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THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – July 15, 2013

MEETING NO. 2013-19: 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 (Teleconference), Loren Jones, Jesse Kiehl, Jerry Nankervis (Teleconference), Merrill Sanford, Carlton Smith, and Randy Wanamaker.

Assembly Absent: None.

Staff Present: Kim Kiefer, City Manager; Amy Mead, City Attorney; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Brent Fischer, Parks and Recreation Director; Hal Hart, Community Development Director; Rorie Watt, Engineering Director; Mila Cosgrove, HRRM Director; Patricia DeLaBruere, Airport Manager; Carl Uchtyl, Port Director.

II. SPECIAL ORDER OF BUSINESS

A. Special Olympics Recognition

Mayor Sanford recognized Juneau Special Olympians for their participation in the Special Olympic Summer Games in Anchorage in June. He said the time, determination and talent displayed by the athletes showed they were true sportsmen, and thanked them for being ambassadors of Juneau. The athletes included CJ Umbs, Nolan Harvey, Jacob Lewis, Lauro Untalasco, Jessica Gilbert, Luis Hernandez, Kiel Scott, Michelle Boster, Carl Behnert, Tammra Birch, Jesse Quick, Chloe Dietrick, Apisaloma Ia, Andres Jones, Chris Brenner, Carmen Jones, Kristina Brown, Jason Ernst, and Leroy George.

III. APPROVAL OF MINUTES

A. June 24, 2013 – Regular Assembly Meeting 2013-16

Hearing no objection, the minutes of the June 24, 2013 Regular Assembly Meeting 2013-16 were approved.

B. June 28, 2013 – Special Assembly Meeting 2013-17

Hearing no objection, the minutes of the June 28, 2013 Special Assembly Meeting 2013-17 were approved.

C. July 8, 2013 – Special Assembly Meeting 2013-18

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Hearing no objection, the minutes of the July 8, 2013 Special Assembly Meeting 2013-18 were approved.

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

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Paul Thomas, V.P., Downtown Business Association (DBA) and owner of Alaska Cache Liquor downtown spoke about concerns to make parking a pay, park and display system. He said this was an injustice to the system promised and was a move backwards for Juneau. We should have pay by phone – smart phones and by website. Instead we will chase people out of downtown by making parkers go back and forth to their cars. The DBA does not support pay, park and display. The DBA would like to see a time line of events with a hard date for the meters to work as promised and when the pay by phone and computer would be implemented. CBJ needs to get the system working as promised. The DBA appreciated the communications from the Parks and Recreation Department, but did not support the change.

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 removal of Resolution 2656, the mining unitization agreements resolution. Hearing no objection, it was so ordered.

C. Assembly Action

MOTION, by Becker, to adopt the consent agenda, with the removal of Resolution 2656. Hearing no objection, it was so ordered.

1. Ordinances for Introduction

a. Ordinance 2012-20(AU)

An Ordinance Appropriating To The Manager The Sum Of \$57,000 As Additional Funding For The Downtown Parking Fund Fiscal Year 2013 Operating Budget, Funding Provided By Additional Downtown Parking FY13 Revenues.

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

b. Ordinance 2013-11(A)

An Ordinance Appropriating To The Manager The Sum Of \$650,000 As Funding For Juneau Douglas Bridge Water Repairs, Backloop Water Repairs, Areawide Water Main Repairs, Biosolids Management and Backloop Sewer Repairs Capital Projects; Funding Provided By The Water and Wastewater Enterprise Funds Fund Balances.

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

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c. Ordinance 2013-11(B)

An Ordinance Appropriating To The Manager The Sum Of \$61,414 As Additional Funding For The Juneau International Airport Runway Safety Area Capital Improvement Project, Grant Funding Provided By The Alaska Department of Transportation.

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

d. Ordinance 2013-11(C)

An Ordinance Appropriating To The Manager The Sum Of \$8,940 As Funding To Provide For Commercial Motor Vehicle Inspections, Grant Funding Provided By The Alaska Department Of Transportation and Public Facilities.

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

e. Ordinance 2013-11(D)

An Ordinance Appropriating To The Manager The Sum Of \$3,000,000 As Partial Funding For The Juneau International Airport Snow Removal Equipment Facility Capital Improvement Project, Grant Funding Provided By The State of Alaska.

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

2. Resolutions

a. Resolution 2657

A Resolution De-Appropriating \$850,000 In Grant Funding For A Community Development Block Grant Awarded to Support AWARE In The Construction Of a New Emergency Safe Shelter Building.

Administrative Report: Attached. The manager recommended adoption of Resolution 2657.

b. Resolution 2658

A Resolution Authorizing the Manager to Donate a Surplus Hyperbaric Chamber Air Compressor to the National Oceanic and Atmospheric Administration.

Administrative Report: Attached. The manager recommended adoption of Resolution 2658.

Removed from the Consent Agenda:

Resolution 2656

A Resolution Approving the Amended Agreements Between the City and Borough and AJT Mining Properties, Inc., Unitizing Certain Mining Properties.

Administrative Report: Attached. The manager recommended adoption of Resolution 2656.

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Public Comment: None.

Assembly Action:

MOTION, by Wanamaker, to adopt Resolution 2656.

Ms. Crane said that this may be perfectly acceptable, but there had been no opportunity for the public to look at this and comment. There was so much information in the documents, but no maps to refer to and she said she could not provide an informed vote on this.

Mayor Sanford said the staff moved forward on this at the direction of the Assembly as this was on the Assembly's goals, and it was the same agreement since 1975 with a few small changes. There were many mining claims incorporated into the two agreements that needed to be identified.

Ms. Crane said she thought the Assembly goal was to explore the possibility, and this language seems to suggest this decision has been made.

Mr. Kiehl said he agreed with Ms. Crane's comments, and he had several questions and would like to see maps. He was not familiar with any of the claims listed and would like a conversation with the City Attorney on Section 5 and its charter implications. Most importantly, the public needs an opportunity to tell us whether this is a good idea or not. He supported moving this issue to the Committee of the Whole (COW).

Mr. Wanamaker said he did not see a reason to move this to COW, this is fairly routine and is a simple amendment to an existing agreement that had been in place for some time. We don't hold public hearings for contract amendments or take them to committee.

Mr. Jones said Section 20 said this agreement was recorded in the recording district but if this was approved, it would be rescinded and he said he did not understand what that meant. That same section discussed that "all unspent funds would need to be divided equally," and there was no mention of any funds in the staff report. He had never seen the original agreements and did not know what the changes were. This needed to go to a committee.

Mr. Smith said that he heard from the manager and she made her recommendation, the manager had full authority from this point and should be allowed to exercise it. This agreement called for responsible development, and he supported this renewal.

Mr. Nankervis said he was not sure it needed to go to COW as this agreement had been in place for 30 years and the manager has a certain authority, but the Assembly maintains its approvals and he felt this was a housekeeping measure.

MOTION, by Dybdahl, to call the question.

Mr. Kiehl asked about the statement regarding remaining funds in and existing fund to be distributed equally, how much they were and if they were contributed equally in the first place. Mr. Watt and Ms. Kiefer said they did not know.

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Mr. Kiehl said then it was conceivable that all the money came from Juneau taxpayers but could be split evenly.

Mayor Sanford said no, that was not the case, this was only a unitization agreement between AJT and the CBJ, and not a lease agreement to do any work in the unit.

Mr. Kiehl said his question was specific to the unspent funds called out in the agreement dated June 30, 1980, which would be rescinded upon execution of this agreement.

Mr. Watt said he was unsure but thought there was a small joint account \$15,000 – 20,000.

Mr. Kiehl said the agreement laid out a formula for the proportion of the share by the parties and he asked what the proportions were for the parties. Mr. Watt said for Juneau Gold was 2/3 CBJ, 1/3 AJT and the reverse for Douglas Gold, 2/3 AJT, 1/3 CBJ.

Mr. Kiehl asked about the two netted together? Mr. Watt said the agreements discuss the proportions of the proceeds and there were no proceeds so it was a future question. Mr. Kiehl said he referred to Section 5, the proportions of the share for each party was determined by the area and not the proceeds. Mr. Watt said if there were royalties in gold, it would be in the same proportion as his previous answer.

Mr. Kiehl asked if the two were operating together... Mr. Watt it would depend on the amount of resources removed from the respective properties.

Mr. Kiehl asked if at the end of the day, there were two units – the Juneau and the Douglas unit, would they be handled together or separately, would they operate together or separately? Could there be different operators?

Mr. Watts said the purpose of unitizing was to create a clear property ownership structure for a prospective company. If a company was interested in leasing, then there would be long list of terms and conditions in a lease document, which would come to the Assembly for approval by ordinance.

Mr. Kiehl asked about the substantive difference in language between the two agreements in Section 5. It seemed to have something to do with what happens when someone loses their shirt. The wording was in the Douglas agreement but not the Juneau agreement.

Mr. Watt said it was because CBJ had a greater resource in Juneau Gold and AJT had a greater resource in Douglas gold.

Ms. Mead said this was not a legal question but had to do with how the agreement was reached when it was put into place and it had not changed. The agreements were still binding and in effect until one of the parties gave notice of cancellation.

Mr. Kiehl said it was good to know that the agreements were in place and the Assembly did not have to take action at this meeting, but he still wanted to understand the difference. Mr. Watt

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said he does not know the answer but he did not think it was substantive. Mr. Kiehl said that just because something had always existed was not a good government answer.

Mr. Kiehl asked for an explanation of the differences in Section 18 and what it meant to CBJ.

Mr. Watt said this dated back to the original purchase of the properties from AJ Industries and AJT had a financing vehicle, a lien from their financing. He did not believe the lien still existed. Mr. Kiehl asked why it still existed in the agreement. Mr. Watt said the documents before the Assembly had existed for 33 years and there were only two changes to the agreements, one regarding updating the ownership of records and the other was to put a three year initial term to grant time. Other than those, the agreements are the same as the language we live under today.

Ms. Crane said the agreements said accurate records of all receipts and expenditures shall be kept by the agents and a special fund to track those should be created. She asked what kind of expenses was CBJ incurring with the performance of this agreement – there are no expenses in a budget document.

Mr. Watt there were no expenses unless the parties so chose to market the property. Ms. Crane asked if the decision to market the property would come back to the Assembly. Mayor Sanford said yes and Mr. Watt agreed. Mayor Sanford said the only appropriated funds in existence would be for the CIP to cover Mr. Watt's time to manage this project.

Mr. Jones asked during the time of last exploration, were there any appropriations by the Assembly during that process - anything that would have fallen under this agreement.

Mr. Watt said this agreement covered CBJ and AJT together to create a lease that was signed by a series of mining companies, and under that lease there were some lease payments. Mr. Jones asked if there were proceeds from the previous lease and if they were distributed. Mr. Watt said he assumed so but it was 20 years ago so he could not say.

Mr. Jones asked which properties were excluded . Mr. Watt said that when AJ Industries sold all their properties, there were some that were not part of this agreement. Mr. Jones asked about the use of the term Juneau Goldbelt. Mr. Watt and Mr. Wanamaker said that was a term referring to the region designated by USMS, where a layer of mineralized rock exists.

Mr. Watt said that when AJ Industries sold their holdings – the city and AEL&P bought those rights. AEL&P got power, CBJ got the Gold Creek watershed. Some of the properties that are not part of this region and in historic mining area are not part of this agreement. Mr. Watt said the exclusion properties were not in our immediate area and were unrelated to the mine.

Mayor Sanford said they been distributed and settled, such as Annex Creek is an example. Mr. Kiehl said a map was sorely lacking. He asked about expenditures under the agreements and resolution – Resolution Section 5 seemed to create a subset of the Assembly with legislative powers, that had any of the authority and duties of the agreement under the agreements. He asked if this was allowed by the Charter and he questioned taking this action by resolution.

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Ms. Mead said the unitization agreement created an entity or body that mining companies could negotiate with. It was difficult to negotiate with two separate entities. The unitization agreement itself does not allow for doing anything that would be required to take place at the Assembly. It could not enter into a lease by themselves. The language in the agreement that talked about appropriations meant that the Assembly would have to appropriate, then allow this committee created to act as you would appoint a city manager and take a pot of money you had already agreed on and approved, to expend.

Mr. Kiehl said this was not what that resolution said. Ms. Mead said that this language had been in place for a long time and had been interpreted and intended to be in conformity with the Charter and Code. Mr. Kiehl re-read Section 5. Ms. Mead said that language was in the previous resolution. He asked if the Assembly had the prior resolutions or agreements in their packets or provided any of the information to the public. Mayor Sanford said no.

MOTION, by Kiehl, to table, Resolution 2656 to the next regular Assembly meeting.

Roll call on the motion to table:

Aye: Crane, Jones, Kiehl

Nay: Becker, Dybdahl, Nankervis, Smith, Wanamaker, Sanford

Motion failed, 3 ayes, 6 nays.

Roll call on adoption of Resolution 2656:

Aye: Becker, Dybdahl, Nankervis, Smith, Wanamaker, Sanford

Nay: Crane, Jones, Kiehl

Motion passed, 6 ayes, 3 nays.

VII. PUBLIC HEARING

A. Ordinance 2013-19(b)

An Ordinance Amending the Land Use Code Regarding Flood Hazard Areas and Definitions.

Administrative Report: Attached. The manager recommended Ordinance 2013-19(b) be adopted.

Public Comment:

Lawrence Blood, said his home was adjacent to the concrete portion of Gold Creek and there are some serious problems there, which were taken care of with the exception of his house and the Girl Scout Office building. Water was still flowing uphill at this house and he had talked with CDD before about the maps. He would like to get on the list of problem properties to be addressed.

Mayor Sanford said there are several properties in the new flood zone areas and we are working with those property owners to address the issues individually following adoption of the maps.

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Kristina Monson, said she had issues with her lots on Pt. Lena Loop Road and the topo map used by FEMA appeared to be 15 years old and does not take into consideration that the city installed a culvert in 2005 which drains water to the beach. Mr. Hart said that this information was important and these issues had to be identified and brought to CDD's attention so the maps could be corrected, following the FEMA map adoption.

Ms. Crane said that new mapping could not be done until CBJ accepted the maps provided by FEMA, then CBJ could make changes. CBJ had its back up against the wall, so the maps need to be adopted so they can be revised.

Mr. Smith asked Mr. Hart if CBJ would engage a hydrologist to look at these sites. Mr. Hart said yes, sometimes alterations could shift a flood zone, so a hydrologist would identify those issues.

Assembly Action:

MOTION, by Wanamaker, to adopt Ordinance 2013-19(b). Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS

A. Docks and Harbors Regulations

Amendment of Title 05, Chapter 20

Small Boat Harbor Fees and Charges – Moorage

Amendment of Title 05, Chapter 40

Small Boat Harbor Moorage Management Regulations

Administrative Report: Attached. The manager made no recommendations.

Public Comment: None.

Assembly Action:

MOTION, by Crane, for orders of the day. Hearing no objection, it was so ordered.

B. Airport Regulations

Rates and Fees Regulation Title 7, Chapter 10

Administrative Report: Attached. The manager made no recommendations.

Public Comment: None.

Assembly Action:

MOTION, by Crane, for orders of the day. Hearing no objection, it was so ordered.

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X. STAFF REPORTS

A. Parking Update

Ms. Kiefer said that after two and a half years, CBJ could not continue to rely on the current parking management system. Aparc and AT&T had made improvements to the system, and CBJ purchased hand-helds, there have been unacceptable communication delays and failures. Even though the failures are fewer than in 2011, they were still common enough that the enforcement officers did not feel confident attesting to the citations they wrote. The system had three options: pay by space, which would require additional resources and it could have some of the communication issues; pay by license plate, which was the system used now and was unreliable; and pay and display, which was the only option. Pay and display would require people to register the car and put the receipt on the dash of the car. There were currently 13 meters in the downtown area and 6 of the meters were located close to loading zones. If someone did not want to walk back to their car, they could stop at the loading zone to get their receipt and proceed to a parking space. At this time, Aparc does not have accessible meters so Parks and Recreation created a “work around” for those who needed accessible parking to park on street. Enforcement would begin again as soon as changes were in place and could be advertised, with a week to ten days of a warning period. This was disappointing to all. The contract with Aparc required a 2G system, and they were required to change that in two years when 2G went away. Staff would continue to work with Aparc and AT&T and hoped to return to the original plan. At this time and since November, there had not been a reliable system so the CSOs could sign their name on a ticket. They would be able to see the receipts on the dash to determine those parked beyond their time.

Ms. Crane asked if this meant people would be able to move their car around. Ms. Kiefer said the CSO’s were committed to monitoring and they would be able to put in a license plate into the hand held and be able to see if someone had already had two hours.

Mr. Kiehl asked why the CBJ was not enforcing or ending the contract and suggested using another contractor. Ms. Kiefer said there are limited numbers of contractors. Ms. Mead said there was only one authorized representative in North America that could service the units installed in Juneau.

Mr. Kiehl asked if CBJ paid for the system that did not work. Ms. Kiefer said yes, and staff was attempting to build a sufficient case to take back to the company, but because the issues were intermittent it was difficult to prove breach of contract.

Ms. Smith asked for a best case of timing to implement the change. Ms. Kiefer said it depended on how quickly Aparc could change the wording on the receipts and the units could be tested but Aparc had not provided a date. Mr. Smith asked how staff planned to get the word out about the changes. Ms. Kiefer said plans included newspaper, radio, website and working with businesses to put out information to their patrons. There will be more information this time than when it was first implemented. Many people were actually putting their receipts on their dashboards now.

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Ms. Crane asked about the plan for the parking garages and the lack of an elevator at the Marine Parking Garage. Ms. Kiefer would investigate a dedicated loading zone to have people use to get ticket. Most of the garage use was weekly or monthly.

Ms. Crane said some communities allowed parking for free to those with a current handicap sign in the window and this might be something to consider.

Mr. Jones said there may be only one authorized equipment maintainer for Aparc, but there had to be other vendors that had other equipment. He asked if staff was considering replacing the equipment. Ms. Kiefer said not at this point due to the expense in the current system, but they would look at all options.

Mr. Kiehl was concerned about the effect on downtown businesses and the added inconvenience. To retrain the public rather than retrain the vendor to provide a working contract in keeping with the contract seemed the wrong way to go.

Mr. Nankervis agreed with Mr. Kiehl's statement and the contract did not say that CBJ requested a product that worked intermittently. He did not like the idea of using the loading zones for people to get parking receipts. He asked about the cost to date of the system. Ms. Kiefer said approximately \$400,000.

Mayor Sanford asked if there was any way to put more pressure on the vendor. Ms. Mead said the vendor worked with a number of different communities and there had been discussion about lawsuits. She could look into that. Mayor Sanford said that should be done.

Mr. Jones asked about a cancellation clause in the contract. He would like information on that and CBJ's role/ rights. He said it might not cost a lot to solicit information from other vendors and perhaps a quick replacement could be done. Perhaps it was better to cut the losses and go with another provider. He asked for this information.

Ms. Kiefer said CBJ was paying \$30,000 for maintenance and upkeep of the system. Staff was also looking at moving from 2G to 4G soon. Aparc has the contract with AT&T and there is no separate contract between CBJ and AT&T, so that was another option of looking at the deliverables from Aparc.

Mayor Sanford thanked Ms. Kiefer for her report.

B. Community Development Department Housing Report

Mr. Hart said the good news was that CDD had issued a 43 building permits with a total of 89 new residential units though the first six months of 2013, which was good by comparison to the previous few years. He reviewed some statistics he provided in the packet and said that CBJ was seeing more investments in housing and there were another 25 units under review now that had not had a final building permit issued.

Ms. Becker asked if CDD was able to keep up with the pace. Mr. Hart said yes, and 40% of permits applied for were issued in one day, but he would provide the Assembly with more specifics about this.

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C. Attorney Report

Ms. Mead said the civil side was fully staffed and a new prosecutor had been hired. The request for legal services form that departments used to request service was revised and in use, the new ProLaw Case Management software was installed and they were doing internal training. She had a successful meeting with Chief Johnson and several officers to discuss improving joint efficiency and relationships.

Mr. Jones said following the interview process, Mr. Smith and Mr. Jones were asked to discuss issues and concerns raised with Ms. Mead. They were very pleased and he believed Ms. Mead had done an admirable job in a short time. Mr. Smith said one of the questions that came up was what was a reasonable interval was for the Assembly to communicate as a full body with counsel. We discussed if counsel would need to be at each meeting – that remained to be resolved.

Mayor Sanford said he discussed today with Ms. Mead that she needs to be at Assembly meetings and Committee chairs would need to contact Ms. Mead when her assistance was needed so she could respond appropriately, but she would not be required to attend every committee meeting. She may determine that sending someone on her staff would be more appropriate. He reiterated that the Assembly needs to direct the manager or attorney by motion and get group support, and that no individual member was to give direction to either employee.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford said the City Manager was reviewing the lobbyist contract with Chambers, Conlon, & Hartwell for federal lobbying services. Mr. Gruening was retiring and he asked the city manager to give the Assembly a list of names for consideration. He asked the Assemblymembers for their thoughts on hiring a lobbyist for state issues.

Mayor Sanford noted the work at Auke Bay on the roundabout and asked the public to have patience as there was a lot of work going on in the Auke Bay area. The parking was very limited and there was no good solution for it right now.

B. Committee Reports

Committee of the Whole: Chair Becker said the COW met on July 1 and heard an update on the snow storage facility. The Assembly agreed it was satisfied with explanation provided by staff regarding its permitting and the project was complete. The Assembly received an update on the Seawalk project and work will start this fall on the section near the Princess Dock. Mr. Hart provided a report on CD activities and Mr. Steedle reported on the housing matrix. The next meeting was set for August 5.

Public Works and Facilities Committee: Chair Wanamaker said the next meeting scheduled for August 5 was still tentative.

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Finance Committee: Chair Crane said the next meeting was set for September 11 when monthly meetings would begin. She was interested in meeting with each department to understand the budget from a department level.

C. Liaison Reports

Docks and Harbors Board: Liaison Jones said the Pusich Family Reunion was taking place on July 27 and they would be dedicating new interpretive signage at the Douglas Harbor. The Assembly was invited to attend at 3 p.m. Mr. Jones said that there would be a public meeting to discuss the Aurora Harbor upgrade on July 24 at 5 p.m. at the Yacht Club and the Assembly was encouraged to attend as well. D&H completed a Tiger grant application for the Maritime Services Building and they had asked for an additional \$3.3 million. Mr. Jones said the D&H Board would like to meet with the Assembly and asked members to consider scheduling a time.

Planning Commission: Liaison Smith thanked the Planning Commission for the significant work on the Comprehensive Plan.

Affordable Housing Commission: Liaison Kiehl said the next meeting was set for July 17th at 11:30 p.m. at Gruening Park Community Room, and the Commission would discuss ways to get more activity from the Affordable Housing fund.

School Board: Liaison Wanamaker said the Board held a special meeting last Friday in executive session to discuss labor negotiations.

Airport Board: Liaison Nankervis said he distributed a report on what the Assembly's activities to the Board.

Commission on Sustainability: Liaison Nankervis said the JCOS had a group of electric cars in the parade, which were well received, and its next meeting was July 17 at 5:30 p.m. in City Hall Conference Room 224.

Parks and Rec Advisory Committee: Liaison Nankervis said the PRAC met and heard feedback on plans for Cope Park.

D. Presiding Officer Reports

Bicknell v Planning Commission re Appeal of AME2013-0007 – Comprehensive Plan Amendment for Honsinger Pond: Presiding Officer Becker said the Pre-Hearing Conference was set for Tuesday, July 16 at 1 p.m.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mayor Sanford showed off a large thank you card from Finley, age 7, with a colorful drawing and the words "Thank you for the fireworks show!"

Mr. Jones asked for an update on the next steps for review of the Comprehensive Plan.

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Mr. Jones asked for information businesses requiring a “store card” in addition to the Senior Citizen Sales Tax exemption card. Ms. Kiefer said that staff was looking into this and would provide a report at a later date.

Mr. Kiehl gave notice of reconsideration of the vote on Resolution 2656 and said he was concerned about the public process on this matter. Mr. Wanamaker questioned the ability to reconsider a resolution. Ms. Mead said she would look into the matter and report back to the Assembly.

Mr. Wanamaker said that the concern about the store cards for sales tax was that companies were collecting personal information that was not needed to implement the sales tax exemption and one gentleman was told he would not get the discount unless he cooperated with the store’s program.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

- A. Land Negotiations
- B. City Manager Evaluation
- C. JSD Independent Investigation Report

MOTION, by Becker, to enter into executive session to discuss matters, the immediate knowledge of which could have a detrimental impact on city finances, namely, land negotiations, and personnel matters, including the city manager evaluation and a JSD independent investigation report.

Public Comment: None.

Assembly Action:

Mr. Smith noted a conflict of interest regarding the discussion of land negotiations and hearing no objection, was excused from that portion of the meeting.

Hearing no objection, the Assembly entered executive session at 8:50 p.m. and returned to regular session at 10:55 p.m. to vote to extend the meeting past the set time for adjournment of 11 p.m. Hearing no objection, the Assembly continued the meeting in executive session and returned to regular session at 11:06 p.m.

Mayor Sanford said the Assembly gave staff direction on land sales, and discussed the Juneau School District Independent Investigation and gave staff direction on that matter and conducted the City Manager’s evaluation.

XV. ADJOURNMENT – 11:08 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor