the code intact, save for the changes identified above, as requested by the Committee of the Whole at its April 14, 2014 meeting.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2014-22(b).

Mayor Sanford asked for a map of the designated spaces for sidewalk vending. Ms. Kiefer distributed a map of the vending locations and also a map of the PD1 and PD2 parking districts.

Mayor Sanford asked how issues would be handled if there were a cart that was causing problems such as smoke from food bothering neighboring businesses. Ms. Kiefer said that the issue would be investigated and addressed by staff.

Ms. Becker asked about using parking spaces for street vending locations. Ms. Kiefer said that locations were still under review by staff and currently staff was looking at loading zones that might be used after hours. Ms. Becker said she was concerned about losing valuable downtown parking spaces and Ms. Kiefer said she understood the concern.

Hearing no objection, Ordinance 2014-22(b) was adopted.

D. Ordinance 2014-27 An Ordinance Amending the Penal Code Relating to Harassment.

This ordinance would amend the City and Borough code related to criminal harassment, by expanding the types of harassment prohibited to include harassment by electronic means. Currently, harassing another person by electronic means, such as texting, is only prohibited by State law. This amendment would bring the City and Borough code in line with the State statute. Additionally, this amendment would make it unlawful to threaten another with sexual contact, in addition to threatening physical injury, which is already prohibited.

The Human Resources Committee heard this ordinance at its April 7, 2014 meeting and recommended forwarding it to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Smith, to adopt Ordinance 2014-27. Hearing no objection, it was so ordered.

E. Ordinance 2014-28(b) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Douglas Townsite, Block 46, Lots 1 and 1A, Located at Dock Street and 1st Street in Downtown Douglas, from Waterfront Industrial (WI) to D-18.

In January 2014, CDD received an application to rezone Lots 1 and 1A of Douglas Townsite Block 46, located at the Northeast corner of Dock Street and 1st Street, from WI (Waterfront Industrial) to D-18. On February 26, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area.

The size of the lots and the development proposed is similar to the surrounding area as there are currently multi-family and single-family developments in the surrounding D-18 neighborhood. Southeast across Dock Street is zoned WI. Southwest is zoned LC (Light Commercial).

The requested rezone conforms to CBJ Land Use Code requirements.

The Planning Commission heard this request at its March 25, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The version (b) included in your packet (which shows the tracked changes) revises the ordinance to address some redundancy in the "whereas" clauses and by simplifying some of the text.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2014-28(b). Hearing no objection, it was so ordered.

F. Ordinance 2013-11(AQ) An Ordinance Appropriating to the Manager the Sum of $85,128 as Additional Funding for the 2012 State Homeland Security Programs; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

This ordinance would appropriate an additional $85,128 for the 2012 State Homeland Security Programs (SHSP) Grant per Amendment 4 from the Alaska Department of Military and Veterans Affairs. Amendment 4 increases the grant budget from $138,500 to $223,628. This grant was originally adopted in FY13 with ordinance number 2012-12 (X).

These funds would be used to support the goals and activities of the Emergency Management through funding of training, exercises and equipment purchases.

Two items will be purchased with the additional funds:

Microwave Data Links for JPD/CCFR and 911 System (increase) = $74,289.94

CCFR Mobile Data Terminals (new) = $10,837.24

The term of this grant is October 1, 2012 through June 30, 2014.

There is no match requirement for this grant.

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Troll, to adopt Ordinance 2013-11(AQ). Hearing no objection, it was so ordered.

G. Ordinance 2013-11(AR) An Ordinance Transferring $37,692 of Unexpended FY13 Marine Passenger Fees from the General and Visitors Services Funds to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer $37,692 of unexpended Marine Passenger Fees (MPF) revenues budgeted for specific purposes in FY13 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 FY13 budget but were not fully expended by the end of FY13.

Downtown Business Association - Downtown Security Program	$5,273
Seasonal BLS-EMS Transport Program	$27,829
Juneau Convention & Visitors Bureau - Crossing Guard Program	$4,591

Total: **$37,692**

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

The Manager recommends this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2013-11(AR). Hearing no objection, it was so ordered.

H. Ordinance 2014-24(b) An Ordinance Appropriating Funds from the Treasury for FY15 City and Borough Operations

This ordinance would appropriate $308,849,500 for the City and Borough of Juneau's FY15 operating budget, excluding the School District. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditure within the funds themselves. These transfers account for $82,539,800 of the FY15 operating budget. Excluding the transfers and School District, the CBJ FY15 operating budget, debt service and capital projects is $266,309,700.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

The Charter requires adoption by June 15, 2014.

The Manager recommends this ordinance be adopted.

Public Comment:

Mayor Sanford allowed public comment on all of the budget ordinances to be heard at this time.

Daryl Tseu thanked the Assembly for the work on the budget. He was a Board Member of the Juneau Douglas Ice Association and also with the Juneau Adult Hockey Association. He said they were working to find ways to increase revenue for the Treadwell Arena and to keep the hours of ice open. He said there had been conflicting information out on the potential reduction of service. He spoke about tournaments, their timing and the need to practice. He also spoke about camps in August and losing revenue in the shoulder seasons could be of concern.

Kate Troll said that some CBJ facilities were run by empowered boards, similar to Eaglecrest and asked if the Associations would be interested in that method of operation. Mr. Tseu said he would be very interested in that type of opportunity and this would add community involvement and provide assistance to the Assembly.

Ms. Kiefer clarified that the facility would be closed two months of the year and the timing would be negotiated with the ice rink manager. They were thinking June and July during the summer months, starting next year.

Brendan Sullivan, a board member and coach for the Juneau Skating Club, expressed his concern for the success of the skating rink. He had been skating his whole life and it was a great opportunity to involve students in a powerful positive activity. He was concerned about reductions of ice time. He said they had eleven years of a successful club and rink and he was concerned about the employees no longer having a year round job. He did not want to lose good employees. The club wanted to be a part of the solution.

Melissa Fritsch, said she was an adult skater, a basic skills coach, and a mother of twins who were competitive skaters. She spoke about her children's activity and said they were competing against kids who were able to spend more time on the ice. Skating was a positive activity for them and they were learning a lot. She would like to work with the Assembly to come up with solutions and she liked the idea of forming an empowered board.

Laurie Balstad said she was a competitive skater and that competitions had taught her to be a confident young woman. It was amazing to see all the little girls come off the ice smiling no matter how many times they had fallen. She spoke about about the joy of skating and coaching.

Liz Balstad said the skaters were concerned about losing ice time. Shortening ice time would reduce the ability to build skills and bring in new skaters. They did not want to lose full time employees. The skating and hockey clubs helped with the "Day of Play" to bring in more skaters and to teach Juneau to skate. She asked the Assembly to reevaluate the actual closure and keep a full year round employee. They were told the rink would only be open 8 months.

Tami Bowman said her daughter was a figure skate for six years now and there were as many as 15 competitive skaters. She spoke about the regional competition, then sectionals, then nationals. The two minute chance they have to skate at regional competitions once a year is their "game" and they needed the practice time, as other skaters have all summer long to practice. The rink manager employed now does an excellent job. All of the skaters are honor students, good citizens and great examples to others. Taking ice time away from those children would be a disservice.

Amy Skilbred spoke about her involvement on the school activity task force on school activities in 2007-2008, when the community discussed how activities would be funded at two high schools. At the time the cost for activities at one school was $1.18 million. The Assembly contributed $200,000 and all sports were allowed to apply to the Youth Activity Grants in the amount of $39-40,000 per year. She said at that time $540,000 more was added. It was determined that the School District would pay for half of the activities, the Assembly would contribute one quarter and parents, teachers, fundraising, the community would pay for the balance. At that time there was one high school with the personnel it was about $2.2 million for all activities. She thanked the Assembly for that support. The cut this past year was a huge blow to activities - $337,000 was cut because it was above the cap and moved under the cap. She was at the school board meeting and realized that they put the money in for activities because at that time there hadn't been enough notice about cutting activities funding more than in half, and that would have drawn a lot of people to the meeting if they had known about it. For this meeting, we are lacking people here, and there are a lot of people involved in high school activities that would want to comment. The reason for the funding support is an equity issue, to make sure that we can have as many kids as possible participate despite their personal financial circumstances. She hoped the Assembly would consider an increase to school funding by $390,000 that was moved from activities and leave it above the cap for activities and move other funding in. The cut to activities is extreme and will carry on because even though the school board has left it in, the school board will have to look at it this year and we have two high schools.

Lauri Scandling, said she was a "recovering educator" and was with the district for 20 years. She said the last five years have been so difficult, the Assembly had been the rock, and she was heart sick when she heard the activities funding was moved from outside to inside the cap, and this pits class size with activities. The community researched activities funding and found we were low in the region and with the railbelt, and a proportionate proposal was put forth. She oversaw the activities advisory committee for four years and the money was well spent. At TMHS, 2 out of 3 kids were involved with activities. In the past, students had to pay a fee for every activity, and that was changed with the partnership of the CBJ. Cuts primarily due to the Alaska legislature have been devastating to the District and over the past four years, 110 jobs were cut and reduced the workforce by 15%, including her position. The kids are always expected to fundraise, but the school discourages kids from asking businesses. We are all facing the pain of cuts. Regarding the question of will the taxes of an increased mill rate hurt families and businesses, she said that removing money from school activities will be a hidden tax, as businesses and families will be hit up more to replace the funding. It will hurt the families most who can least afford it. She suggested rounding the mill rate to 11%.

Jenny Malicka asked the Assembly to consider providing more funding for the school district. She had lobbied at the legislature and they did not get as far as they wanted. Her child has a medical problem and needed a school nurse available. She said that activities and class sizes should not have to compete for funding. She thanked the Assembly for its support, and past support of education, and said education was the most important function of public governance.

Stephanie Bus, an Auke Bay site council member and parent, thanked the Assembly for its historical funding of schools – this was a tough year and she asked for support to fund to the cap and beyond the cap. The smaller classroom size was very important. She urged the Assembly to fund to the maximum that could be funded even though it was a sacrifice in other areas.

Brenda Taylor, a parent and math teacher at the Charter School, and on the JDHS site council, said that parents were so overwhelmed with lobbying the legislature that they had not communicated locally as much. Decreased funding has come from all fronts and the affects are seen in all areas of the school. JDHS can offer fewer and fewer classes and the statements communicated here are only a small piece of the comments from many others.

Assembly Action:

MOTION, by Troll, to adopt Ordinance 2014-24(b), for purposes of discussion.

MOTION, by Troll, to use half the $650,000 allocated to be put into the budget reserve, and put $325,000 in the budget reserve instead, to provide more flexibility for use of those funds.

Mr. Wanamaker objected and said the budget reserve was established for emergencies and the Assembly unanimously adopted a policy to set aside a certain amount of money to get to that goal of 16% of what it takes to run the CBJ for emergencies. He was not willing to change from that goal.

Ms. Becker asked for clarification of using the other half. Ms. Troll said the total amount slated to be put in the budget reserve was $650,000. She said $325,000 should be put in the budget reserve and the remaining half, $325,000 to reduce the use of fund balance.

Mr. Jones said he appreciated the intent but he has a philosophical problem with changing the intent of the request of the voters set in the election without a lot of discussion. There are possibilities for other changes down the road and it will take more discussion. We should not independently change something we put before the voters and got their support.

Ms. Crane said she agreed with Mr. Jones.

Ms. Kiefer said the motion reflected a change in the CIP resolution where the funding was appropriated. A motion to put $325,000 into the budget reserve was part of the CIP resolution as well as being reflected in Ordinance 2014-24(b).

Ms. Troll said that some of the CIP projects were voter initiatives and the Assembly was adjusting and postponing some of those as well in light of the current budget dolmen. She did not want to diminish the ultimate goal of getting to a 16% budget reserve, but we are reducing the budget significantly and perhaps the reserve amount might be adjusted as well. More information will come from the budget modeling.

Roll call on amendment #1:
  Aye: Troll.
  Nay: Becker, Crane, Jones, Kiehl, Nankervis, Smith, Wanamaker, Sanford.
Motion failed, 1 aye, 8 nays.

<u>MOTION</u>, by Troll, to restore $52,000 for employee parking, to the budget.

Mr. Nankervis objected.

Mr. Wanamaker asked where the money would come from.

Ms. Troll since her previous motion failed, she thought it would have to be from available fund balance. She said at first blush, the removal of parking seems like a good idea and she voted for it, but she had learned more about the consequences and had changed her mind. The said it wa an employee equity issue as well as a parking management issue.

<u>MOTION</u>, by Becker, to amend to make restoration of parking to the FY 2015 budget year only.
Ms. Troll agreed and incorporated that into her motion.

Mr. Wanamaker objected to the motion as amended. It was an expense he was not willing to incur as everyone had to share in the reductions. It was not discussed in previous budget discussions.

Mr. Kiehl said the Assembly had the authority to dig into the budget. When there was not enough room to park downtown people parked at my house. He was sympathetic of having different classes of employees and those who do not work downtown have parking. At the same time, this was an optional benefit to our employees and was not a bargainable benefit. It came down to a question of priorities. It had been a painful budget process and there are things that we have cut that are a higher priority than parking. He understood this was another $600 for employees, but there were several employees that were looking at not having a job.

Roll call on amendment #2:
  Aye: Becker, Crane, Jones, Troll
  Nay: Kiehl, Nankervis, Smith, Wanamaker, Sanford
Motion failed: 4 ayes, 5 nays.

<u>MOTION</u>, by Kiehl, to increase the CBJ contribution to the Juneau School District by $392,500.

Mr. Kiehl said the School Board met since the last Assembly Finance Committee meeting and had a lengthy discussion. The flexibility the Assembly provided them to move money from activities into the classroom was not new dollars, and to make those cuts, both would be a problem for the district since they were reaching agreements now with their coaches according to their collective bargaining agreements. This would ultimately be a major change that their citizen budget committee did not have the opportunity to look at. The bottom line was there were no new dollars for the add back list. It was the decision to leave the money in activities. Education is of vital importance to the future prosperity of any community. Class sizes have risen and are set to rise again. This would be the first time the Assembly would not be funding to the cap in his memory and he urged the Assembly to adopt the motion.

Mr Wanamaker objected and asked where the money would go, under or over the cap, and for what purpose. Mr. Kiehl said it would be added to the general contribution to JSD under the cap and the Board had to make the decisions on how the funds were spent. He believed the Board would honor the add back list it presented which supported elementary class sizes as a priority.

Ms. Crane asked Mr. Kiehl where the money would come from and how he proposed to fund it. Mr. Kiehl said that was the next amendment. Ms. Crane said she would not vote on the first one without understanding the direction of the second amendment. Mr. Kiehl said there was no requirement in the rules of procedure that decisions had to be made in that order. He was open to suggestions and he had an idea, but he did not need to state it. The critical thing was to decide if the Assembly would allow elementary school class sizes to rise.

Ms. Becker said she would support class size before activities, although she supported both. If we put in extra money, they will restore teachers and work on class size. The Board took our funds and chose to put it into activities. The $300,000 was outside the cap for activities – they put it inside the cap and added it to activities, so she was a little disappointed.

Mr. Kiehl said the add back list was the order in which they would add back services if they got funding and at our finance committee, we provided additional flexibility, not additional dollars.

Mr. Nankervis asked if the Assembly hadn't already given the district more funding totally than last year due to increased state funding. Mr. Nankervis the Assembly decision was how much funding to supply, class size was the decision of the school board. Mr. Bartholomew said the CBJ funding from FY14 to FY15 remained the same. The state funding from the state to the school increased.

Ms. Troll spoke in support of the motion as education funding was a priority of the community and funding to the cap was supported in the past. With this motion we get a third of the way there to fund to the cap.

Mr. Wanamaker said it was important to know where the funding would come from before it made a funding request. It would be prudent for the maker of the motion to table his motion to take up where the funds will come from to maintain trust with the public.

Mr. Kiehl said he was open to the amendment if he wanted to make one – we will look at expenditures and then the bottom line and decide where the funds come from collectively.

MOTION, by Wanamaker, to table Amendment #3.

Roll call:
Aye: Becker, Crane, Wanamaker
Nay: Jones, Kiehl, Nankervis, Smith, Troll, Sanford.
Motion failed, 3 ayes, 6 nays.

Mr. Wanamaker spoke against the main motion, and said that the school district has the authority to decide to restore positions. They have more funding and fewer students than ever. They were choosing to buy stuff instead of fully supporting staff and students as their task force recommended. CBJ had done its duty in financing education.

Roll call on Amendment #3:
Aye: Becker, Jones, Kiehl, Troll
Nay: Crane, Nankervis, Smith, Wanamaker, Sanford.
Motion failed, 4 ayes, 5 nays.

Mr. Jones offered a motion regarding employee parking and Mayor Sanford ruled it out of order. Mr. Jones withdrew it for discussion later in the meeting.

MOTION, by Troll, to restore $3500 to the budget that was cut from the Small Business Center.

Ms. Troll said she not see the need to cut the Small Business Center in excess of the more than 5% cut similar to other grantees, and since the Finance Committee meeting the Assembly was provided with additional information to clarify the financial relationship with the University. This funding could come from available fund balance.

Mr. Nankervis objected. He was under the impression that the Assembly was done with the budget. The Assembly made compromises at the last Finance Committee meeting. He could extend the conversation on this matter and offer further motions if the rest of the Assembly wanted to take that approach.

Roll call on Amendment #4:
Aye: Becker, Crane, Jones, Kiehl, Troll, Sanford
Nay: Nankervis, Smith, Wanamaker
Motion passed, 6 ayes, 3 nays.

Mayor Sanford asked for any further amendments, and hearing none, brought the main motion to the floor.

Mr. Kiehl said he would vote against the budget. We do a biennial budget, with one year adopted and the next year planned. This budget left the Assembly in a predictable hole and did not solve the city's financial problems. He spoke about the reductions to services, the deferral of capital projects, future increases to health care costs, drawing on savings and the reduction in federal and state funding. This budget did not provide a sustainable path.

Roll call on the main motion, adoption of Ordinance 2014-24(b) as amended:
Aye: Becker, Crane, Jones, Nankervis, Smith, Troll, Sanford
Nay: Kiehl, Wanamaker
Motion passed, 7 ayes, 2 nays.

I. Ordinance 2014-25(b) An Ordinance Appropriating Funds from the Treasury for FY15 School District Operations

This ordinance would appropriate to the School District an FY15 operating budget of $158,373,800. The FY15 school budget is supported with a combination of funding sources that includes local funding of $24,904,400. This consists of $24,526.900 for general operations, $172,500 for student activities, $70,000 for pupil transportation, and $135,000 for Community Schools. The $24,526,900 in general operating support is an increase in funding of $392,500 over FY14. This amount is directly offset in a reduction in funding to student activities outside of the CAP.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

The Manager recommends this ordinance be adopted.

Public Comment (combined with Ordinance 2014-24(b)): There was no further public comment.

Assembly Action:

MOTION, by Wanamaker, to adopt Ordinance 2014-25(b).

Mr. Wanamaker asked for a "no vote" and said the district had not provided the information he requested on school transportation.

Ms. Crane objected.

Ms. Troll said she was voting against the budget because the public would support increases and this budget did not address the concerns of the public.

Roll call:
Aye: Becker, Crane, Jones, Kiehl, Nankervis, Smith, Wanamaker.
Nay: Troll, Wanamaker
Motion passed, 7 ayes, 2 nays.

J. Ordinance 2014-26(b) An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2014 for the Budget for Fiscal Year 2015

This ordinance establishes the mill rates for property taxes for 2014, which funds the City and Borough of Juneau's FY15 operating budget. The Charter requires the assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY15 Budget that has been reviewed by the Assembly Finance Committee. The Assembly Finance Committee approved a motion on May 7, 2014 to move these proposed mill rates on to the Assembly for action.

This ordinance would adopt a total mill levy of 10.76, 9.26 mills for operations and 1.50 mills for debt service, This is a reduction of 0.44 mills from the originally introduced ordinance; the components of which are:

Area	Introduced Millage	Amended Millage
Roaded Service Area	2.25	2.20

Fire Service Area	0.47	0.42
Areawide -		
Operational	6.98	6.64
Debt Service	1.50	1.50
Total	**11.20**	**10.76**

The Manager recommends this ordinance be adopted.

Public Comment: There was no further public comment on Ordinance 2014-26(b).

Assembly Action:

MOTION by Becker, to adopt Ordinance 2014-26(b).

Mr. Kiehl objected. The budget package did not put the city on a sustainable path. The original proposed mill rate would have stayed lower than many in Alaska. He had a list of at least eight similar or larger sized communities with higher mill rates. Public services required revenues and spending savings was not a responsible way to take care of the community. We are doing things to expand the tax base, looking at more land disposal, but this mill levy does nothing to address the revenue side of the budget. The Assembly had only addressed the expenditure side, substantially.

Ms. Troll agreed and said that there were people who felt the business sector was hurting and could not afford a mill levy increase, but the reports from JEDC show a private sector gain of 3%, overall wages had gained by 5%, and that the perception of Juneau's economic well being is relatively good. To carry forward a sustainable budget a slight increase was necessary. The business community wanted stability. Half of what the City Manager proposed would have put us on that sustainable path with a very minor increase in the mill levy. The mill levy had come down since 2005 and had been flat for the last 7 years. That was the only place that has remained flat and because of holding the line and reducing government, there have been several employment positions lost. This budget cuts 12 full time positions, the school district was eliminating 11. We have done our part on the cut side of the ledger to build a sustainable budget but we have not been willing to look at the revenue side. This shifts the burden to sales tax which effects the people who can afford it the least.

Mr. Smith said the Assembly had already held this discussion and it was a complete discussion. He supported the motion.

Roll call:
Aye: Becker, Crane, Jones, Nankervis, Smith, Wanamaker, Sanford.
Nay: Kiehl, Troll
Motion passed, 7 ayes, 2 nays.

K. Resolution 2682(b) - A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2015 Through 2020, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2015.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2015 through 2020, as required by Charter Section 9.4, and lists the capital projects that will be undertaken in FY 2015.

The Public Works and Facilities Committee (PWFC) reviewed the CIP at its meetings on February 6 and March 17, 2014, and forwarded the plan to the Finance Committee. The Planning Commission reviewed the CIP at its April 8, 2014 meeting, and submitted comments to the Assembly.

The Finance Committee reviewed the CIP Resolution 2682 at its April 9, 2014 meeting and amended Resolution 2682 on May 7th and moved it to the Assembly for action.

Version “b” includes the following revisions:

Reduce Eaglecrest Lift/Mountain Operations Improvements by $50,000 leaving a total of $250,000; Reduce Public Works Streets Sidewalk and Stairway Repairs funding by $50,000 leaving a total of $100,000. Postpone Parks and Recreation Treadwell Arena Entrance Paving for $100,000, Public Works- Water Cope Park Water Main Improvements for $350,000, and Public Works Streets/Water/Sewer Front Street Douglas for $500,000. Total reductions total $1,050,000.

The Manager recommends this resolution be adopted.

Public Comment: There was no further public comment on Resolution 2682(b).

Assembly Action:

MOTION, by Becker, to adopt Resolution 2682(b).

Ms. Troll said she had asked for the "Mid-Year" Capital Transit CIP items be included in the CIP and thought they had been approved and would be incorporated into this CIP. Mayor Sanford said the bus plan concept was approved but not the individual expenditures. Ms. Troll said the way to move those forward would be to include them in the 5-year CIP.

Ms. Kiefer said some of the projects were bonded and the staff wanted to wait until the new Capital Transit manager was hired to implement the changes. The staff would be returning to the Assembly with more information on how to spend bonded funds on certain items and to obtain further direction.

Ms. Crane agreed with Ms. Troll that there were a number of items that would lead to greater income for the system. She was hoping to look at those items for potential funding by the legislature in the next session.

Mayor Sanford said that was one direction. To get items listed on the CIP they needed to be forwarded to the Public Works and Facilities Committee for review and action, and review by the Planning Commission.

Ms. Troll withdrew her objection. Hearing no further objection, Resolution 2682(b) was adopted.

VIII. UNFINISHED BUSINESS

MOTION, by Jones, to authorize the City Manager to continue paying employee parking to the extent that she and the department heads could do that within the existing budget.

Mr. Nankervis objected. He said it was a non-negotiated, non-contractual benefit. He worked for ten years downtown and ten years at Lemon Creek, and he had carpooled and walked before. The unions could negotiate for parking for downtown employees if they so chose. There are many complaints about people not being able to find parking in the parking garages. When CBJ purchases those stalls, the money is spent by the public and no revenue was gained from selling spaces. In looking at a $12 – 15 million shortfall, this was not something to be afforded.

Roll call:
Aye: Becker, Crane, Jones, Kiehl, Troll
Nay: Nankervis, Smith, Wanamaker, Sanford
Motion passed, 5 ayes, 4 nays.

IX. NEW BUSINESS

None.

X. STAFF REPORTS

None.

XI. ASSEMBLY REPORTS

A. Mayor's Report

None.

B. Committee Reports

Finance Committee: Chair Crane said the next meeting was set for Wednesday, May 21.

Human Resources Committee: Chair Kiehl said the HRC met earlier in the day and reviewed and approved the adjusted timeframes for the Community Development Block Grant program. The HRC reviewed and forwarded a Resolution regarding the rules of procedure for advisory board, and an Ordinance addressing the Commercial Passenger Vehicle Code and Regulations regarding barring applicants with a history of sexual offenses.

MOTION, by Kiehl, to reappoint Steve Wolf to the Human Rights Commission, with a term expiring May 31, 2017. Hearing no objections, it was so ordered.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting was set for Monday, June 2.

Committee of the Whole: Chair Becker said the COW met on May 5 and discussed the wireless communication facility ordinance, which was now before the Planning Commission. The Juneau Affordable Housing Commission requested $75,000 from its existing fund to prepare a scope of work and CIP for a housing plan, in coordination with the City Manager, which was approved. The COW reviewed and approved forwarding to the Assembly an ordinance to raise water and wastewater rates by 9.5% for 2015, 2016 and 2017.

C. Liaison Reports

Docks and Harbors Board: Liaison Jones said the June 2 Assembly Committee of the Whole would provide time for a joint meeting with the Docks and Harbors Board.

Planning Commission: Liaison Nankervis said the Planning Commission was busy reviewing the Wireless Communication Facilities ordinance.

Airport Board: Liaison Nankervis said the second baggage scanner would soon be operational and that TSA was hiring additional staff. The concessionaire was making food available in the terminal and in the departure lounge now.

Juneau Commission on Sustainability: Liaison Troll said the JCOS was working with the Airport on the Airport Sustainability Plan, looking at the scope of services. Hal Hart spoke to JCOS about the Auke Bay planning process and invited their participation.

Juneau Affordable Housing Commission: Liaison Kiehl said the JAHC met a few weeks ago and had a lengthy discussion with the Economic Development Plan contractor and was also please to see the Pederson Hill property rezone move forward.

School Board: Liaison Kiehl said the JSD received more than 50 applications for superintendent.

NOAA Task Force: Member Kate Troll said the task force met on May 12 with Doug DeMaster, who was the Director of the Alaska Fishery Science Center in Juneau. He gave some historical perspective and the group had a positive, engaging discussion. We identified areas that could grow 30 - 50 potential jobs and the strategy of growing vs. grabbing positions from others. Mr. Wanamaker said there was also a good discussion on the NOAA vessels.

Chamber of Commerce: Liaison Becker said the weekly luncheons were moving to the Airport Community Room with Abby's Kitchen catering.

Alaska Committee: Liaison Becker said the AK Committee would hold a retreat on June 11.

UAS Campus Council: Liaison Becker said the UAS Bookstore is closing. Books would be sold during class sign up and they would try to find another place to sell UAS gear. There was a new food manager. HECLA Greens Creek is continuing with a $3 million investment to the mining program and Mike Bell was retiring from that program. Next year there will be a new Certified Medical Assistant certificate program. The UAS Alumni earned $15,000 at their annual dinner/auction. She toured the new freshman dorm - 120 beds to be open in the fall.

D. Presiding Officer Reports

Vick v Animal Hearing Board: Presiding Officer Kiehl said there were rulings on challenges to the record and supplement the record, so the record is set and the next step is briefing.

Zenk v Planning Commission: Presiding Officer Jones said the appellants requested to supplement the record which was opposed and they have until May 23 to appeal that ruling, otherwise the matter was on schedule.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mayor Sanford said he is working with the City Manager to establish the Assembly committee to review tax exemptions. Mr. Kiehl, Mr. Nankervis, Ms. Becker, Mr. Smith, Mr. Jones and Ms. Troll all expressed interest in serving.

Mr. Becker reported on attending the Blessing of the Fleet, the ribbon cutting for Docks and Harbors, the Police Memorial, the Maritime Festival, the Artist in the Schools program with Yakoos and Perseverance, and the Auke Bay Elementary dedication. The Southeast Conference was holding "Lemonade Day" on June 14 to promote youth entrepeneurship. She attended the art awards for the elementary schools and got a tour of the new SLAM Building, the new Soboleff Center and the UAS Dorms.

Ms. Crane attended the Southeast Regional Resource Center graduation ceremony at which Mr. Kiehl did an excellent job as the commencement speaker.

Mr. Smith thanked Ms. Crane, Mr. Bartholomew and Ms. Kiefer for their work on this challenging budget. He acknowledged Mr Kiehl's words regarding sustainability and quality of life. There was a standing Assembly goal to develop a financial plan in light of the loss of state and federal revenues and he looked forward to working on this and encouraged the use of a third party review. Mayor Sanford said he was working with the manager on this goal and will pick three to four of the larger departments to get started.

Ms. Troll thanked CBJ staff, Mr. Bartholomew and Ms. Kiefer for their direction on the budget, Ms. Crane and the Assemblymembers for their patience with her on her first year on the budget. There was a lot of hard work done and more to come. It was a good start.

Mr. Nankervis thanked staff for the work on the budget. CBJ had to discontinue bundling issues on the ballot and needed to start adding the cost of maintenance when seeking ballot funds to build long term improvements.

Mr. Jones said that before the Assembly hired "outside guns" to tell CBJ what to do with the budget, the Assembly needed to have a discussion on policy and what the terms "right sizing" and "essential services" meant. Mayor Sanford said he intended to have that discussion in June.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Larry Johansen spoke about the benefits of video streaming and webcasting the Assembly meetings. He has a company that was interested in providing this service. Mayor Sanford asked him to contact the City Manager to discuss his ideas.

XIV. EXECUTIVE SESSION

A. Confidential Employee Matter

B. Continuation of City Manager Evaluation

MOTION*, by Becker, to enter into executive session, in order to discuss a confidential employee matter and to continue the City Manager evaluation*. Hearing no objection, the Assembly entered into executive session at 10:05 p.m. and returned to regular session at 10:58 p.m.

MOTION*, by Wanamaker, to suspend the rules to extend the meeting for additional time to 11:15 p.m., past the 11:00 p.m. limit.* Hearing no objection, it was so ordered.

MOTION*, by Becker, to return to executive session to continue the City Manager's evaluation.* Hearing no objection, the Assembly entered into executive session at 10:59 p.m. and returned to executive session at 11:14 p.m.

MOTION*, by Kiehl, to continue the meeting to 11:20 p.m.* Hearing no objection, it was so ordered.

MOTION, by Kiehl, to approve the City Manager's evaluation as written by Mayor Sanford and that the minority report be appended by its authors.

Roll call:
Aye: Becker, Crane, Jones, Kiehl, Smith, Troll, Sanford
Nay: Nankervis, Wanamaker
Motion passed, 7 ayes, 2 nays.

Ms. Troll said she would like any inquiries about the City Manager's performance evaluation to be handled by Mayor Sanford. Mr. Wanamaker said he would speak his mind honestly and openly.

XV. ADJOURNMENT

There being no further business, Mayor Sanford adjourned the meeting at 11:17 p.m.

Signed:______________________________ Signed:_________________________
Laurie Sica, Municipal Clerk Merrill Sanford, Mayor