

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - November 25 2013

MEETING NO. 2013-29: 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; Jane Sebens, Deputy City Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Bob Bartholomew, Finance Director; Hal Hart, Community Development Director; Eric Feldt, Planner II; Rorie Watt, Engineering Director; Greg Chaney, Lands Manager; Mila Cosgrove, HRRM Director; Kirk Duncan, Public Works Director; Bryce Johnson, Police Chief; Gary Gillette, Port Engineer; Robert Barr, Library Director; and Amelia Jenkins, Asst. Library Technician.

II. SPECIAL ORDER OF BUSINESS

A. 2013 Friends of the Library Bookmark Contest Winners

Amelia Jenkins of the Juneau Public Libraries displayed the winning entries in the annual Bookmark Contest, which was started in 1982 to be a fun, grass roots campaign to building a new library in the valley. Every year there were three winners per grade. This year there 1300 entries and three of the winners were present to be acknowledged.

III. APPROVAL OF MINUTES

A. October 28, 2013 - Special Assembly Meeting 2013-27

Hearing no objection, the minutes of the October 28, 2013 Special Assembly Meeting 2013-27 were approved.

B. October 30, 2013 - Assembly Retreat Minutes

Hearing no objection, the minutes of the October 30, 2013 Assembly Retreat were approved.

C. November 4, 2013 - Regular Assembly Meeting 2013-28

Hearing no objection, the minutes of the November 4, 2013 Regular Assembly Meeting 2013-28 were approved.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Kiefer said that Jane Sebens was prepared to meet with the Assembly regarding a draft decision in the O'Brien v CBJ Assessor appeal and the issue was added to executive session.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Lorraine Murray spoke about fireworks and said they do not belong in residential areas.

Fireworks had been illegal in Juneau except for the public fireworks display downtown during the 4th of July. The “disturbing the peace” law had been used to enforce this ban on private firework displays and to date there had been no appropriate legal process to change this. If CBJ wanted to change the law regarding the use of fireworks then CBJ should use the legislative process to make the change and create a Firework Ordinance so that the public could give input. Fireworks had a huge impact on people's lives and were explosive devices. The range of noise from fireworks was from 130 dB to 190 db. Zoning laws prohibited blasting and regulated that activity. CBJ needs to “walk back” and not allow the use of fireworks in residential areas. No proper evaluation was done on fireworks – there was a meeting of the Assembly Committee of the Whole but the discussion was not comprehensive. The public deserved a comprehensive evaluation and an ordinance.

Kate Troll asked if the draft ordinance amending the “disturbing the peace” code would effectively address her concerns.

Ms. Murray said she did not think the “reasonable person standard” would be effective and doubted that it could be enforced in an unbiased manner, so did not think that the ordinance would be effective.

Francie Shrupp said she heard there was pending legislation that would allow fireworks in the community. Mr. Sanford said that was not the case. She said she did not support such legislation because fireworks were enough of a problem with them being illegal. Ms. Mead said Title 19 did allow some fireworks to be used in the CBJ. The proposed ordinance in 2011 that would prohibit the sale did not pass. The ordinance on noise related to a “reasonable person” standard but it did not prohibit the use of fireworks or change what was currently in effect.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
None.

B. Assembly Requests for Consent Agenda Changes
None.

C. Assembly Action

MOTION, by Nankervis, to adopt the consent agenda as presented. Hearing no objection, the consent agenda was adopted.

1. Ordinances for Introduction

- a. Ordinance 2013-11(Y) An Ordinance Appropriating To The Manager The Sum Of \$12,505 As Funding For The Purchase Of Law Enforcement Equipment; Funding Provided By The Roaded Service Area Fund Balance, Asset Forfeiture Reserve

This ordinance would appropriate \$12,505 for the purchase of six Nikon D5200 cameras for use by the Criminal Investigations Drug Unit and one Tac Ops Delta Sniper Rifle with a Nightforce 3.5-15X50 Illuminated Mil Dot riflescope to be assigned to the SWAT Unit. Funding is provided by the asset forfeiture reserve, which is a portion of the Roaded Service Area fund balance.

The funding source is from asset forfeiture and seizure monies the police department has received as a result of major drug investigations. Under state and federal asset seizure statutes, monies that are realized as a result of the seizure and disposal of personal assets of individuals involved in drug trafficking can be equally divided among the various agencies involved in the investigation. Once those assets are allocated to the agencies involved, the monies seized must be expended in the area of law enforcement/drug enforcement efforts.

The asset forfeiture reserve currently has \$295,000 available for use.

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

- b. Ordinance 2013-11(Z) An Ordinance Appropriating To The Manager The Sum Of \$75,000 As Funding For Enhanced Security And Monitoring Capabilities At The Downtown Cruise Ship Docks; Grant Funding Is Provided By A US Department of Homeland Security Port Security Grant

This ordinance would appropriate \$75,000 for the design, procurement and installation of new security cameras for the downtown cruise ship docks and for enhanced portable radios. Grant funding is provided by the US Department of Homeland Security – Port Security Grant Program.

This is an operating grant and requires a \$25,000 match for a total approved project amount of \$100,000. This match will be met by the Docks Fund existing FY14 adopted budget and there is no need to appropriate the \$25,000 from the Docks Fund fund balance.

This project will provide greater security and monitoring capabilities consistent with federal law and the CBJ Docks & Harbors Facility Security Plan.

The Docks & Harbor Board reviewed and recommended approval of this grant funding at its October 31, 2013 meeting.

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

2. Resolutions

- A. Resolution 2667 - A Resolution Authorizing the Manager to Apply for and Enter Into a Loan Agreement with the State of Alaska Department of Environmental Conservation Through its Alaska Clean Water Fund for the Glacier Highway Sewer Improvements Project.

This resolution is to authorize the City Manager to enter into a loan agreement with the Alaska Department of Environmental Conservation, Alaska Clean Water Fund, to provide \$1,150,000 of funding for the Glacier Highway Sewer Improvements Project.

The general scope of work for the Glacier Highway Sewer Improvements Project includes replacement of 2,500 feet of sewer force main along Glacier Highway from Anka Street to Davis Avenue and the Gruening Park lift station.

The Gruening Park lift station work includes replacement of the existing 33-year-old suction style sewage lift station with a new CBJ standard duplex sewage lift station, new submersible pumps, new control systems, and the replacement /upgrade of the existing generator. The existing generator building is in excellent condition (CMU Block structure) and with minor routine maintenance will provide a sound structure exceeding the design life of the new CBJ lift station.

The sewer force main has broken numerous times in recent years, with 2 or 3 breaks within Glacier Highway occurring in the past 5 years due to deteriorated pipe. Replacement of this force main with a new HDPE force main is planned to occur in conjunction with the ADOT project as it will be installed within the DOT ROW and will most likely be placed under the new bike lane or sidewalk.

The terms of the low interest loans under the Alaska Clean Water Fund program are 20-year repayment at 1.5 percent interest. The project loan will be re-paid with Wastewater Utility customer revenues for the project.

The Public Works and Facilities Committee passed a motion of support for the resolution at its November 18, 2013 meeting.

I recommend this resolution be adopted.

- B. Res. 2668 - A Resolution Authorizing the Manager to Apply for and Enter Into a Loan Agreement with the State of Alaska Department of Environmental Conservation Through its Alaska Drinking Water Fund for the Water Main Replacement – Egan Drive, 10th Street to Main Street Project.

This resolution is to authorize the City Manager to enter into a loan agreement with the State of Alaska Department of Environmental Conservation, Alaska Drinking Water Fund, to provide \$2,000,000 in funding for the Water Main Replacement – Egan Drive, 10th to Main Street Project.

The project will replace the 43-year-old water system along Egan Drive from 10th Street to Main Street. This work includes replacement of approximately 4,000 feet of water piping within the Egan Drive corridor between 10th Street and Main Street. The current system extends from Main Street to Whittier Street and connects to each of the side streets and the Whittier Street water main. The system begins again at Glacier Avenue, and extends to 10th Street, connecting to each of the side street intersections, as well as, the mainline feeds that cross the Juneau Douglas Bridge. An alternate plan of connecting the two ends of the water system to form another secondary redundant water system loop along Egan Drive is being evaluated in the event additional funds are available. The work within the Egan Drive corridor will include replacing all existing services within the extents of the project.

The terms of the low interest loan under the Alaska Drinking Water Fund program are 20-year repayment at 1.5 percent interest. The project loan will be re-paid with Water Utility customer revenues for the project.

The Public Works and Facilities Committee passed a motion of support for the resolution at its November 18, 2013 meeting.

I recommend this resolution be adopted.

3. Bid Award

A. Bid E14-022 Pioneer Avenue Reconstruction Phase III

This project consists of reconstruction of Pioneer Avenue from No. 3151 Pioneer Avenue through the Blueberry Hills Road intersection.

Bids for this project were opened on November 8, 2013. The bid protest period expired at 4:30 p.m. on November 13, 2013. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Total Bid</u>
Arete Construction Corp.	\$1,034,925.00
Admiralty Construction Inc.	\$1,047,885.00

Engineer's Estimate: \$1,043,044.00

I recommend Award of this project to Arete Construction, Corp. for the total amount bid of \$1,034,925.00.

4. Liquor License

a. Liquor License Renewals

1. Beverage Dispensary License #728: JD Entertainment Inc. d/b/a The Island Pub, location: 1102 2nd Street, Douglas

2. Beverage Dispensary License #1166: Triangle Club Inc. d/b/a Triangle Club, location: 251 Front Street

3. Package Store License #2066: Fred Meyer Stores Inc. d/b/a Fred Meyer #158, location: 8181 Glacier Hwy.

4. Package Store License #521: Thibodeau's Market Inc. d/b/a Home Liquor, location: 465 W. Willoughby Ave.

5. Package Store License #661: Thibodeau's Market Inc. d/b/a Kenny's Liquor Market, location: 619 Willoughby Ave.

6. Package Store License #1129: Thibodeau's Market Inc. d/b/a Liquor Barrel, location: 5235 Glacier Hwy.

7. Package Store License #4422: Thibodeau's Market Inc. d/b/a Thibodeau's Valley Liquor, location: 9106 Mendenhall Mall Road

8. Restaurant/Eating Place License #2812: Genuine Ventures LLC d/b/a Tracy's King Crab Shack, location: 356 S. Franklin Street

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 one or more of the above mentioned liquor license renewals, 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.

5. Transfers

a. T-948 Transfer \$75,000 from Auke Lake Sewer to Auke Bay Sewer Extension

This transfer of \$75,000 from the Auke Lake Sewer CIPU76-006, would create a new CIP, Auke Bay Sewer Extension, to investigate the feasibility of extending municipal sewer across Wadleigh Creek to the urban service boundary adjacent to Auke Nu Creek.

Currently, the municipal sewer system from Auke Bay stops at Wadleigh Creek. There has been a recent request from the owner of a large tract of land to look into the possibility of a sewer extension beyond Wadleigh Creek. The area under consideration is within the urban service boundary and adjacent to the Auke Bay planning area. The request from the developer is logical and we think it makes sense to properly investigate the issue. We do not know if there is support from other property owners in the area for municipal sewer.

The Auke Lake Sewer Project will be constructed next spring. Due to a competitive bidding climate, we received bids significantly lower than our initial estimates, which allow us to utilize this \$75,000 to investigate the sewer expansion and retain sufficient funds to complete the Auke Lake project. The Public Works and Facilities Committee reviewed and forwarded this request at its October 28, 2013 meeting.

I recommend this transfer be approved.

b. T-949 Transfer \$150,000 from Waterfront Seawalk to Last Chance Basin Hydro-Geo

This request would transfer \$150,000 from the Downtown Seawalk CIP H51-091 to the Last Chance Basin CIP W75-037 to partially fund the design for the rehabilitation of the Last Chance Basin Well Field.

Well field production in the Last Chance Basin has been declining to the point that the Water Utility was unable to meet peak drinking water demand this summer. Peak demand occurs in the summer months and is largely driven by the desire of cruise ships to fill up with drinking water while in our port.

This past summer the Utility was unable to supply cruise ships with a stable or predictable water supply. Last month, staff from Engineering, Public Works and Manager's office met with cruise ship representatives to discuss the issue. Well field rehabilitation is a priority of the Utility and Assembly as is evidenced by our DEC Grant application and designation of it as a priority project by the

Assembly. It is a priority of the cruise ship industry to improve the water supply as soon as is feasible.

Depending on the decisions made, a well field rehabilitation project could cost on the order of three million dollars. It is in both the Utility and cruise ship industry's interests to better define and estimate a well field rehabilitation project. At our meeting, there was support from the industry representatives to use Passenger Fees towards that end.

The Pubic Works and Facilities Committee reviewed and forwarded this request at its November 18, 2013 meeting.

I recommend this transfer be approved.

- c. T-950 Transfer \$100,000 from Lemon Flats 2nd Access ROW to Flood Plain Mapping Technical Assistance

This request would transfer \$100,000 from the Lemon Flats CIP to the Flood Plain mapping Technical Assistance CIP to help provide technical assistance to the public impacted by the adoption of the newly adopted National Flood Insurance Program flood plain maps.

The CBJ adopted a new flood map and study in August of this year through the National Flood Insurance Program. This new map replaced the previous 20- and 30-year old flood map and study. The flood map shows high- and low-risk flood areas, such as the 100-year flood zone. Owners are required to pay for flood insurance if their building is located in a high-risk flood zone and if it is financed through a mortgage or loan. While the new mapping removed 272 structures from the high risk zone, it included 226 new buildings which are now categorized in high risk flood areas.

During the public process prior to adoption, concerns were raised about the accuracy of the new flood maps. Upon adopting the flood maps, the CBJ made a list of options that could help re-map buildings out of the high-risk flood zones. Since the adoption of the flood map, CDD has helped some owners amend the maps to place them into a low-risk flood zone. However, much work still lies ahead. One of the biggest options that could help owners would be to have an engineer complete a new hydraulic and hydrologic study along the coastal area where flood insurance is most expensive and where the public had greatest concern about the accuracy of the flood map.

The Pubic Works and Facilities Committee reviewed and forwarded this request at its November 18, 2013 meeting.

I recommend this transfer be approved.

VII. PUBLIC HEARING

- A. Ordinance 2013-28 An Ordinance Relating to Snow Removal Parking Prohibitions, Civil Fines and Civil Fine Procedure, and Providing for a Penalty.

This ordinance would replace the criminal infraction process in place for handling violations of the snow removal parking prohibition ordinance and the ordinance

prohibiting the placement of snow and ice in public ways by making violations of those code sections civil violations. The penalty amounts remain unchanged.

I recommend adoption of this ordinance.

Public Comment: None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2013-28.

Kate Troll referred to an email with three suggestions for ordinance changes from John Sivertsen: to ensure the law allowed for citations whether, or not, the vehicle was removed; to provide that the fine was a maximum and could be reduced at the discretion of the hearing officer, and to allow for towing and storage fees for removed cars to be assessed as separate matters distinct from the fines.

Ms. Mead said there was an existing ordinance allowing for assessing towing and storage fees in addition to the citation outlined in CBJ 72.22.060 as a separate matter.

Ms. Mead said currently the fine structure outlined the penalty imposed. Allowing the hearing officer to reduce fines was technically possible but it would require additional language to define the amount of discretion the hearing officer would have in order to avoid an arbitrary imposition of fines. Some jurisdictions set a minimum amount and gave the hearing officer discretion in extraordinary circumstances to reduce the fine, some said up to 50% reduction but not below a certain minimum. She said this type of amendment would require further discussion and consideration by the Assembly.

Ms. Mead said that if a vehicle was moved after a citation was issued that would not negate the citation. Mr. Kiehl said he thought the argument made was that the person was cited and then towed, so the vehicle was no longer parked on the street. Ms. Mead did not express concern.

Mr. Kiehl said there had been discussion of a reduction of a civil violation by the hearing officer in the interest of justice. Ms. Mead said the matter could be dismissed in the interest of justice, but the fine schedule was set and was not a range of fines. That could be address in the context of Title 3 – the fine schedule.

Ms. Troll said that the way the ordinance was written it addressed Mr. Sivertsen's points with the exception of the discretion of the hearing officer, which would require additional language. Given the low amount of the fine, she did not see a need to make further changes.

Ms. Troll withdrew her objection.

Hearing no objection, Ordinance 2013-28 was adopted..

B. Ordinance 2013-29 - An Ordinance Establishing the Human Resources and Risk Management Department.

Human Resource Risk Management (HRRM) is currently a division within the Administrative Department. This ordinance would create a Human Resources Risk Management Department, similar to other CBJ Departments such as Engineering, Library and Community Development. The responsibilities of the Human Resources

Division have increased over the past few years to include the Risk Management responsibility. The Risk Management function provides services to the Juneau School District and Bartlett Regional Hospital. Most recently HRRM has expanded service to provide consolidated HRRM services to Bartlett Regional Hospital.

I recommend adoption of this ordinance.

Public Comment: None.

Assembly Action:

MOTION, by Crane, to adopt Ordinance 2013-29.

Mr. Wanamaker suggested that this matter be referred to the Committee of the Whole for review. He had questions about workload, how this developed and how it fit in with Bartlett Regional Hospital's (BRH) operations. He wanted to hear from the Bartlett Board and CEO about their wishes, as they restructured in 2011 and he wanted to know if this was a good change for both Bartlett and CBJ.

Ms. Crane said as the Assembly liaison to the BRH Board, this was a topic of discussion at several meetings and the Board was in unanimous agreement to consolidate human resources with CBJ in this manner.

Mr. Jones asked if a manager of a department had a different pay scale than the manager of a division, were there any additional staff anticipated and what the budget implications would be of this ordinance.

Ms. Kiefer said there would be a slight increase in the CBJ budget from BRH. There was a plan to bring this information back to Finance Committee in December regarding the detailed finances and the long term restructuring. BRH committed to providing the revenue to make this transition work.

Mr. Crane said BRH had identified significant savings with this merger.

Ms. Becker asked to discuss this at a future meeting with more details such as what CBJ would gain, what BRH would gain, the costs, what the staffing levels would be and if more office space would be needed.

MOTION, by Wanamaker, to refer Ordinance 2013-29 to the Finance Committee.

Mr. Wanamaker said it was important to hear from the BRH Board and the CEO directly. He Assembly had discussed the need for improved communications between the Board and the Assembly.

Mr. Smith said he would like to see a discussion of the benefits of the change in the new management scheme.

Ms. Troll said there was merit to articulate the benefits of the change.

Hearing no objection, Ordinance 2013-29 was referred to the Finance Committee.

C. Ordinance 2013-11(W) An Ordinance Appropriating To The Manager The Sum Of

\$145,550 As Funding for the State Homeland Security Program, Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs

This ordinance would appropriate \$145,550 for the 2013 State Homeland Security Programs (SHSP) Grant from the Alaska Department of Military and Veterans Affairs.

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

- CBJ Staff Participation in Alaska Shield 2014 Exercise
- After Action Review Travel for Alaska Shield 2014 Exercise
- Camera and Access Systems for JPD and CCFR Facilities
- Bulk Fuel Storage Facility Assessments and Response Planning
- Pagers for CCFR
- Portable Radio Repeater for First Responders

The term of this grant is October 1, 2013 through March 31, 2015.

There is no match requirement for this grant.

I recommend adoption of this ordinance.

Public Comment: None.

Assembly Action:

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

Mr. Nankervis said he did not object but wanted to say that CBJ needed to be aware of the hidden costs of grant funding – there was a cost to house and maintain equipment, and this should be kept in mind by staff when obtaining new equipment.

Ms. Becker asked if the emergency responders requested these items. Ms. Kiefer said yes, JPD and Fire had requested these items, and the grant manager was in communication with the departments.

Hearing no objection, it was so ordered.

- D. Ordinance 2013-11(X) An Ordinance Appropriating To The Manager The Sum of \$58,000 As Funding For Law Department Office Space To Accomodate Additional Staff; Funding Provided By The General Fund Fund Balance.

This ordinance would appropriate \$58,000 for additional office space to accommodate 2 new Law Department staff members. Funding would be provided by the General Fund fund balance.

Two options were provided to the Assembly Finance Committee at its October 16, 2013 meeting to provide the additional space needed. Option 1 would remodel existing office space in the Municipal Way Building at an estimated cost of \$52,000. This also includes estimates for custom office furniture that would make the best use of the remodeled space. Option 2 would allow the Law Department to move to the Sealaska Building and allow Human Resources staff to move out of the Municipal Way Building basement to

the space currently occupied by the Law Department. Option 2 is estimated to cost \$58,000, which includes moving, IT installation and furniture. The Assembly Finance Committee approved pursuing Option 2 and requested more definite cost estimates be presented at the next finance meeting.

The Assembly Finance Committee reviewed staff recommendations at its November 13, 2013 meeting.

I recommend adoption of this ordinance.

Mr. Smith stated a conflict of interest and requested to be excused. Hearing no objection, Mr. Smith stepped away from the meeting.

Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to adopt Ordinance 2013-11(X).

MOTION, by Jones, to amend Ordinance 2013-11(X), to add after the end of Section 2, “These funds are to be used to remodel existing office space in the Municipal Way Building at an estimated cost of \$52,000. This also includes estimates for custom office furniture that would make the best use of the remodeled space.”

Mr. Wanamaker objected to the amendment. He said that it was not the best course for a variety of reasons. He asked about the lease rates at the Sealaska Building and how they compared to current market rates.

Greg Chaney said the lease rates at the Sealaska Building were 20% below market rate.

Mr. Wanamaker said he was concerned about the current office space for the Human Resources Division in the basement and asked if the offices met OSHA requirements for human safety and welfare. Mr. Chaney said he was not sure about the OSHA requirements, but the ventilation did not currently comply with CBJ’s contract for the space.

Mr. Wanamaker said he had been in both the HRRM area and the Law Department and there was simply not enough space. The HR department needed to move into the Law Department’s area, however, the issue was to decide whether to move the Law Department to the Sealaska Building. The Law Department was adding staff and needed to be provided with a clean, efficient work space.

Mr. Jones said the most cost efficient way to address the Law Department’s needs was to remodel the existing space, and this ordinance was not referring to moving the HRRM Division or moving out of the Municipal Way Building.

Mr. Kiehl spoke in favor of the amendment. He appreciated the work of the Law Department and the constraints they worked under. CBJ made a good move with adding staff and the remodel was sorely needed. The cost estimates, even below market, for increased ongoing leased space, would be difficult to add to the budget. He thought the amendment was a better use of the tax dollar.

Mr. Nankervis spoke in favor of the amendment. He said there was a \$6,000 difference and he was a proponent of CBJ staff being in one place. He did not want to see the staff further

fragmented.

Roll call on amendment:

Aye: Jones, Kiehl, Nankervis

Nay: Becker, Crane, Troll, Wanamaker, Sanford

Motion failed, 3 ayes, 5 nays.

Roll call on main motion to adopt Ordinance 2013-11(X):

Aye: Becker, Crane, Troll, Wanamaker, Sanford

Nay: Jones, Kiehl, Nankervis

Motion passed, 5 ayes, 3 nays.

Mr. Smith rejoined the meeting.

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

A. 1% For Art - Mendenhall Valley Public Library

PWFC reviewed the 1% Art selection for the new Mendenhall Valley Public Library at its November 18, 2013 meeting, and recommended forwarding to the full Assembly for approval.

I recommend approval of the 1% Art selection.

Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to approve the 1% for art award. Hearing no objection, it was so ordered.

X. STAFF REPORTS

None.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford said seven Assemblymembers and some staff attended the Alaska Municipal League meetings in Anchorage. Ms. Crane was the new League president and Mr. Jones was an AML Board Member. Former Assemblymember Dybdahl was the recipient of the 2013 "Elected Official of the Year" award from the AML membership. He appreciated the support of the goal of reaching out to other Alaskan communities.

A. Committee Reports

Committee of the Whole: Chair Becker said the COW met on November 18 and heard from Sioux Douglas regarding ideas for providing assisted living facilities in Juneau and a "campus" of related needs. Ms. Becker said the Assembly may be approached about providing 2-5 acres of land and funding for a needs assessment. Chair Becker said that Ava Bornstein and Kevin Crowley reported from JEDC regarding a recent visitor satisfaction survey focused on people

living here during session. Parking was still a concern, as well as food concessions at the airport, which was recently addressed. JEDC also provided information on its 2013 Economic Indicators Survey. The next meeting was set for December 9.

Finance Committee: Chair Crane said the next meeting was set for December 18.

Human Resources Committee: Chair Kiehl provided the recommendations from the HRC regarding committee appointments. Hearing no objections, the following appointments were confirmed:

Gastineau Elementary 1% for Art Committee:
Carole Bookless and Cory Wall

Douglas Advisory Board:
John Delgado, Mary Kay Pusich and Adam Garner for terms expiring September 30, 2016.

Historic Resources Advisory Committee:
Zane Jones for a term expiring June 30, 2015. Marcy Sowers for a term expiring June 30, 2016.

Chair Kiehl said that HRC had approved the changes proposed by HRAC to their bylaws, including the removal of the two year term limit for board members.

Juneau Commission on Sustainability:
Lauren Heine for a term expiring June 30, 2014.

Juneau Human Rights Commission:
Caitlin Teaster for a term expiring June 30, 2014.

Social Services Advisory Board:
Adeline Violas and Caitlin Teaster for terms expiring September 30, 2015.
Jenny Fremlin and Diana Wright for terms expiring September 30, 2016.

Chair Kiehl said there were several applicants for both the Hospital Board and the Planning Commission so the meeting of the Full Assembly sitting as the HRC for interviews would be split. Hospital applicants would be interviewed December 5 at 5:30 p.m. and Planning Commission applicants would be interviewed on December 12 at 5:30 p.m.

Mayor Sanford asked Assemblymembers to encourage interested persons to apply for the Utility Advisory Board.

Lands and Resources Committee: Chair Smith said the next meeting was set for December 9.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting would be announced.

A. Liaison Reports

Airport Board: Liaison Nankervis said the Airport Board was working on a concession agreement for Abby's Kitchen, a RFP for a master plan, the Yandukin repaving was almost done, and the runway rehabilitation project was under review for funding options and must be completed within

one year.

Planning Commission: Liaison Smith said the Planning Commission met on November 12 and heard a report from DOT/PF on the reconstruction of Egan in the downtown area. There was also a presentation on Statter Harbor Phase 2 construction beginning in August 2014. The Planning Commission accepted staff recommendations for the formation of an Auke Bay Planning Committee.

Juneau Commission on Sustainability: Liaison Troll said the commission was moving forward with work on the energy plan and would be issuing an RFP.

Alaska Coastal Rainforest Center: Liaison Troll met with the Executive Director and the group had amended its bylaws and was scaling a large board down to a small steering committee. CBJ would no longer have a seat on the Board or any formal role with the steering committee. She said that she confirmed with the Executive Director that the original intentions of the ACRC were being met. She intended to follow their developments and asked them to keep CBJ informed. Mayor Sanford expressed concern over the lack of inclusion of CBJ and encouraged continued CBJ involvement as ACRC was an important scientific endeavor in the community.

Ms. Troll said she attended AML's Newly Elected Officials session, which was informative. The AML sessions regarding energy projects in the state and renewable energy were valuable and she attended a good session on the bond market and municipal bonds. It was a productive, educational conference with good networking.

Juneau Convention and Visitors Bureau: Liaison Smith said JCVB met on November 21 and heard from Hal Hart and Dennis Watson of the Planning Commission on how the visitor industry could participate in the next update of the comprehensive plan. JCVB discussed visitor industry housing and transportation needs.

Bartlett Regional Hospital Board: Liaison Crane said the board had considerable discussion regarding "call" issues – doctors responding to needs at the hospital – and progress was being made. She invited people to attend the opening of the new Southeast Radiation and Oncology Center.

Mayor Sanford said that he intended to schedule a joint meeting of the Assembly and the BRH Board in early January.

Ms. Crane said she attended a session on FEMA mapping at AML and found that Juneau had been selected to undergo another session of FEMA mapping. She asked for a staff presentation on this topic on how the process would work.

Affordable Housing Commission: Liaison Kiehl said the AHC continued work on the loan program proposal to increase funding for accessory apartments and mobile homes and would make a presentation to the Lands Committee. The next AHC meeting was set for December 3.

School Board: Liaison Kiehl said the Board met and received a clean audit and financial report. Those financial statements were provided to the Assembly. The Board received briefing from staff regarding problems with internet broadband connection at Thunder Mountain High School, and the board may make a legislative or Assembly funding request for a solution. JSD had not hired a lobbyist in the past, but may wish to engage the services of the CBJ lobbyist.

Mr. Kiehl said he got a lot of value from conversations with colleagues around the state on shared challenges at the AML Conference.

Juneau Economic Development Council: Liaison Wanamaker said JEDC had updated its by-laws and was working on preparing for the Innovation Summit to be during the legislative session.

Parks and Recreation Advisory Committee: Liaison Wanamaker said the next meeting was set for December 3.

Alaska Committee: Liaison Becker said the committee met on November 13 and heard an update on the capital renovation, which was complete for now until restarted in the spring after session. The committee was working on the Legislative Reception and had received many contributions. The next meeting was set for December 11. Juneau Chamber of Commerce: Liaison Becker said the annual Chamber Dinner was set for December 6 and she encouraged attendance.

A. Presiding Officer Reports

Presiding Officer Jones said that the Assembly would meet to review the draft decision in the O'Brien v CBJ Assessor Appeal tonight following the Assembly meeting and that the Assembly had held the hearing for the Cavagnaro v CBJ Assessor Appeal immediately preceding the Assembly meeting tonight.

Harris v Planning Commission Appeal: Presiding Officer Nankervis said the hearing was set for January 6.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Jones asked that a reconfiguration of the Municipal Way office space be part of the discussion on pending Ordinance 2013-29.

Mr. Nankervis passed on positive comments he had received about Hal Hart's work for the Community Development Department. He wished everyone a safe and happy thanksgiving holiday.

Ms. Troll wished everyone a Happy Thanksgiving.

Mr. Smith provided suggestions for the next AML conference to Ms. Crane, including a presentation on the Governor's proposed operating and capital budgets, and a revenue forecast from Scott Goldsmith.

Mr. Kiehl attended the Filipino Community fundraiser to benefit victims of the typhoon. In lieu of a Thanksgiving meal they served a lot of food to a lot of people and raised more than \$21,000 in aid.

Mr. Wanamaker and Ms. Crane expressed interest in hearing a report about the prosecution of a police case in Oregon at a future Assembly executive session. Hearing no objection, that was added to the next Assembly meeting agenda.

Ms. Becker said that the Southeast Conference Energy Committee would be meeting on November 26. She wished all a happy holiday and invited all to attend the Tree Lighting Ceremony hosted by the Douglas 4th of July Committee on Friday, November 29, at 6:30 in the Pioneer Pavilion at Savikko Park.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

A. O'Brien v CBJ Assessor Appeal - Review of DRAFT Decision

In lieu of an executive session within the Assembly meeting, the Assembly moved to adjourn the regular meeting and meet following the Assembly meeting in closed session to review the draft decision on appeal, as review of a decision in a quasi-judicial matter was exempt from the open meetings act.

XV. ADJOURNMENT

Hearing no objection, the meeting adjourned at 8:29 p.m.

Signed:_____

Laurie Sica, Municipal Clerk

Signed:_____

Merrill Sanford, Mayor