

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – September 9, 2013

MEETING NO. 2013-23: 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, Johan Dybdahl, Loren Jones, Jesse Kiehl, Jerry Nankervis (Teleconference), Merrill Sanford, Carlton Smith, and Randy Wanamaker.

Assembly Absent: None.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Amy Mead, City Attorney; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Brent Fischer, Parks and Recreation Director; Myiia Whato, Recreation Superintendent; Kathrin Millhorn, Aquatics Manager; Hal Hart, Community Development Director; Rorie Watt, Engineering Director; Carl Uchtyl, Port Director; Patricia DeLaBruere, Airport Manager; Ken Nichols, Airport Engineer; Bryce Johnson, Police Chief; Ed Mercer, JPD Deputy Chief; Kris Sell, JPD Lt. Special Operations; David Campbell, JPD Lt. Patrol; Erann Kalwara, JPD Communication Center Manager; Scott Erickson, Sergeant – Criminal Investigation, Kelly Magee, Evidence & Property Specialist; Dee Ojard, Public Safety Systems Coordinator.

II. SPECIAL ORDER OF BUSINESS – None.

III. APPROVAL OF MINUTES

A. August 19, 2013 – Regular Assembly Meeting 2013-22

Hearing no objection, the minutes of the August 19, 2013 Regular Assembly Meeting 2013-22 were approved with minor corrections.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES – None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

Gene Randall gave kudos to the Community Development Department for the quick response to concerns voiced by citizens on North Douglas Highway regarding a very bright, intrusive, flashing strobe light on a recently installed cell tower on Spuhn Island. Many calls were made to staff over the weekend and staff returned a satisfactory response that the strobe light was not a direct part of the plan and efforts were being taken to rectify the situation. The plan had a red light at night. He was concerned that the public notice process did not include notice to residents on North Douglas, even though CDD staff reported that the notification requirements were met and exceeded. He asked that in the future a common sense application of public notification be extended on similar projects.

Sue Ann Randall said she was thankful for the prompt attention from the CDD department, and hopefully the light would be turned off tonight. She was concerned about cell tower

installations and lack of attention to the details of the plans and sufficiency of public notice. She would put her concerns in writing and address the Assembly and City Manager.

VI. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

Mr. Jones requested that Resolution 2661 regarding the Marine Highway System be removed from the consent agenda. Hearing no objection, it was so ordered.

C. Assembly Action

MOTION, by Becker, to adopt the consent agenda, with the removal of Resolution 2661. Hearing no objection, it was so ordered.

1. Ordinances for Introduction

a. Ordinance 2013-24

An Ordinance Providing For The Issuance And Sale Of A General Obligation School Bond In The Aggregate Principal Amount Of Not To Exceed \$8,100,000; And Providing For The Form And Terms Of The Bond And For Unlimited Tax Levies To Pay The Bond.

Administrative Report: Attached. The manager recommended Ordinance 2013-24 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2012-20(AV)

An Ordinance Appropriating To The Manager The Sum Of \$4,790,628 To Fund The City And Borough Of Juneau's Fiscal Year 2013 Public Employee Retirement System Contribution; Funding Provided By The Alaska Department Of Administration.

Administrative Report: Attached. The manager recommended Ordinance 2012-20(AV) be introduced and set for public hearing at the next regular meeting.

c. Ordinance 2013-11(G)

An Ordinance Appropriating To The Manager The Sum Of \$586,600 As Partial Funding For The Statter Harbor New Haul-out Ramp And Float, Grant Funding Provided By Alaska Department of Commerce, Community And Economic Development, Designated Legislative Grants Program, And Additional Funding From A Permanent Easement Payment From The Alaska Department Of Transportation And Public Facilities.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(G) be introduced and set for public hearing at the next regular meeting.

d. Ordinance 2013-11 (H)

An Ordinance Appropriating To The Manager The Sum Of \$67,000 As Funding For The Zach Gordon Youth Center Kitchen Remodel, Grant Funding Provided By The

Rasmuson Foundation, And Additional Funding Provided By Zach Gordon Teen Club, Inc.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(H) be introduced and set for public hearing at the next regular meeting.

e. Ordinance 2013-11(I)

An Ordinance Appropriating To The Manager The Sum Of \$19,018 As Funding For The Local Emergency Planning Committee, Grant Funding Provided By The State Of Alaska, Department Of Military And Veterans Affairs.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(I) be introduced and set for public hearing at the next regular meeting.

f. Ordinance 2013-11(J)

An Ordinance Appropriating To The Manager The Sum Of \$1,575,000 As Funding For The Replacement Of Buses for Capital Transit, Grant Funding Provided By Alaska Department Of Transportation And Public Facilities, And By The Equipment Replacement Reserve Fund Balance.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(J) be introduced and set for public hearing at the next regular meeting.

g. Ordinance 2013-11(K)

An Ordinance Appropriating To The Manager The Sum Of \$20,000 As Funding For The Purchase And Installation Of An Aquatic Climbing Wall At The Augustus Brown Swimming Pool, Funding Provided By A Donation From The Juneau Community Foundation.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(K) be introduced and set for public hearing at the next regular meeting.

h. Ordinance 2013-11(L)

An Ordinance Appropriating To The Manager The Sum Of \$290,000 As Funding For Facility Plan Updates to the Juneau-Douglas and Mendenhall Wastewater Treatment Plants, Loan Funding Provided by the State of Alaska Department of Environmental Conservation.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(L) be introduced and set for public hearing at the next regular meeting.

i. Ordinance 2013-11(M)

An Ordinance Appropriating To The Manager The Sum Of \$45,858 As Additional Funding for the State Homeland Security Program, Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(M) be introduced and set for public hearing at the next regular meeting.

j. Ordinance 2013-11(N)

An Ordinance Appropriating to the Manager the Sum of \$433.05 As Funding for the Local Emergency Planning Committee, Grant Funding Provided by the State of Alaska, Department Of Military and Veterans Affairs.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(N) be introduced and set for public hearing at the next regular meeting.

k. Ordinance 2013-11(O)

An Ordinance Appropriating To The Manager The Sum Of \$1,210,937As Funding For The Juneau International Airport Design Runway Rehabilitation Capital Improvement Project, Grant Funding Provided By The Federal Aviation Administration And The State Of Alaska.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(O) be introduced and set for public hearing at the next regular meeting.

l. Ordinance 2013-11(P)

An Ordinance Appropriating To The Manager The Sum Of \$726,562 As Funding For The Juneau International Airport Conduct Airport Master Plan Study Capital Improvement Project, Grant Funding Provided By The Federal Aviation Administration And The State Of Alaska.

Administrative Report: Attached. The manager recommended Ordinance 2013-11(P) be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2660

A Resolution Authorizing the Manager to Submit to the Alaska Energy Authority an Application for a Grant for Partial Funding of the Design and Construction of a Ground Source Heat Pump System at the Mendenhall Valley Public Library.

Administrative Report: Attached. The manager recommended adoption of Resolution 2660.

3. Bid Awards

a. Bid 14-025

Bid Award for TC Dewatered Waste Activated Sludge Disposal Services

Administrative Report: Attached. The manager recommended award of this project to Bicknell, Inc. as outlined in the Bid Recommendation Letter.

Removed from the Consent Agenda:

b. Resolution 2661

A Resolution Requesting the Alaska Marine Highway System to Maintain Core Service Levels, to Include One Prince Rupert Vessel Year-Round and Two Vessels May Through September.

Administrative Report: Attached. The manager recommended adoption of Resolution 2661.

MOTION, by Jones, to amend Resolution 2661, by removing the sixth “whereas” statement, which read, “Whereas, the AMHS should consider reducing its budget by re-scheduling vessels that would not restrict core summer service that is so critical to the economies and the citizens of Southeast Alaska.”

Mr. Jones said he thought it was odd that CBJ would recommend the Alaska Department of Transportation and Public Facilities (ADOT/PF) reduce its budget regarding ferry service. He understood the budget constraints but said there should be better wording to ask them to look for additional resources.

Mayor Sanford said this model resolution came from Petersburg, Sitka and Southeast Conference. The intention was to express to ADOT/PF that core services should not be cut.

Hearing no objection, the amendment was adopted.

MOTION, by Jones, to adopt Resolution 2661 as amended. Hearing no objection, it was so ordered.

Mayor Sanford said that people he had spoken with in Southeast Alaska were grateful that Juneau was contributing comments on the Alaska Marine Highway System service discussions.

VII. PUBLIC HEARING

A. Ordinance 2013-21(b)

An Ordinance Amending the Bear Attraction Nuisance Code.

Administrative Report: Attached. The manager recommended adoption of Ordinance 2013-21(b).

Public Comment: None.

Assembly Action:

MOTION, by Crane, to adopt Ordinance 2013-21(b).

Mr. Jones asked for a definition of the word putrescible. Ms. Mead said it was “smelly garbage” and had been used in the code for some time.

Mr. Nankervis objected, for reasons he stated in previous meetings. He did not approve criminalizing these violations which could be infractions. The state had options to issue citations for “bear baiting.” He did not object to the current changes but objected to the original ordinance in whole. He said for example, on page 2, line 25, soiled disposable diapers were considered bear attractions but on page 3, line 4, manure and sewage were considered exceptions and he did not think there was much difference.

Roll call:

Aye: Becker, Crane, Dybdahl, Jones, Kiehl, Smith, Wanamaker, Sanford

Nay: Nankervis

Motion passed: 8 ayes, 1 nay. Ordinance 2013-21(b) was adopted.

B. Ordinance 2013-22

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Tract B2 USS 1796 (17.9 acres) & Tract B Blueberry Acres (3.64 acres), Located Near the Intersection of Mendenhall Loop Road & Montana Creek Road Currently Zoned D-3, to D-5.

Administrative Report: Attached. The manager recommended adoption of Ordinance 2013-22.

Public Comment: None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2013-22. Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS

A. Contract Amendment for PND Engineers to perform Design through Bid Services for Statter Harbor Master Plan – Phase II (Launch Ramp)

Administrative Report: Attached. The manager recommended approval of an amendment to existing professional services contract for PND Engineers, Inc. for Statter Harbor Master Plan – Phase II (Launch Ramp).

Public Comment: None.

Assembly Action:

MOTION, by Jones, to approve an amendment to existing professional services contract for PND Engineers, Inc. for Statter Harbor Master Plan – Phase II (Launch Ramp).

Mr. Kiehl said the fee proposal was split into five tasks, with four tasks bid on a fixed fee, and one task bid on a time and expenses rate. He asked for an explanation on why the distinction was important. Mr. Uchytel said the Planning Commission approved a conditional use permit and associated with that approval was an expectation that Docks and Harbors would work with the community to ensure that what was built met the vision of the community. That portion of the design would include several public meetings and hearings. Mr. Kiehl asked how closely the time and expenses estimate was scrutinized. Mr. Uchytel said time and expenses would depend on the number of meetings held and the prep work involved and the amount was a “not to exceed” figure and was somewhat of an unknown item depending on a number of variables. Mr. Kiehl asked what process would be taken if an increase over the time and expenses amount bid was needed. Mr. Uchytel said any cost over \$100,000 required Assembly approval and he kept the Board apprised of cost increases and line items exceeding \$25,000.

Hearing no objection, it was so ordered.

B. Consultant Contract Amendment for PND Engineers to perform Construction Administration and Inspection Services for Cruise Ship Terminal Staging Area Improvements- Phase II

Administrative Report: Attached. The manager recommended approval of an amendment to existing professional services contract for PND Engineers, Inc. for the Cruise Ship Terminal Staging Area Improvements project.

Public Comment: None.

Assembly Action:

MOTION, by Jones, to approve an amendment to existing professional services contract for PND Engineers, Inc. for the Cruise Ship Terminal Staging Area Improvements project. Hearing no objection, it was so ordered.

C. Late Filed Senior Citizen Hardship Property Tax Exemption Requests
Martin Johnson and Joel Orelove

Administrative Report: Attached. The manager recommended the Assembly authorize the Assessor to accept the applications as if timely filed.

Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to accept the applications of Martin Johnson and Joel Orelove as if timely filed. Hearing no objection, it was so ordered.

X. STAFF REPORTS

A. Archipelago Lot 3 Property Acquisition

Rorie Watt, Engineering Director, said the property owner agreed to sell Lot 3 in the Archipelago property at the value discussed with the Assembly at a previous executive session. He would proceed with a purchase at approximately \$298,000 and everything else was squared away.

B. Juneau Police Department Annual Report

JPD Chief Bryce Johnson and Lt. Kris Sell presented the 2012 Calendar Year report to the Assembly. Several JPD employees were present in the audience.

Chief Johnson said he had inherited a great police department. JPD processes, policies and procedures set a standard. He noted the retirement of Chief Greg Browning, Deputy Chief Page Decker and Administrative Officer Cindee Brown-Mills. Promotions included that of Lt. Dave Campbell with the Patrol Division, Sergeant Chris Gifford, and Detective Krag Campbell was promoted to Master Officer. Chief Johnson explained the Master Officer program and said that Detective Campbell was the first JPD officer to earn this rank. New additions include Officers Keith Byrne, Cody Held, and Steve Sherrer, and returning Officers

Michael Wise and Jeff Brink. Also new to JPD were Records Clerk Brian Youll and Record Supervisor Debra Rathbone, Dispatchers Joseph Fox and Alisha Sell, and Community Service Officer Sarah Dolan. Lt. Sell noted the presence of Lt. Scott Erickson, Lt. Ed Mercer, Crime Analyst Dee Ojard, Evidence and Property Specialist Kelly Magee, and Communications Supervisor Erann Kalwara.

Lt. Sell put together the statistics in the report and said the good news was a 20% overall decrease in reported crime. There was a 9.11% decrease in arrests. They had changed procedures to arrest those who were committing more of the crimes. There had been a 7.6% decrease in calls for service and a 5.6% decrease in traffic stops. The department began tracking stops in 2010, so the numbers increased then, but since then there was a small downward trend. There was a 29.5% increase in drug seizures. JPD was working closely with the US Postal Service and postal inspectors were visiting Juneau more frequently. The price of drugs had gone up. The use of Oxy was down and the formulas for the drug was changing. Oxy use had been replaced and outpaced by a 9% increase in heroin and a 10% increase in meth. Drug seizures totaled \$.25 million more in 2012 than in 2011. JPD put a high priority on drug crimes as the people abusing drugs also committed burglaries and assaults.

Chief Johnson emphasized JPD's community policing policy and said that enforcement was a community effort.

Mr. Smith asked Chief Johnson what the greatest challenge was and he replied that recruitment of sufficient trained staff was number one. Positions have been authorized within the existing budget but JPD was adding five spots at the airport and was also addressing pending retirements. Training was also a high priority with the department and he spoke about his plans for training.

Mr. Wanamaker asked about unreported crime and what types are the most likely to not be reported. Chief Johnson said there are many reasons why crime went unreported and JPD tried to build trust within the community by meeting and speaking with citizens in a variety of forums. They relied on people to be good citizens and obey the law, and community policing with partners such as the CBJ Law Department and Bartlett Regional Hospital helped them bridge the gaps. Lt. Sell said sexual assaults often went unreported. Recently there was a fundraising effort to get training for local nurses in evidence collection for sexual crimes. Many times victims became so overwhelmed with managing finances and taking care of children that they returned to an abuser. JPD was working with the city attorney's office to meet with victims earlier.

Ms. Becker asked about the downtown patrol officer program. Chief Johnson said he met with the Downtown Business Association and was told the program was making a difference for the better. JPD was working to add crime prevention through environmental design by contacting businesses about placement of inventory, security cameras, and making businesses more aware of physical changes they could take to reduce crime.

Mr. Wanamaker said he realized JPD was overtaxed, but he saw the running of red lights at four way stops as an increasing problem. This included trucks and buses running red lights when they could have stopped. Chief Johnson said JPD was being proactive about traffic safety and were looking at strategies to allow officers time to do more traffic stops. Service calls took precedence, but they would like to get to a time when they could have staff dedicated to enforce traffic.

Mr. Kiehl asked about recruiting, the screening process and asked if Chief Johnson felt the screening was at an appropriate level. Chief Johnson said the vetting process was very important and was well done, as there were written, physical, and oral exams, a personal history questionnaire was taken, a background check and polygraph were done, and a psychological and medical exam were made. He would prefer that the time to do all of those could be shortened, and one way of doing this was to attract retired or veteran officers. Lt. Sell noted that applicants were recruited from all walks of life and a variety of careers.

Ms. Crane said it was good to see the officers out in the community recruiting. She was concerned about pulling people off assignments to cover the airport. Chief Johnson said that would be covered by overtime for a while, which was part of the original plan. It would be a year before dedicated airport staff was available.

Ms. Becker asked about the qualification of the airport officers and if TSA was supplementing the salaries. Chief Johnson said the airport officers would be sworn police officers and TSA was paying a portion, as well as Alaska Airlines.

Mr. Wanamaker asked about the armed robbery at the coffee stand and the person being caught on camera stealing a tip jar at the Sandbar and if this type of activity was increasing.

Lt. Sell said those type of crimes generally had a drug nexus and the person had run out of funds and family support to pay for a habit, was desperate and could be dangerous. She spoke about camera placement and use being key to making arrests.

Mayor Sanford said that safety of officers and certification of the department were very important to the Assembly. He asked about the staffing for dispatch. Chief Johnson said Erann Kalwara was doing a great job with dispatch and hiring was a constant challenge.

Mr. Nankervis gave kudos to JPD but said he would not be returning to work there anytime soon. He thanked Lt. Sell for the statistical report. He thanked some “behind the scenes” people for their excellent work, including Kelly Magee in Evidence, Scott Philip with Vehicle Maintenance, Rick Smith in Building Maintenance and Brandon Holloway who kept the computers running.

XI. ASSEMBLY REPORTS

A. Mayor’s Report

Mayor Sanford reported on his trips to Sitka and Angoon, where he met with citizens, the MTAB Board, the Mayors and the Economic Development Board and Chamber of Commerce. They appreciated someone from Juneau listening to their concerns, especially about the Marine Highway. He stressed the importance of meeting with neighboring Southeast communities.

Mayor Sanford reported on seeing the new Q400 Bombardier put in service by Horizon Air.

B. Committee Reports

Committee of the Whole: Chair Becker said the COW met on August 26 and discussed the Bear Nuisance Ordinance and the Comprehensive Plan. The Comp Plan would be on the agenda again at the September 30 meeting.

Finance Committee: Chair Crane said the next meeting was set for Wednesday, September 11 at 5:30 p.m. in the Chambers.

Human Resources Committee: Chair Kiehl said the HRC met prior to the Assembly meeting and heard a presentation from the Sister City Committee, which recommended CBJ enter into a Sister City relationship with Kalibo, the capital of the Aklan Province in the Philippines. Honorary Consul Jenny Strickler along with members of the Filipino community and the HRC requested the CBJ Law Department to draft a resolution to that effect.

Lobbyist Search Committee: Chair Smith said he met with committee members Wanamaker and Kiehl a second time and they confirmed publication of the position announcement, received and reviewed 11 applications, and recommended the following five firms for in-person interviews with the Assembly: Anderson Group, Bob Evans/Patton Boggs LLP, Hickey and Associates, Kevin Jardell and Sam Kito III. He said other applicants could be added at the Assembly's direction. The committee recommended 30 minute interviews with 15 minutes allocated to four questions provided on the day of the interview and 15 minutes of questions from the Assemblymembers.

Hearing no objection to this plan, the Assembly agreed to meet in executive session on Saturday, September 21 in a special meeting to interview candidates for the position of lobbyist for CBJ. All members planned to be in attendance with the exception of Mr. Dybdahl.

C. Liaison Reports

Juneau Economic Development Council: Liaison Jones said the next meeting was set for Wednesday, September 11.

Docks and Harbors Board: Liaison Jones said the Bid Proposal was out for dock project 16b and the opening date was set for October 22.

Airport Board: Liaison Nankervis said the next meeting was set for Wednesday, September 11, at 6 p.m.

Planning Commission: Liaison Smith said the next meeting was set for Tuesday, September 10, with a special meeting at 6 p.m., followed by a regular meeting at 7 p.m. in the Assembly Chambers.

Juneau Chamber of Commerce: Liaison Becker said that JCC Executive Director Cathie Roemmich had been appointed as the first member from Alaska to sit on the prestigious U.S. Chamber of Commerce Committee of 100.

D. Presiding Officer Reports

Presiding Officer Jones said the pre-hearing conferences had been held and the appeal hearings of the Senior Citizen Hardship Exemption Property Tax status of O'Brien would be held on Wednesday, October 5 at 5 p.m. and of Cavagnaro on Monday, November 25, at 5 p.m., in the Assembly Chambers.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Becker distributed a handout regarding a request from Wayne Coogan to purchase sand from the Lemon Creek Pit for \$2.02 per ton under the same conditions approved by the Assembly for a previous purchase he made. This was for the continuation and completion of the Island Hills Apartments at 401 Cordova Street. The request was for 5,000 -10,000 tons and this would finish the project. One of the most important considerations according to Ms. Becker was that there was a formula of tons of sand used per affordable housing unit rate provided. The Assembly approved this type of sale before in an attempt to provide more affordable housing units. This was the same project and it was similar to adding on to a bid.

MOTION, by Becker, to accept a request from Coogan Construction, to purchase from 5,000 - 10,000 tons of sand, under the conditions outlined in the agreement draft 3 distributed to the Assembly and she asked for unanimous consent.

Mr. Wanamaker said he did not object but questioned the process. Normally there would be a staff review and recommendation and a review by the Lands Committee. He asked what process had been followed for this and for staff's observation and analysis.

Ms. Kiefer said staff would like this to go through the Lands Committee, and the last time it went through it did not go through Lands Committee, so this was following the same process used during the prior time for approval. The issue was timely given it was September and Mr. Coogan would like to get the material sooner rather than later. Working it through the committee process did not get the issue on the table until mid-October.

Mr. Wanamaker did not object but emphasized the importance of following a proper review to ensure the Assembly was acting in the public interest. It was bad policy for the Assembly to make decisions before having a review prior to a decision.

Mr. Smith asked for affirmation that this proposal was a continuance of the same process taken before within the same parameters of a previous arrangement. Ms. Kiefer said that was correct.

Ms. Crane agreed with Mr. Wanamaker's comments and asked if the Agreement Draft 3 that was before the Assembly was the same agreement in the past and asked who prepared this agreement and were there any differences from the previous agreement. Ms. Kiefer said that Mr. Chaney had worked on the draft language and asked him to respond.

Mr. Chaney said it was a tough situation as the issue of selling sand and gravel at a lower rate to specific projects was a broad topic with many interested parties. This particular project was a continuance of a previous project. A new phase was being built and Mr. Coogan asked what the current numbers were as all costs had gone up both in the private sector and CBJ administrative costs. Mr. Chaney provided a new dollar amount, Agreement Draft 3 was

drafted by Mr. Coogan and it was almost word for word the same as the previous agreement. The agreement had not been reviewed by the Law Department.

Mr. Kiehl said the first iteration of this went through the Lands Committee and he sat on the Committee at the time. The Lands Committee recommended a similar arrangement to the Assembly. He had no problem with the concept. He shared Mr. Wanamaker's concern about the process. The current Lands Committee had reviewed this issue once and was looking for a more comprehensive policy. He was a little nervous about moving forward at this meeting. He asked if this agreement would be for a subsequent phase and not the first 28 units. Mr. Chaney said the first phase was for 24 units, but the way the agreement was set up, it was for 24 rental unit months. It was 24 units for a year, or 12 units for two years, at the rate of \$1200 per month. This was taking the same formula, 24 units for a year or pro-rated, and 35 tons per unit month was the new formula that Mr. Coogan was proposing, which was similar to the previous agreement, but before it wasn't spelled out before - only that it was going to be sold at a lower rate. That actually led to a misunderstanding as staff thought it would be about 5,000 tons and it ended up at about 10,000. This agreement had a cap of 10,000 tons. Mr. Chaney confirmed that the first project was framed up.

Mr. Kiehl asked how many unit months would be provided from the first agreement. Mr. Chaney said it was 24 units for a year or 12 units for two years. This agreement mirrored the previous agreement.

Mr. Kiehl asked Ms. Mead about a statement in the draft that said this agreement would continue in effect if the project was sold in section 5 and in section 10 it said the agreement was not assignable. He asked if that was a conflict. Ms. Mead said she had not seen the draft agreement.

Mr. Chaney said this agreement had not been reviewed by Law, and if approved tonight, he believed it would be approved upon the condition that the draft document would be approved by the Law Department.

Mr. Kiehl said if that was agreeable with the maker of the motion he could live with it but would not support doing this again until there was a policy. Ms. Becker agreed that the draft would need to be approved by the Law Department and added it to her motion.

Hearing no objection, the draft was approved in concept and was forwarded to the Law Department for review.

Ms. Crane said the Russian Orthodox Church made a request for assistance with their building and property and asked what the next step would be.

Hearing no objection, the issues outlined by the Russian Orthodox Church were added to the Lands Committee agenda.

Mr. Smith asked Mayor Sanford to provide the Assembly with a brief overview of the priority items to look at as a group for the meetings with the Southeast Conference.

Mr. Nankervis said that in regard to the information provided about Bid Award 14-025 for bio solid disposal, it was stated that the first year's costs would be reimbursed from the wastewater fund balance and future year's costs through a rate increase. He asked for a memo from the

Public Works Director with an estimated range of anticipated rate increases. He would also like to see something that lists the cost difference in the current contract and the previous contract.

Mayor Sanford said the Assembly would be getting an update on waste management and waste services to see where this issue was going. Staff was busy with this review and would take it to the PWFC first. Mayor Sanford said it was important to reevaluate this issue. Mr. Nankervis said it was important to have a discussion about the long term solution to the issue.

Mr. Jones invited Assembly participation in the annual Juneau World Affairs Council on October 17, 18 and 19 with the topic of Canada, in conjunction with UAS, University of British Columbia, and the university in Whitehorse. Whitehorse municipal and territorial officials had been invited. This would be of interest to all in Juneau as Whitehorse was a sister city.

Ms. Kiefer reminded all about the 9/11 Memorial at Riverside Rotary Park on Wednesday at 9:40 a.m.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

XIV. EXECUTIVE SESSION – None.

XV. ADJOURNMENT – 8:50 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor