

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - January 27 2014

MEETING NO. 2014-02: 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, Loren Jones, 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, City Attorney; Robert Palmer, Assistant Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Bob Bartholomew, Finance Director; Hal Hart, Community Development Director; Travis Goddard, Planning Manager; Patricia DeLaBruere, Airport Manager; Carl Uchytel, Port Director; Robert Barr, Library Director; Jane Lindsey, Museum Director; Mila Cosgrove, HRRM Director; Chief Etheridge, Capital City Fire and Rescue; Greg Chaney, Lands and Resources Manager; Myiia Wahto, Recreation Superintendent; Matt Lillard, Eaglecrest Manager.

II. SPECIAL ORDER OF BUSINESS

A. Introduction of new CBJ Attorney - Robert Palmer

City Attorney Amy Mead introduced Robert Palmer, a 2012 graduate of the Seattle University School of Law and previously in private practice law in tort claims and land use issues. He spent 14 years on land management issues with the National Park Service and was a criminal prosecutor for the State of Alaska in Palmer, AK. Mayor Sanford welcomed him to the CBJ Staff.

B. Honorary Mayor - Dunya Hermann - TMHS

Mayor Sanford introduced "Honorary Mayor" Dunya Hermann from Thunder Mountain High School, who spent the day with Mayor Sanford, shadowing his work. He said she has a bright future.

III. APPROVAL OF MINUTES

A. January 6, 2014 - Regular Assembly Meeting 2014-01

Mr. Jones asked that the heading under unfinished business be corrected to note the discussion was about the Cavagnaro appeal. Hearing no objection, the minutes of the January 6, 2014 Regular Assembly Meeting 2014-01 were approved as corrected.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Kiefer asked the Assembly to note two items in the Red Folder - a substitute ordinance for Ordinance 2014-06, to be introduced as 2014-06(b), and copies of the BRH Contract and a memo regarding those changes that related to Resolution 2675.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Lorraine Murray spoke regarding the recently adopted noise ordinance, and said her concern was that the noise ordinance would not apply to fireworks on the 4th of July, allowing fireworks in neighborhoods even during the 4th of July. She asked that the Assembly put a hold on the ordinance until an adequate assessment could be done on the impacts the noise would have on people and pets. She said the public should be allowed to comment and she suggested a meeting of stakeholders to include people from JPD, Fire, Health, Planning, Recreation, Veterinarians, Wildlife, Grateful Dogs, Humane Society and the general public. She would like the meeting to happen within 60 days so they could present something to the Assembly.

Mark Stopha said he was concerned about the Bartlett Regional Hospital payments of severance pay and would like more information to be made available to the public. The Assembly should provide more oversight of the enterprise boards. A thorough, transparent investigation should be done and made public.

Margo Waring spoke about public participation of citizens in governmental decision making. She encouraged a change to Title 49 regarding notice and said that 500 feet distance from a development may be insufficient, and referred to the strobe light on the Spuhn Island Cell Tower shining on North Douglas. She also said that transparency could be increased by presenting written staff reports in the meeting packet, instead of verbal reports.

Doug Mertz said that people have learned about a contract with a consultant from Florida about cell towers and would like a copy of the report but were not allowed to have it. He was told that CBJ had not paid for the report yet. He said that was not a defense to a public information request and it did not fall within an exception and the report should be provided.

VI. CONSENT AGENDA

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

Dixie Hood requested that Bid Award DH12-001 be removed from the agenda.

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

MOTION, by Becker, to adopt the consent agenda, noting the removal of Bid Award DH12-001. Hearing no objections, the consent agenda was adopted.

1. Ordinances for Introduction

- a. Ordinance 2013-11(AE) An Ordinance Appropriating To The Manager The Sum Of \$300,000 As Partial Funding For New Mendenhall Valley Public Library Capital Project; Funding Provided By The Juneau Public Library Endowment Agency Fund

This ordinance would appropriate \$300,000 as partial funding for the new Mendenhall Valley Public Library capital project. Funding is provided by the Juneau Public Library Endowment Agency Fund.

At its December 19, 2013 meeting, the Endowment Board of the Juneau Public Libraries passed Resolution 13-03 approving the transfer of \$300,000 from the Endowment Fund to the new Mendenhall Valley Public Library capital improvement project. This funding was originally pledged in Resolution 11-03 as

local match funding for the State of Alaska Major Library Construction Grant.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- b. Ordinance 2013-11(AF) An Ordinance Appropriating To The Manager The Sum Of \$200,000 As A Grant To The Juneau Arts and Humanities Council; Funding Provided By Airport Snow Removal Equipment Facility Capital Project

This ordinance would grant \$200,000 to the Juneau Arts and Humanities Council (JAHC) as partial funding for a new performing arts center. This grant would be funded by a transfer from the Airport Snow Equipment Removal Facility (SREF) Capital Project.

Both the new performing arts center and the SREF were approved for funding from temporary 1% sales tax that went into effect October 1, 2013. The SREF capital project received \$1.55M in sales tax revenues in FY14. The new performing arts center was not scheduled to receive any sales tax revenue in FY14 but now requires funding to move the project forward. At this time the SREF capital project, excluding the \$200,000, has sufficient funding to meet their project needs.

The Public Works and Facilities Committee and the Assembly Finance Committee reviewed and approved the forward funding to the JAHC. The JAHC is scheduled to receive \$200,000 in FY15 funding that will now be used to reimburse the SREF project.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- c. Ordinance 2014-06 - An Ordinance Transferring Responsibility for the Juneau-Douglas City Museum From the Parks and Recreation Department to the Library Department.

This ordinance would transfer the operation of the Juneau-Douglas City Museum from the Parks and Recreation Department to the Library Department. Maintenance of the facility would still be provided by Building Maintenance through coordination with the Library Department.

This move allows both entities to more effectively share resources, co-host programs and exhibits, seek grant opportunities, and advocate for the future of Juneau's shared collections, resources, and community gathering spaces. Libraries and museums historically have very similar missions and work.

Both Department Directors are recommending the transfer and believe that the mission of the Museum is more closely aligned with that of the Library.

There is no financial impact to this move.

The Human Resources Committee reviewed this ordinance at its January 6, 2014 meeting and recommended forwarding to the full assembly for approval.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- d. Ordinance 2014-07 - An Ordinance Authorizing the Sale of City and Borough Land Located at South Lena Point Subdivision and Establishing the Terms and Conditions Related to the Sale.

This ordinance would authorize the Lands and Resources Division to dispose of 12 City owned lots in the South Lena Subdivision over the next 8 years.

The first South Lena Subdivision land sale was conducted in the spring of 2007. The City offered 43 parcels, of which 32 were sold. In 2010 the 11 remaining lots were offered in a land sale but only two of those lots sold. In recent years, 3 of the original land sale lots have been conveyed back to City ownership due to various circumstances, bringing the total lots available for sale to 12.

Since 2010 the demand for available buildable lots has increased, and the Lands and Resources Division proposes to offer a few lots at a time through occasional Lena land sales over the next few years to avoid saturating the market.

Municipal sewer does not reach Lena Point and there are no current plans to extend municipal sewer to Lena Point in the future. Therefore, purchasers will be responsible for installing their own onsite wastewater treatment and disposal systems (OWTDSs).

At its December 8, 2013 meeting, the Assembly Lands Committee recommended forwarding this Land Disposal action to the full Assembly for approval.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

- A. Resolution No. 2670 - A Resolution Establishing a Project Labor Agreement Review Process for Certain City and Borough Projects.

By motion dated March 10, 2008, the Assembly expressed its support for the use of project labor agreements by the CBJ to the fullest extent allowed by law. The purpose of Resolution 2670 is to formalize and standardize the review process to be used by all CBJ Departments in evaluating whether to use a project labor agreement on CBJ construction projects estimated to cost four million dollars or more.

At its regular meeting on January 13, 2014, the Public Works and Facilities Committee moved to forward this resolution to the full Assembly for approval.

I recommend this resolution be adopted.

- B. Resolution No. 2673 - A Resolution Authorizing Capital City Fire and Rescue to Accept From the Juneau Volunteer Firefighters Association the Donation of Two Antique Fire Trucks, Previously Used in Service of the City and Borough of Juneau.

This resolution would transfer ownership of two antique fire trucks, previously in service in the City and Borough, from the Juneau Volunteer Firefighters Association to the City and Borough of Juneau. Engine #126 is a 1927 American Lafrance pumper truck, in service in Juneau from 1927 - 1953, and recently

obtained by the Juneau Volunteer Firefighters Association from the Coach Trailer Company in Portland Oregon for \$38,500.00. Engine #2 is a 1940 Seagraves Fire Engine that was fully restored by the Volunteers. It was in service in Juneau from the early 1940's through the early 1980's. Both engines are currently housed within the CCFR Fire Stations.

The Juneau Volunteer Firefighter Association passed a resolution on November 29, 2013 recommending the transfer of ownership along with a \$3,000.00 donation to pay for some necessary repairs. JVFA has asked that in return, the CBJ, maintain, preserve, and share with the community these important pieces of the fire department's history.

I recommend this resolution be adopted.

- C. Resolution No. 2674 - A Resolution Adopting the Alternative Allocation Method for the FY14 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity In Fisheries Management Area 17: Northern Southeast.

This resolution would authorize the acceptance of the CBJ's share of the FY2014 State Shared Fisheries Business Tax. This distribution represents CBJ's share of state fishery revenues generated in the Northern Southeast Fisheries Management Area (NSFMA), but outside of the organized communities.

The funds are allocated to each community in the NSFMA (Angoon, Gustavus, Haines Borough, Hoonah, Skagway, Tenakee Springs and Juneau). Because the NSFMA's FY2014 allocation falls below the long-form threshold value, the short-form method of allocation, as approved by the State of Alaska's Department of Commerce, Community and Economic Development, is used this year. Using this short-form allocation method, it is anticipated that the CBJ will receive approximately \$21K in FY2014.

I recommend this resolution be adopted.

- D. Resolution No. 2675 - A Resolution Ratifying the Labor Agreement Between the Bartlett Regional Hospital of the City and Borough of Juneau and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.

This resolution would provide Assembly ratification of the terms of the tentative agreement negotiated between the Bartlett Regional Hospital and the International Longshore and Warehouse Union, AFL-CIO, Health Care Unit 2201 for a collective bargaining agreement that will go in effect upon approval by the Assembly, and expire on December 31, 2014.

The tentative agreement includes economic modifications to the pay plan.

This tentative agreement has been ratified by the ILWU membership and the BRH Board of Directors. The economic terms are in keeping with those of other CBJ collective bargaining agreements for fiscal year 15.

I recommend that this resolution be adopted.

- E. Resolution No. 2676 - A Resolution Providing For Interest Rates For The Port

Revenue Bond Being Issued Through The Alaska Municipal Bond Bank.

On February 06, 2014 the City and Borough is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately \$6.5 million in Port Revenue twenty five-year port revenue bonds. Approximately \$413,000 of the proceeds will be transferred into a required bond reserve fund.

The issuance of the bonds was authorized by the Assembly in Ordinance 2014-01, adopted January 06, 2014. The final Assembly action, per CBJ Charter, related to these bonds is to “prescribe” (set/accept) by resolution the interest rates and annual principal maturity dollar amounts.

CBJ legal counsel, K&L Gates, has prepared Resolution 2676 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution list the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for the all bonds cannot exceed 5.0%

The Assembly Finance Committee reviewed the resolution at its January 15, 2014 meeting and unanimously recommended forwarding it to the full Assembly for formal action.

I recommend this resolution be adopted.

3. Bid Award

A. Bid Award DH12-001

Construction of this project would provide two new floating cruise ship berths seaward of the existing Alaska Steamship Wharf and the Cruise Ship Terminal Dock. The project would include steel piling; bridges; gangways; concrete pontoons; lighting and power; water; and sewer lines for wastewater discharge from ships.

A public bid opening was held on January 23, 2014.

Bidders:	Total Bid
Manson Construction Co.	\$53,743,440
Pacific Pile and Marine, LP	\$58,201,620

Architect Estimate:	\$55,403,800
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The Docks and Harbors Board recommended approval of the bid at a special meeting on January 23, 2014.

I recommend award of this project to Manson Construction Company for the total amount bid of \$53,743,440.

Public Comment:

Dixie Hood said she had followed the development of the cruise ship project for years and was concerned about the bid award due to a pending appeal and because of the projects affect on the quality of life in Juneau. The Docks and Harbors Board proceeded with this project despite public

comment against any new docks downtown. Bruce Weyhrauch appealed the transfer of land from the state to the city regarding the project. He was prepared to litigate. Since the work could not start on the project until September, time was available to hear the result of the appeal before proceeding to bid. The Fishermen's Memorial consistently opposed the project due to its impact on the Blessing of the Fleet Ceremony. The original proposal was an \$85 million project. The newspaper said the bid was for \$54 million for this portion of the project. That was a huge amount of money to dedicate to a project that the public did not want. The Juneau Arts and Humanities council was trying to determine how they would get \$20 million for a new theatre, and that project would hold a better economic value for the community. Quality of life mattered in Juneau.

Assembly Action:

Mayor Sanford asked about the appeal and if the bid could be awarded. Ms. Mead said yes, the bid could be awarded. She would be looking to the Assembly for direction on how to participate in the appeal.

Ms. Crane said if the decision on the issuance of the land was stayed, CBJ did not have title to the land in hand. She did not object to the project, but could not support awarding the bid when CBJ did not have clear title to the land. She did not believe the appeal would be successful, but had concerns about prematurely awarding the bid.

Mr. Wanamaker wanted more information about the appeal and what it meant - he was reluctant to proceed with the bid award based on the pending appeal. He would like the information before making a decision.

Mr. Kiehl said there was an appeal of the transfer of the submerged lands but there had also been an appeal of the bidding process. Ms. Mead said the bid protest was dropped following issuance of the written decision by the Port Director. Mr. Kiehl said at a previous meeting at which this was discussed, public comment was not closed and there was only a preliminary decision issued. Since then, he read the agency's final decision and it was a strong decision of which he felt comfortable with the city's chances of prevailing on the appeal. The stay was an automatic stay. He supported awarding the bid.

Ms. Troll said at a previous meeting, Mr. Wanamaker asked to meet with leaders of the cruise ship industry regarding the future of cruise tourism and she asked if the Assembly would have this opportunity. Ms. Kiefer said that issue was scheduled for the Assembly Committee of the Whole on February 10. Ms. Troll said knowing that she preferred to have all the information before her before voting.

Mr. Jones spoke in favor of voting on the bid award. Because of the process at DNR and our delay, they worked with the contractors to hold the bids and viewed the cost factors in the month of delay, but if CBJ went outside of this period of time there could be cost implications and he did not want to see those borne by the project.

MOTION, by Smith, to approve Bid Award DH12-001.

Mr. Wanamaker objected. He said \$55 million was a significant amount and the cruise industry had issued a letter stating that they did not need or support this project. Private dock operators in the community did a study and could not justify this type of facility. It was not responsible to proceed with a project that the proposed beneficiaries did not want. He said a better path would be

to spend \$18 - 19 million on an upgrade and repair of the existing docks.

Ms. Crane said that she would vote no, but she supported this project overall, with all legal impediments out of the way and when CBJ had clear title.

Ms. Becker said she did not speak for the cruise ship industry but had heard concerns from the cruise industry that this project would increase their costs of operation. Kirby Day told her that at the beginning the cruise industry did not support the project, but things had changed and there was support now. Ms. Becker said she supported the project and asked Ms. Mead her comment that the bid could be awarded. Ms. Mead said the status of the land was a separate issue from awarding the bid. The protest regarding the bid process was removed. This was an automatic stay and the only way that the stay would be terminated would be when the commissioner made a decision.

Mayor Sanford asked about the cost of repairing the current dock. Carl Uchtyl said in 2010, the Assembly voted for this project as the preferred alternative. At that time, replacing the wharf was estimated to cost roughly \$25 million, but that project did not provide the additional capacity and flexibility sought through project 16b.

Roll call:

Aye: Becker, Jones, Kiehl, Nankervis, Smith, Sanford

Nay: Crane, Troll, Wanamaker

Motion passed, 6 ayes, 3 nays.

B. Eaglecrest Learning Center - E14-076

Bids were opened on this project on December 17, 2013. The bid protest period expired at 4:30pm on January 13, 2014. Results of the bid opening are as follows:

Bidders	Total Bid
North Pacific Erectors	\$2,698,117
Alaska Commercial Contractors	\$2,962,875
Dawson Construction	\$3,214,500
Denali General Contractors, Inc.	\$3,600,000
Ames 1, LLC.	\$4,223,679
Silver Bow Construction	\$4,183,400
Architect's Estimate	\$2,710,704

The project would be a new two-story, 8,660 square foot building at Eaglecrest. The building will house equipment rental, repair shop, retail shop, ticket windows, restrooms, and classroom areas.

I recommend award of this project to North Pacific Erectors, Inc. for the total amount bid of \$2,698,117.

4. Liquor License

a. 2014/2015 Liquor License Renewals

Beverage Dispensary License #648: YC Baranof, LLC d/b/a Bubble Room – Westmark Baranof; 127 N. Franklin Street

Beverage Dispensary Tourism License #1378: **Alaskan Hotel & Bar Inc. d/b/a Alaskan Hotel**; 167 S. Franklin Street

Beverage Dispensary Tourism License #2541: **MGO Inc. d/b/a Juneau Airport Travel Lodge**; 9200 Glacier Hwy.

Brewery License #2534: **Alaskan Brewing LLC d/b/a Alaskan Brewing Co.**; 5429 Shaune Drive

Club License #3313: **Fraternal Order of Eagles Aerie #4200 d/b/a Fraternal Order of Eagles #4200**; 2055 Jordan Ave. #1

Package Store License #2976: **No Creek Jack Inc. d/b/a Duck Creek Market**; 9951 Stephen Richards Drive

Package Store License #4742: **Wal-Mart Stores Inc., d/b/a Wal-Mart Supercenter #3814**; 6525 Glacier Hwy.

Restaurant/Eating Place License #3049: **Valley Restaurant LLC, d/b/a The Valley Restaurant**; 9320 Glacier Hwy.

Restaurant/Eating Place Public Convenience License #3643: **Clay Kent & Cisco Ramos d/b/a Douglas Café**; 916 3rd Street, Douglas

Wholesale – General License #3166: **The Odom Corporation, d/b/a The Odom Corporation**; 5452 Shaune Drive, Bay 1

Wholesale – Malt Beverage & Wine License #4715: **The Odom Corporation d/b/a The Odom Corporation**; 3143 Channel Dr.

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

In the event the Assembly does protest any of the renewals of these licenses, 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.

I recommend the Assembly waive its right to protest the above liquor license renewals.

VII. PUBLIC HEARING

- A. Ordinance 2013-11(AB) - An Ordinance Appropriating To The Manager The Sum Of \$11,793 As Funding To Provide Continuing Education For Library Staff And The Addition Of An Early Literacy Learning Station At Mendenhall Valley Public Library, Funding Provided By The Alaska State Library

This ordinance would appropriate \$11,793 for the continuing education for library staff

and the addition of an early literacy learning station to the Mendenhall Valley Public Library. Funding is provided by 2 Alaska State Library grants, \$9,000 for continuing education and \$2,793 the early literacy learning station.

There is no matching requirement for these grants.

I recommend this ordinance be adopted.

Public Comment: None.

Assembly Action:

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

- B. Ordinance 2013-11(AC) - An Ordinance Appropriating To The Manager The Sum Of \$8,700 As Partial Funding For The Joseph Alexander Collection Archival Rehousing Project, Grant Funding Provided By The Museums Alaska Collections Management Fund

This ordinance would appropriate \$8,700 to be used to purchase archival supplies in order to rehouse the Joseph Alexander Collection. Grant funding is provided by the Museums Alaska Collections Management Fund .

Early in 2013, the Juneau-Douglas City Museum (JDCM) accepted the Joseph Alexander collection, partially through a transfer from the Alaska State Historical Library (ASHL) and partially through a donation. Together, the collection is 10 boxes (12 sq. ft.) of photographic negatives and prints from Juneau photographer, Joseph Alexander, dating between the 1940s to 1980s. An initial inventory completed by the JDCM estimates the collection at approximately 90,000 negatives, prints, envelopes and documents, making it by far the largest collection this institution has ever accessioned.

Currently, the collection is housed in the 10 deteriorating and acidic cardboard boxes, 10 shoe boxes, and 70 Kodak 4x5 negative boxes that are covered in dust and are beginning to fall apart.

The entire rehousing project is estimated to cost \$24,739 and will be completed by museum staff, a collections assistant contracted to rehouse and catalog the collection, and a group of six volunteers who work in collections on a weekly basis.

This grant is being matched by in-kind staff and volunteer time and the purchase of additional archival supplies from the museum's Acquisitions account, a dedicated donor account to fund Juneau history acquisitions and archival supplies.

I recommend this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Jones, to adopt Ordinance 2013-11(AC).

Mr. Kiehl asked how the rest of the project would be funded. Ms. Kiefer said that staff contribution of labor costs accounted for the balance of the project total.

Hearing no objection, it was so ordered.

- C. Ordinance 2013-11(AD) - An Ordinance Appropriating To The Manager The Sum Of \$110,000 As Funding For Outside Legal Counsel Regarding Litigation Against Aparc Systems, Funding Provided By Unexpended Revenues From The 1% Temporary Sales Tax That Expired September 30, 2013

The City and Borough has initiated a lawsuit against Aparc Systems. The City and Borough is being represented by outside counsel, with oversight by the Law Department. The purpose of this appropriation would be to pay for legal services related to that lawsuit.

I recommend this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2013-11(AD).

Mr. Smith objected and said he did not believe that outside counsel on project of this scale made sense. The Assembly needed more information to see what the worst case scenario would be. CBJ had invested \$400,000 in a system that did not work, had lost revenue, and there were costs to replace the system, which could total up to \$1 million. He did not think litigation would bring results. The Assembly did not want to be surprised that this system would cost the public more money to park downtown.

Mr. Wanamaker agreed with Mr. Smith.

Roll call:

Aye: Becker, Crane, Jones, Kiehl, Nankervis, Troll, Sanford

Nay: Smith, Wanamaker

Motion passed, 7 ayes, 2 nays.

- D. Ordinance 2014-02 - An Ordinance Authorizing a Loan in an Amount Not to Exceed \$3,150,000 from Central Treasury to the Community Development Capital Project Fund for the Purpose of Providing Interim Financing for the Dimond Park Library Project (L23-058).

This ordinance would authorize a loan of up to \$3,150,000 from the Central Treasury up to the Library Capital Improvement Project #L23-058 for the purpose of providing interim financing for the Dimond Park Library Project. This ordinance serves two purposes. First, it provides the budget authorization (Charter provisions) to proceed with awarding the project contract (scheduled to be awarded in April 2014) and second, to provide project cash flow funding, if necessary. Project cash disbursements will occur over time, the actual loan amount will be determined based on the cash flow needs of the project.

The loans would include interest estimated by the finance director at the average rate the City and Borough earned or would earn on Central Treasury investments over the applicable loan period. The principal and interest on the balance would be repaid to the Central Treasury from future 1% temporary sales taxes appropriated to the Project.

These loans would be provided under code section 57.05.045, Central Treasury loans.

This funding recommendation was reviewed and approved by Public Works and Facilities Committee on October 28, 2013 and the Assembly Finance Committee on December 18, 2013.

I recommend this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Crane, to adopt Ordinance 2014-02. Hearing no objection, it was so ordered.

- E. Ordinance 2014-03 - An Ordinance Authorizing a Loan in an Amount Not to Exceed \$400,000 from Central Treasury to the Parks and Recreation Capital Project Fund for the Purpose of Providing Interim Financing for the Juneau Douglas City Museum Renovation Project.(P46-067)

This ordinance will authorize a loan of up to \$400,000 from the Central Treasury up to the Capital Improvement Project # P46-067 for the purpose of providing interim financing for the Juneau-Douglas City Museum Renovation Project. This ordinance serves two purposes. First, it provides the budget authorization (Charter provisions) to proceed with awarding the project contract (scheduled to be awarded in March 2014) and second, to provide project cash flow funding, if necessary. Project cash disbursements will occur over time, the actual loan amount will be determined based on the cash flow needs of the project.

The loans would include interest estimated by the finance director at the average rate the City and Borough earned or would earn on Central Treasury investments over the applicable loan period. The principal and interest on the balance would be repaid to the Central Treasury from future 1% temporary sales taxes appropriated to the Project. These loans would be provided under code section 57.05.045, Central Treasury loans.

This funding recommendation was reviewed and approved by Public Works and Facilities Committee on October 28, 2013 and the Assembly Finance Committee on December 18, 2013.

I recommend this ordinance be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Jones, to adopt Ordinance 2014-03. Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS

Mayor Sanford asked Ms. Mead to outline her request of the Assembly regarding the appeal filed regarding the submerged lands issue and Dock Project 16b. Ms. Mead said automatic stay was in place in the Fishermen's Memorial appeal of the Department of Natural Resources Commissioner's decision regarding submerged tideland. Docks and Harbors was the applicant on behalf of CBJ, and CBJ was entitled to file a written response if the Assembly so chose. Ms. Mead asked for the Assembly's direction on whether CBJ should participate in that appeal.

Ms. Crane asked Ms. Mead if it was her recommendation to participate, if it would speed the process or benefit CBJ if it participated? Ms. Mead said it would not speed the process because if there were competing briefs filed it would take longer for review. The question regarding whether it is helpful hinged upon whether there was any merit to the underlying appeal, which focused primarily on lack of notice during the process. She did not know if the Department of Natural Resources would reverse its decision based on allegations that it entered into ex parte communications with CBJ. It was always better to have a say. Ms. Crane said she recommended that CBJ participate.

Mr. Uchytel said Docks and Harbors received a final agency decision and based on his conversations and reading the Alaska Statutes, unless the Commissioner finds that the public's interest in the state retaining ownership of the land outweighs the city's interest in obtaining the land, the Commissioner shall convey the land. A lay person could say there is no chance of this going sideways but it was good to have a seat at the table.

Mr. Jones confirmed this is a decision of the Commissioner of DNR. Ms. Mead said that was correct.

Mr. Kiehl asked if the Office of Administrative Hearings made a first recommendation to the Commissioner. Ms. Mead said she did not believe so and that it was solely a Commissioner decision. The confusion with the Administrative Law judge stemmed from a misunderstanding about the status of the stay.

Mr. Jones said he thought CBJ needed to be involved and should be ready to respond. Ms. Mead said this would only be a written argument.

Ms. Becker asked if the Commissioner could ask for CBJ's opinion if the Commissioner requested, or would CBJ be missing an opportunity to participate if it did not file. Ms. Mead said CBJ would miss the opportunity to respond to this appeal if it was not taken up.

MOTION, by Crane, for CBJ to participate in the appeal. Hearing no objection, it was so ordered.

IX. NEW BUSINESS

None.

X. STAFF REPORTS

A. Airport TSA Update

Ms. DeLaBruere provided a briefing to the Assembly. She said Delta Airlines would be operating in Juneau in the summer. Currently there were peak times when baggage is not getting inspected quickly enough and TSA had cut personnel. TSA considered airports in Alaska seasonal airports. The staffing was not meeting the peaks in the winter as well as the summer. She provided a memo with figures and said that 145 bags an hour were being screened through an inline system, and pulling bags to inspect slowed the system. If increased to 280 bags an hour, that still would not meet the needs. Many bags got stacked and did not make their flights. We have talked with Alaska Airlines, and were meeting with Delta. TSA requested an additional CT80 baggage scanning system, but they also need staffing. The decision was made at a federal level and she was working with Katie Kachel, CBJ's lobbyist in Washington DC, to get help to address the situation. She was seeking help from the Congressional delegation. She would like to

move forward quickly. She asked the Assembly for a formal approval to move forward in seeking assistance.

MOTION, by Kiehl, to approve the request and draft a letter from the Assembly to the Congressional Delegation, and engage the lobbyist to assist in the effort. Hearing no objection, it was so ordered.

Mr. Nankervis asked if it would make any difference to tell people to be at the airport two hours earlier. Ms. DeLaBruere said that would help but the TSA was getting hit all at one time because of the way the flights stacked up and the timing and overlap of the flight times.

Mr. Wanamaker said that on Feb 10-12 he would be in Washington, D.C., meeting with the delegation and he would be willing to assist in any way to carry a message.

B. Spuhn Island Cell Tower Update

Mr. Steedle reviewed the history of the Spuhn Island cell tower and the points raised by Doug Mertz in his December 29 letter to the Assembly. On February 29, 2012, a pre-application meeting was held with Westower and the Community Development Department (CDD) staff. On May 7, 2012, a complete application was filed. The item was scheduled for hearing by the Planning Commission (PC) on June 26, July 10 and July 24, 2012 and each time pulled from the agenda due to emerging issues regarding the proposed tower and aviation safety. CDD staff met on August 16, 2012 with a representative of the local FAA flight standards office, the applicant and the former Airport Manager to discuss lighting options that would minimize impact to residents on the ground that would still meet aviation standards. The FAA would accept nothing less than a white flashing strobe during the day and a red steady light at night. This caused confusion as a "steady red" is not what is specified by the FAA advisory circular, which requires a flashing red beacon at night. The standards in the FAA circular were made a condition of the permit and a flashing red beacon is what is on the tower today. The hearing was held on October 23, 2012, the Conditional Use Permit (CUP) was approved with one dissenting and one absent PC member.

Mr. Steedle referred to the letter from Mr. Mertz, which cited a lack of adequate notice on the permit. Mr. Steedle said CDD does not concede the notice was inadequate. CDD provided notice to property owners within one mile of the site, rather than the required 500 ft. distance. Signs were posted in three locations: at the North Douglas Boat Launch Ramp, at the end of Fritz Cove Road, and at the Spuhn Island dock. In addition, notice of the hearing was published in the Juneau Empire (JE) on for the June 26, July 10, July 24 and October 3, 2012 meetings. Former Assemblymember Ruth Danner made notice of the permit in a Letter to the Editor of the JE on August 27, 2012. Mr. Mertz said CBJ failed to enforce permit terms, the steady red light at night. Mr. Steedle said there was confusion as the staff report narrative discussed a steady red light, but the FAA standard made a condition of the permit required a flashing red light. Some critics have seized on the word "advisory" in FAA Advisory Circular and ask how this can be mandatory. The FCC regulates these towers and has incorporated the FAA advisories into their regulations. Mr. Mertz said that CBJ failed to assess the need for the tower. Mr. Steedle said that CBJ was not in a position to assess the need. The next staff report would discuss the wireless communications ordinance and plan. If the Assembly chose to pursue this, a determination of need would be made by technical experts under contract to the CBJ. Mr. Mertz said CBJ had failed to enact a moratorium on towers pending a study. Ms. Mead could inform the Assembly on moratoria. Mr. Steedle said some moratoria had been upheld by courts, others had not.

Ms. Becker asked if there was anything that could be done regarding the Spuhn Island tower. Mr. Steedle said no, because CBJ had no standing and the appeal period was over.

Ms. Crane asked if CBJ could offer to move the tower somewhere else. Mr. Steedle said that could happen with a significant fiscal note. Ms. Crane said the Assembly should consider that and there were mistakes made. At the August 16 meeting, there was agreement that the red light at night would not strobe. When was it learned that the light would strobe, and was anyone approached after learning that? Mr. Steedle said the night strobe was discovered after it was operational, and staff looked at the condition they had imposed and to their surprise found it did call for a flashing light. The fine print in the circular stated a flashing light. Ms. Crane said the tower was not acceptable in its present location and condition and felt the Assembly had an obligation to do something.

Mr. Kiehl said he was concerned that the PC believed it was imposing conditions acceptable to the applicant, but it appears that not only the PC did not impose them, but the FAA and the applicant were not allowed to agree with them. Mr. Steedle said that at the August 16 meeting, the applicant, FAA Flight Standards and CDD staff discussed a steady red light, which in fact violates the FCC regulations which incorporate the FAA advisory standards. Mr. Kiehl asked what process was available to work with the FCC. Mr. Steedle said the FCC has not been approached. CDD had approached the light manufacturer to find out if it could be reconfigured and were told it could not be changed as it complied with the regulations. Mr. Kiehl suggested contacting the FCC.

Mr. Smith asked about standing. Mr. Steedle said CBJ was done with the land use permitting process and no other role to play, unless the Assembly wanted staff to negotiate with the owner of the tower to relocate the tower, and expensive proposition, that could be done. Mr. Smith he would like to have any options articulated to the Assembly.

Ms. Troll asked about the CUP that was issued with internal contradictions and conflicts, and by those coming to light, would there be a legal recourse. Mr. Steedle said that what trumps the argument were the conditions pointing to the FAA standards. The conditions do not stipulate a steady red, it was only in the narrative.

Mayor Sanford asked Ms. DeLabruere about advisory circulars. She said advisory circulars are like regulations and if there was some reason that a standard could not be met, a waiver would need to be applied for and noticed.

Ms. Troll asked about the lack of a flashing red light on the KINY tower within the airspace. Ms. DeLaBruere was not sure of how it was done at the time. Currently anything within airspace triggered review by the "Obstruction Evaluation Group" for IFR and by the local FAA.

Ms. Becker asked and Ms. DeLaBruere said there was no navigational need to have the tower in the location it was at, FAA only reviewed it because it was in the airspace of the airport.

Ms. Crane said accepting an unacceptable situation was not good and said she wanted to know what the options were and the costs involved.

Mr. Wanamaker thanked the staff for going beyond the 500 foot limit for notification to the public for participation in the discussion. The regulatory authorities of the federal government were causing the issues and he wanted to know who owned the land the cell tower was on and what contractual relationship existed with the tower owner, regarding any request to

move the tower.

Mr. Kiehl said he would be interested to see if there were options to ask what a replacement light might cost short of moving the tower.

Mayor Sanford said regardless of any mistakes, the tower had the lighting system that was required by Federal regulations.

Mr. Kiehl said no waiver options had been pursued with the FCC.

Ms. Troll said the summary was good, and she appreciated the work of staff, however the PC thought it was getting a steady light and this was not so - CBJ was in a box and needed to try to find a way out of this. She encouraged those who would testify to provide solutions.

Mayor Sanford asked the public present that wished to testify to come forward.

Gene Randall said the strobe effect impacts residents much farther than the extended public notice. Property in Bayview was negatively impacted, including all residents in the North Douglas Area. The value could not be measured or monetized. CBJ had a responsibility to protect view sheds. The Sphun Island cell tower was a visual blight that diminished the value of place to the entire neighborhood and it should be removed because it was an air traffic hazard and a visual blight. He refused to accept that CBJ was powerless on this issue.

Margo Waring said the view of the glacier was impeded by the tower and the strobe light. People photographed the glacier from North Douglas all year long and now they have a strobe light in the picture. It was difficult to get answers and understand the sequence of events. Something needed to be done and she understood there were limitations but the current situation was not good for visitors, the community and the residents who see the lights 24 hours a day. Lowering the intensity, shielding, and understanding the exact issue for the airport might be helpful.

Bill Andrews said he lived in the cove by the boat ramp on North Douglas where the flashing light was visible. None of the homes in the cove were directly notified and he was out of town when it was installed. It is hard to know why that location in particular was required. Many neighbors met with CDD staff and provided names and emails but did not hear back on that inquiry. The light is the primary issue - it attracts your attention to the tower - which would blend in if not for the light. The light took away from the enjoyment of the area and the viewscape was important to consider when any other cell tower was installed. The only consideration should not be the landowners desire to install a tower.

John Lyman, said he lives on Fritz Cove road and was a pessimist, we have got what we've got - it was done legally. He said Verizon wants to put 51 towers in the community and if there is no moratorium, there will be a replication of this over and over again. The applicant got the site wrong and the tower size wrong and it took months before the city was able to identify the correct information, which is why it went back to the PC several times. There was a meeting held to review the law on this issue, and it was suggested then that a moratorium was necessary. Verizon has a smaller radius than AT&T. A balloon test was needed - on the site, brightly lit, that this was what was coming and this is what it would look like. One should be done on each site in the future. Douglas Mertz said that all of us affected know there was inadequate notice - we did not get notice by anyone - the newspaper ad gave a different description of what it would be. This business about it being driven by an FAA advisory - but FAA made a no hazard determination - the people in FAA may need to talk to each other - maybe IFR vs VRF, but there is no doubt that

this is advisory and the FCC can make it mandatory, but to do that their own regulations require them to do a community impact assessment, that has not been done. This is a situation that calls for community mediation to get all the parties in the room and to identify the true facts and possibilities. He asked the Assembly to mandate community mediation and they would be supportive.

Mr. Steedle said staff would provide a list of the alternatives available, and an answer to who is the owner of the parcel and what contractual obligations exist. Ms. Crane asked for information on community mediation as described by Mr. Mertz.

C. Cell Tower Ordinance and Master Plan Timeline

Mayor Sanford asked for staff to provide a report on the cell tower ordinance and master plan timeline.

Mr. Hart distributed a proposed timeline for a wireless work program to begin this week, once a signed contract was received by January 31. The master plan was anticipated to be received from Cityscape two weeks after the signed contract. The Planning Commission will review the master plan document on February 25. On March 10, the Assembly Committee of the Whole would be presented with the master plan. On March 25, the PC would discuss the master plan and ordinance with a public hearing on April 15th. On April 28, an ordinance would be introduced to the Assembly and additional discussion could take place at the Assembly COW on May 5, with public hearing and action on the ordinance and master plan on May 19th. CDD would move staff to this work program on an aggressive schedule due to concerns about other potential towers. Eric Feldt would be the project manager and Travis Goddard would be the project supervisor.

Ms. Crane asked where public input would be heard on this schedule. She asked for a specific public meeting to invite public input and provide information. Mr. Hart said the public would see the ordinance draft when it went to the PC on February 25 and would have an opportunity during the Planning Commission meetings. Mr. Steedle said a meeting could be added in the schedule between the March 25 and April 15 meetings.

Mr. Jones said he completely agreed with the need to have a public hearing on the plan, which could advise the ordinance. More public comment earlier in the process would be good.

Mayor Sanford asked if there had been public hearings on this topic before. Planning Commissioner Watson joined the meeting and said that the PC had worked on an ordinance. Bob Doll was on the Assembly at that time and the PC worked on the ordinance diligently and there was a lot of comment from the public. He thought that the usual route of Planning Commission to the Assembly would work.

Ms. Troll appreciated the time line. She asked about the idea of a moratorium. She suggested that unless there was a tower request that had a life safety aspect to it, similar to the issue regarding the one at Eaglecrest, that CBJ not move forward with any further towers until this plan was complete.

Mayor Sanford urged the staff to follow through on the proposed plan in a timely manner.

Mr. Kiehl asked for Ms. Mead's comment on moratoria and how they hold up and don't. Ms. Mead said a motion would be needed to put in place a moratorium. They could be upheld when they were in a short duration and when there was active engagement in a review of a subject

matter, such as this schedule, which is developing a guiding document and adoption of a plan.

MOTION, by Crane, to not consider any further cell tower applications, while CBJ was engaged in developing an ordinance and revising the master plan, at least until May 19, 2014, unless they addressed a health/life safety issue.

Mr. Wanamaker said the idea had merit and if the body proposed a moratorium, it should be done carefully in assistance with the attorney. Unless there was a deadline that the moratorium sunsetted at a particular date it could be subject to a challenge. He encouraged a moratorium to be carefully worded - either during an "at ease" or at a future meeting.

Mayor Sanford asked if Ms. Crane was willing to work with the attorney. Ms. Crane said if the motion was not sufficient she would. She had included a specific date. As long as nothing went forward before the next meeting, she could wait to work with the attorney.

Mr. Smith said he did not understand the need for the moratorium - we have a workplan and we would like to see the work begin.

Ms. Troll said we heard testimony about a potential of 50 cell towers that could be applied for at some time in the near future - so it seems reasonable to hold off. She supported the moratorium presented by Ms. Crane.

Mr. Nankervis objected to the moratorium and did not want to close the door on business in the community. He said his experience was that dates get missed and extended for projects to be completed.

Roll call:

Aye: Becker, Crane, Jones, Kiehl, Troll

Nay: Nankervis, Smith, Wanamaker, Sanford

Motion passed, 5 ayes, 4 nays.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford said he attended an Eagle Scout Ceremoney for Ellis Notmeyer and Kieran Poulon from Troop 11. It was very good to see positive youth in our community. Mayor Sanford said he was reassigning Ms. Becker to the Activities Group at the School District - Michael Grubbs or Sandi Wagner would be setting meeting dates. Mayor Sanford said Mr. Jones was finding more information on JEDC's proposal for a prize program for downtown building facades. Mayor Sanford thanked Ms. Troll for her work in the high schools to identify students to participate in the honorary mayor program. Mayor Sanford thanked the volunteers at the fire department for donating the 1920 and 1940 fire trucks and maintaining the history.

Mayor Dunya Hermann thanked the Assembly for the opportunity and said she learned a lot. The Assembly meeting was very interesting. She thanked Mayor Sanford for showing her the ropes. Mr. Nankervis asked for a specific observation. Ms. Dunya said she could appreciate now how much work goes into running a city. She drove around with Mayor Sanford and he had something to say on each thing he saw and it appears that the Mayor runs the whole city.

B. Committee Reports

Committee of the Whole: Chair Becker reported on the COW meeting on January 13 - CBJ was rated #1 in the state of Alaska for a healthy community. The Transit Plan would be taken up in the Finance Committee. The COW heard a report about management of Auke Lake over the past year. The next meeting was set for Feb 10 and agenda items tentatively included a report from John Binkley of the cruise industry, the Whale / Bridge park, the DOTPF 10th St. to Egan project and the 2nd Access to Lemon Creek project.

Finance Committee: Chair Crane said heard a departmental review of Public Works and the next meeting was set for February 12.

Human Resources Committee: Chair Kiehl said the HRC met and heard annual reports and he provided the recommendations from the HRC regarding committee appointments. Hearing no objections, the following appointments were confirmed:

Jensen Olson Arboretum Advisory Board: Kim Garner and Patricia Newman for terms expiring January 31, 2017.

Library Endowment Board: Barbara Berg for a term expiring January 31, 2017.

Utility Advisory Board: Grant Ritter for a term expiring January 31, 2017.

Wetland Review Board: Jerry Medina for a term expiring January 31, 2015.

Local Emergency Planning Committee: Nathan Young to a firefighter position and Rich Etheridge to the firefighter alternate seat, Roger Reddick to the Red Cross position and Scott Novak to the Red Cross Alternate position, and Allison Natcher to the 8a Right to Know Act Seat.

Mr. Kiehl explained the differences in version b of Ordinance 2014-06(b), reviewed by the HRC committee.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting was set for February 6.

Lands and Resources Committee: Chair Smith said the Lands Committee met on January 13 and reviewed a rezoning request for a parcel near the Pioneer home to change from D-5 to D-15 and heard a status report on a proposed subdivision of CBJ lands in Lemon Creek near the middle school. The next meeting was set for February 10.

C. Liaison Reports

Docks and Harbors Board: Liaison Jones said the next meeting was set for January 30. The operations committee met and heard public testimony regarding taxi and parking issues and that discussion is ongoing. There was some damage to the sea float in Statter Harbor that may require repairs before fishing season.

Airport Board: Liaison Nankervis said Ethan Billings had stepped forward with a permit for the airport lounge to stay open and Tracey's Crab Shack would provide catering service. The next meeting was set for February 12.

Planning Commission: Liaison Nankervis said PC met and considered the Bicknell rezoning request. The Planning Commission opted to not reconsider this decision. The next meeting was set for January 28. Beth McEwen of the Clerk's Office was on the schedule to provide board training.

Juneau Commission on Sustainability: Liaison Troll said she attended a recent meeting at which a proposal to use Marine Passenger Fees to electrify the downtown cruise ship docks was discussed. The commission was putting together a letter to the City Manager in support. There was a lot of interest to have cruise ships plug in while they were in port and she would like to have staff help on the variety of dock projects ongoing. Mayor Sanford asked Mr. Wanamaker to take that issue up in PWFC to direct JCOS.

Juneau Convention and Visitors Bureau: Liaison Smith said JCVB met on January 21 and completed its strategic plan JCVB will participate in the next edition of the Comprehensive Plan and would participate more with Docks and Harbors and with the Economic Development Plan.

Bartlett Regional Hospital Board: Liaison Crane said the next meeting was set for January 28.

Affordable Housing Commission: Liaison Kiehl said the next meeting was set for Saturday, February 1, for a retreat about housing plans in other community. The next regular meeting was set for February 4.

School Board: Liaison Kiehl said the School Board was considering capital projects for bonding and for the ballot and it would be good to have a conversation about shared priorities. Mayor Sanford noted a Special Assembly Meeting set with the School Board on February 26.

Parks and Recreation Advisory Committee: Liaison Wanamaker said the next meeting was set for February 4.

Chamber of Commerce: Liaison Becker said the Chamber held its annual retreat, and it was a hard working group that would help with the economic plan.

Alaska Committee: Liaison Becker said the Legislative Reception on January 23 was well received, with great food, and a good mood. She thanked the community for the gift bags and the funding, the Alaska Committee worked very hard along with CBJ staff and others. She said Anne Metcalf, Andy Kline and Kevin Jardell were appointed as new members at the annual meeting.

UAS Campus Council: Liaison Becker said the next meeting was set for February 3.

D. Presiding Officer Reports

Harris v Planning Commission: Presiding Officer Nankervis said the decision was being drafted.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mayor Sanford said he visited the new Island Hills Apartment open house and they will begin on the footings for the next 24 units. This was progress. Mayor Sanford said the Department of Labor issued a new population statistic for Juneau at 33,064, which was an increase.

Ms. Crane thanked Mr. Jones for bringing up the parking at the dock issues as all Assemblymembers had heard comments, letters, and at some point she would like a report on what was going on there regarding the situation. She said it was hard to know how to respond.

Mayor Sanford said this issue was publicly discussed for the past six years, and the Docks and Harbor staff had met with concerned parties recently. It was not likely that everyone's needs could be met due to space limitations. The project completion date was anticipated as May 1.

Mr. Smith appreciated the regular updates from the city manager. The public's interest was still heightened regarding parking and he would like to see more publicity about the parking situation and how things were working. Mayor Sanford encouraged all members to use speaking opportunities to get the message out.

Mr. Kiehl asked about the parking plan and the pay boxes. Ms. Kiefer said the boxes were on the barge now and should be in town Wednesday. They were previously used boxes so would need renumbering according to their location. They would be installed at the North Franklin Lot, the Corner of Main and Egan outside the garage and inside the Marine Parking Garage. When installed, radio and newspaper ads would go out explaining their use. Warnings would be issued for two weeks prior to enforcement. Docks and Harbors was also opening up the Marine Park deck for parking permit holders from February 1 - April 15. A Special Assembly meeting would be scheduled for February 10 regarding parking options. On street parking would be limited to two hours per day and longer times would require parking permits - there was space available in the Marine Park garage.

Ms. Troll asked if there would be an opportunity for a joint meeting with the Assembly and the Hospital Board. Ms. Crane said she was working on finding a time, what could be discussed in and out of executive session and would come up with a plan.

Mr. Wanamaker supported a meeting with the BRH Board and staff and was preparing a list of questions and hoped that most of it would be in the open, with a minimum of executive session discussion. He encouraged other Assemblymembers to provide questions to the city manager to allow the staff time to prepare.

Mr. Nankervis thanked everyone that was involved with the Legislative Reception - it was a laid back party and people didn't want to leave. He asked Mr. Kiehl if he heard about the reception and how it was received. Mr. Kiehl said they got very good feedback this year. One Senator said it was the finest welcome that he had gotten in a long time and it reminded him about how Alaska used to be

Mr. Nankervis asked to bring forward the Auke Lake Management Plan and work with Law and Parks and Recreation Department to review the needs. There was no objection expressed.

Mr. Jones reported on attending the Fire Department Awards Banquet, and Travis Mead received the Fireman of the Year award. On February 1 the Assembly was offered firefighter training.

Mr. Kiehl asked about the request from the public to get written reports from staff in the packet. Mayor Sanford asked staff to respond at the next meeting about the work involved with that.

Mr. Kiehl said that in regard to the comments about funding for the Performing Arts Center and the Dock Project 16b, it was important to note the dock project had its own funding source that would pay the costs, it was an expansion of an existing structure with more capacity and public input had been provided. The Assembly and the voters approved early funding for planning for a Performing Arts Center and those are tax dollars. He was pleased with both projects that were at different stages.

Ms. Troll thanked everyone for the legislative reception and acknowledged the work of the staff on the cell tower ordinance. It was great that Juneau was the healthiest city in the state and it was something to use in the economic development plan and marketing.

Mr. Smith asked about an update regarding an advisory committee for the economic development plan. Mayor Sanford said he would discuss this with staff and report back about advisors for the effort. Mr. Jones said he was not aware that was part of the effort and given that the Chamber of Commerce in their report two weeks ago said the job market was health care consideration to adding someone from Bartlett on that study would be good. We are looking at an aging population and this would be helpful.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Dixie Hood commented about the Commission on Aging and its recommendation about holiday bus service. She asked about the transit plan. Ms. Kiefer said staff asked the Assembly to adopt the transit plan, then the financing of the plan would happen in the Finance Committee. Ms. Hood said the reception was wonderful and she really enjoyed the photo of Dennis Egan and Mike Chenault.

Mayia Lager, said she appreciated the time the Assembly took to reconsider the cell tower issues and the planning it was doing for the community.

Sue Ann Randall thanked the Assembly for the work on the cell tower issues and appreciated the temporary moratorium.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 10:00 p.m.

Signed: _____

Laurie Sica, Municipal Clerk

Signed: _____

Merrill Sanford, Mayor