

**ASSEMBLY STANDING COMMITTEE  
LANDS AND RESOURCES COMMITTEE  
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

July 10, 2017, 5:00 PM.

Municipal Building Assembly Chambers

**I. ROLL CALL**

**II. APPROVAL OF AGENDA**

**III. APPROVAL OF MINUTES**

A. June 12th, 2017 Minutes

**IV. PUBLIC PARTICIPATION**

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

**V. AGENDA TOPICS**

A. Proposal to Name Whale Park After Mayor Bill Overstreet

B. Juneau Near Field Tsunami (DRAFT) Models Announcement

C. 2nd and Franklin St. Update

**VI. STAFF REPORTS**

**VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS**

**VIII. ADJOURNMENT**

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**ASSEMBLY STANDING COMMITTEE MINUTES  
LANDS AND RESOURCES COMMITTEE  
THE CITY AND BOROUGH OF JUNEAU, ALASKA  
MINUTES**

June 12, 2017 5:00 PM  
City Hall, Assembly Chambers

**I. ROLL CALL**

Debbie White, Chair, called the meeting to order at 5:01 pm.

**Members Present:** Chair Debbie White; Assembly members: Norton Gregory; Jesse Kiehl; Mary Becker

**Liaison Present:** Chris Mertl, Parks & Recreation; Weston Eiler, Docks and Harbors

**Liaison Absent:** Paul Voelckers, Planning Commission

**Staff Present:** Rorie Watt, City Manager; Greg Chaney, Lands Manager; Dan Bleidorn, Deputy Lands Manager; Assembly Member Jerry Nankervis; Assembly Member Loren Jones

**II. APPROVAL OF AGENDA**

The agenda was approved.

A. May 1, 2017 Minutes

The minutes were approved.

**III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

There was no public participation on non-agenda items.

**IV. AGENDA TOPICS**

- A. Amendment to revise Title 49 regarding Wireless Communication Facilities (WCF) 49.65.930

Mr. Chaney introduced Jill Maclean Senior Planner with the Community Development Department.

Ms. Maclean let the Lands Committee know that the Planning Commission has recommended making a change to Title 49 regarding Wireless Communication Facilities (WCF) 49.65.930, and provided information on the proposed code change. CDD had noticed that one of the examples for the setbacks was incorrect, and rather than modifications, CDD chose to strike the example since examples are not commonly found in code as it is.

Chair White asked how the example ended up in City code and Ms. Maclean replied the code was written by consultants and it may have come out of that process.

**The Lands Committee unanimously passed a motion of support to forward this to the full Assembly for the approval of a text amendment to revise Title 49 regarding Wireless Communication Facilities (WCF) 49.65.930 General Requirements (f) Setbacks.**

## **PUBLIC PARTICIPATION ON AGENDA ITEM A**

There was no public participation on Agenda Item A.

### **B. 2016-2017 Air Quality Season Summary**

Mr. Bleidorn gave a summary of the 2016-2017 Air Quality Season. The Valley experienced 4 air emergencies this season with 1 overage of the allowable PM2.5 limit, and in total there were 15 days where woodstoves could not be used. JPD issues 53 warnings and there were no citations.

Mr. Gregory asked for clarification on how wood stoves met the criteria for masonry stoves and Mr. Bleidorn said in years past there was confusion with local people selling wood stoves stating that they met the same standards that masonry stoves provide. The City has updated the qualifications for masonry stoves on the website and have worked with local people, so this is becoming less of an issue.

Mr. Mertl asked if the 53 warnings issued were given to repeat offenders and Mr. Bleidorn replied he had not had a chance to discuss this with Mr. Dilley.

Mr. Gregory asked what technology is used to get the word out to the Valley and Mr. Bleidorn said Lands has finalized a program with Verizon to offer texting to Valley residents and that this service should be coming out this next season. Additionally, there are 11 burn ban signs in the Valley that notify residents; the CBJ Lands website; and the CBJ Wood Smoke Hotline.

## **PUBLIC PARTICIPATION ON AGENDA ITEM B**

There was no public participation on Agenda Item B.

## **V. STAFF REPORTS**

1. Mr. Chaney informed the Lands Committee on the Pederson Hill Church Easement progression. The need arises from the CBJ Fire Code. The Church has been very accommodating to the CBJ on this project.
2. Mr. Chaney informed the Lands Committee of the possible purchase of a vacant lot located adjacent to the Aurora Arms Condominium in order to provide access to a City property that is outside the hazard zone.

## **VI. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS**

Mr. Kiehl said he was sure it was 100 units before a second emergency access was needed and Mr. Chaney replied if it is single family, a second access is needed for over 30 units. Mr. Chaney said this section of code is worthy of review.

Mr. Eiler said Lands should share progress on Norway Point with Docks and Harbors as they are developing a long range plan for this area.

## **VII. ADJOURNMENT**

The meeting was adjourned at 5:34pm.

## **PROPOSAL TO NAME WHALE PARK AFTER MAYOR BILL OVERSTREET**

This is to request that the Parks and Recreation Advisory Committee (PRAC) recommend that the City and Borough Assembly name the park, being constructed for the Whale statue at the end of the sea walk near the Juneau Douglas Bridge, as “Mayor Bill Overstreet Park.” He deserves this honor and remembrance in large part for his leadership in keeping the Capital in Juneau in the critical 1982 election and for being the inspiration and leader in bringing the Whale to Juneau.

In addition, he served his country and Alaska and Juneau in other ways. He dropped out of high school to volunteer for the Navy in World War II, was Juneau’s Superintendent of Schools, and served Alaska as its State representative in Tokyo during Governor Bill Sheffield’s term and as Deputy Chief of Staff during Governor Walter Hickel’s second term. He is still remembered around the State for his wit and devotion to Juneau.

Bill Overstreet was born on May 1, 1926 in Waynoka, Woods County, Oklahoma, to Henry Harrison and Mary Ellen Overstreet. In 1942, at the age of 17, he quit school, enlisted in the U.S. Navy and was ordered to serve on the USS *Portland*, where he was involved in the Aleutian Islands Campaign, going ashore at Adak, and the Battle of the Pips. He manned a 20-millimeter machine gun on the *Portland's* deck. Overstreet was discharged from the Navy in 1942, after which he returned to Waynoka, earned his GED, and enrolled at Northwestern Oklahoma State University in Alva, Oklahoma. He married Jean Perry on May 25, 1947. They had one son, William Overstreet, Jr. After Overstreet graduated in 1951, he worked as a history teacher at Huerfano County High School in Walsenburg Colorado.

Overstreet was urged by his sister and a cousin who lived in Juneau to teach in Alaska. He arrived in Juneau before a teaching job was available. He worked a few odd jobs, including construction work on Harborview School, as a Stream Guard in Haines and as a fisherman before being hired by then-superintendent Sterling Sears as a teacher at Fifth Street (Capital) School. Although not the most successful commercial fisherman, he managed to win the Salmon Derby in 1961.

For five years, Overstreet taught eighth grade and coached basketball at Capital school. Overstreet received his master's degree from the University of Washington. With this additional degree, he became the principal of Capital School and, eventually, superintendent of the Juneau School District. Overstreet was also the first executive director for the Alaska School Board Association. He retired after dedicating 20 years of his life to education.

Overstreet was first elected to the Juneau Assembly in 1973, just before the 1974 statewide vote which authorized planning to move the Capital from Juneau to somewhere on the Railbelt, 30 miles from Anchorage and Fairbanks. With the idea of using the knowledge and connections he had obtained from traveling around Alaska for the Alaska School Board Association to convince folks to leave the Capital in Juneau, he ran for Mayor in 1976 and was elected Mayor for the first of three terms.

The 1974 vote to move the Capital called for a site selection Committee to find three locations at least 30 miles from Fairbanks and Anchorage suitable for a new city to be the Capital of Alaska. Overstreet appointed Bill Corbus to be Juneau's representative on the Commission. After two years of work the Site Selection Committee proposed three sites – Mount Yenlo, Larson Lake and Willow. Willow was selected in a 1976 vote.

In 1978, a Fairbanks group named Frustrated Responsible Alaskans Needing Knowledge (FRANK) was formed to campaign for an Initiative to be put on the 1978 Ballot that would require that all costs of the capital relocation be determined and approved by the voters. All costs included: moving personnel and offices to the relocation site; planning, building, furnishing, using and financing a new capital having facilities equal to those at the current capital and those required by the 1974 capital move initiative; and the social, economic and environmental impact to the present and relocation sites. In addition, it would require that a bond issue, including all bondable costs of capital relocation, be approved by a majority of voters prior to the expenditure of state money to relocate the capital.

As Mayor, Overstreet travelled around Alaska giving speeches to Chambers, Rotaries, radio stations – anyone who would listen. He convinced former Governors Egan and Hickel to make TV spots opposing the Capital Move. He arranged for the Congressional Delegation to make a TV ad. He made an alliance with Native organizations and western Alaska – supporting their subsistence ballot measure in return for their support on the Capital Move. He went to Fairbanks to point out the danger of the University staying in Fairbanks if Anchorage were able to combine the economic and political Capitals of the State.

He also participated in two major debates against Bill Atwood, the publisher of the Anchorage Times, the voice of the Capital move. Atwood had editorialized for the Move after Statehood in 1958 on the grounds that Southeast had not supported Statehood and that the Capital should be close to the people. His editorials forced Capital move votes in 1960 and 1962 which Juneau won. He was trying to bring about another vote in 1964 which was cancelled due to the earthquake.

One of the debates was before the Anchorage Chamber of Commerce. Atwood used an analogy to explain why the Capital had to be close to where most of the people lived: "If I'm a farmer I want my barn to be close to my house." Overstreet responded, "Atwood – it ain't your barn!"

Juneau spent \$2 million on its media ads, telephoning all over the State and door to door efforts throughout Alaska. Still, notwithstanding Bill's and Juneau's efforts and the fact that the \$2.8 billion cost of the move and a \$966 million bond issue to pay the costs of capital improvements were on the ballot, the 1982 vote was close. We won by only 5%.

In victory Overstreet moved quickly to put in place the commitments that had been made during the campaign to make Juneau a better Capital city. One major irritant was that Juneau's time was two hours later than Anchorage's, which shortened the day in which Anchorageites could conduct business in Juneau. Overstreet led the effort to switch Alaska from four time zones to two. This infuriated some Juneau residents who initiated a recall vote which Overstreet won 2 – 1.

He arranged to put Telephone Hill into public hands as the potential site of a new Capital building. He modernized South Franklin Street, the site of the cruise ship docks, with new infrastructure and sidewalks, including underground utilities. He arranged for flags of the 50 states to be flown on Egan Drive as a way to welcome visitors. He sought to make Juneau more attractive for conventions to be held here with the construction of a Centennial Hall and the development of Eaglecrest.

In recognition of his efforts during the Capital move campaign, the Juneau Chamber of Commerce named him Citizen of the Year in 1983. In 1985, he received an Honorary Doctorate from the University of Alaska Southeast. He was twice President of the Alaska Congress of Mayors.

Overstreet was tapped by Governor Sheffield to represent Alaska in Tokyo as Alaska's Trade Representative. He and his wife, Jean, moved to Tokyo, where he worked for two years. While there he saw the full-scale Humpback Whale at the Tokyo Museum of Natural History and Science which he pictured as a wonderful addition to Juneau's waterfront.

He brought the concept forward again in 1993 by contacting sculptor R.T. "Skip" Wallen about the idea of placing a full-scale Humpback Whale on Juneau's waterfront. Wallen, who is the sculptor for the bear in front of the Capitol and many other sculptures around the world, prepared a 10-page concept paper. But, again, the project was set aside until 2006 when Overstreet conceived it as a 50<sup>th</sup> Anniversary gift from Juneau celebrating Alaska Statehood. In 2007, a Committee was formed to advance the project.

In 2007, the City and Borough of Juneau Assembly agreed to accept the Whale and to prepare the site for the Whale at Marine Park. The Whale Committee agreed to raise the funds to fabricate the Whale and to transport it to and erect it on the site at Juneau.

The CBJ Engineering Department undertook a preliminary site analysis for placement of the Whale at Marine Park. However, because of competing demands on use of Marine Park and the anticipated size of the infinity pool from which the Whale would be breaching, the Engineering Department working with the Committee evaluated alternative sites. These included the Juneau Subport, the vacated city shop near the Juneau Douglas Bridge, the Transit Plaza, the Alaska State Museum and Centennial Hall.

In line with Overstreet's vision the Whale Committee concluded that the sculpture had to be on the waterfront. The Committee entered into three years of discussions with the Alaska Mental Health Trust Authority (AMHTA) which was itself exploring various development proposals for use of the Subport. AMHTA's proposal to construct a new state office building at the Subport and provide a co-location site for the Whale failed when the Legislature failed to approve funds for the new state office building.

At that time, the site near the Juneau Douglas Bridge received serious consideration. In all, 26 options were considered before the decision was made to site the Whale at the end of the sea walk near the Bridge. Both the PRAC and CBJ Assembly approved this site.

On September 1, 2016 there was a ceremony welcoming the Whale which had been erected at the site. The sea walk and related facilities will be constructed to the site by late Summer. A dedication is planned on August 26, 2017. The Whale Committee requests that naming the site as Mayor Bill Overstreet Park can take place at that time. The PRAC's support would be a significant help.

2017.6.1

## Juneau Near Field Tsunami (DRAFT) Models Announcement

CBJ has recently become aware of new draft studies conducted by the Alaska Earthquake Center & Geophysical Institute, University of Alaska, Fairbanks, Alaska Division of Geological & Geophysical Surveys, Fairbanks. The goal is provide community-specific tsunami mitigation products that are based on the best available science, numerical tools and data. Products will include tsunami inundation reports and maps available through Google Maps.

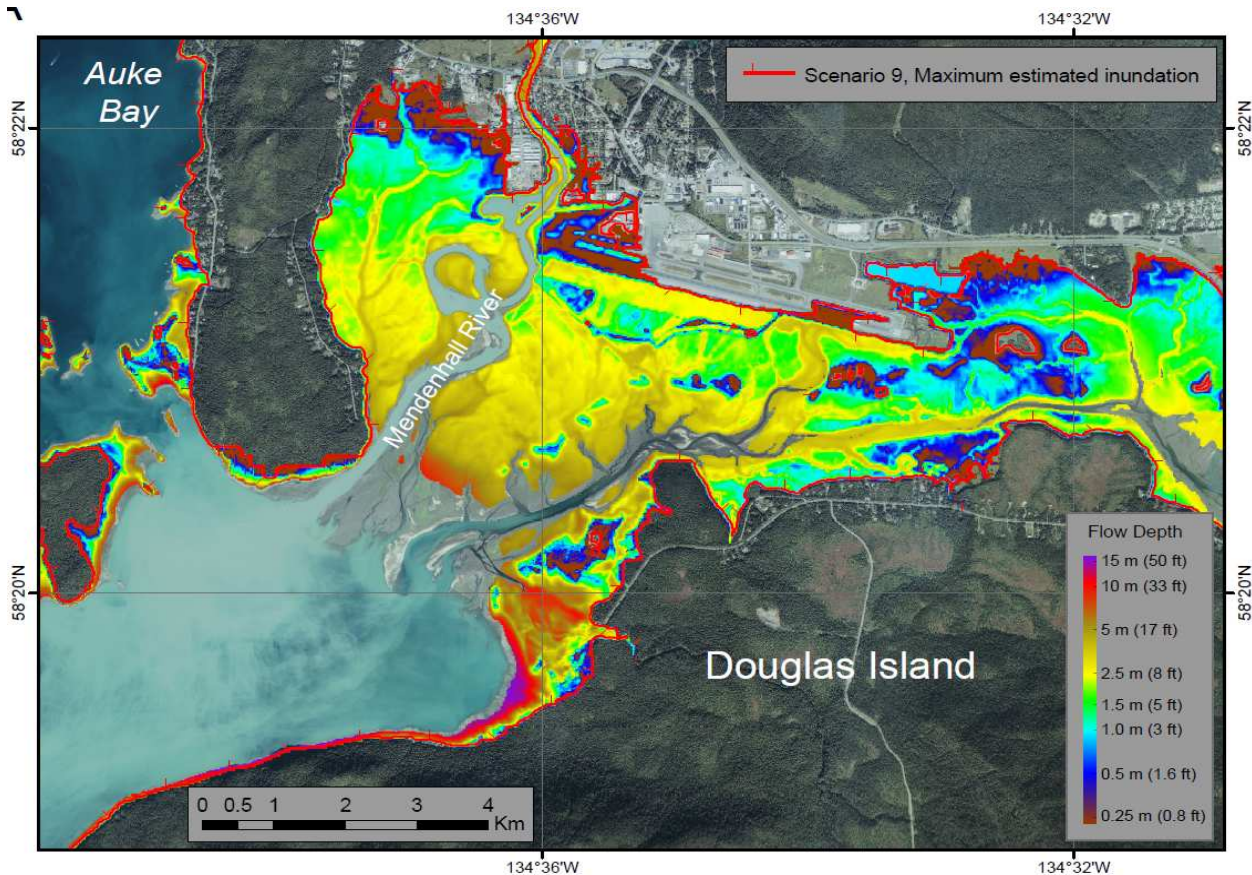
As many of you know the magnitude 9.2 1964 Alaska earthquake is one of the top three largest instrumentally recorded earthquakes. But did you know?

- The majority of fatalities and most of the damage were caused by *local near-field tsunamis*.
- About 20 local landslide tsunamis and seiches of 1964 accounted for 76% of all tsunami fatalities.
- This is due to an environment of glacial fjords that are prone to underwater slope failures.

This has local historical evidence with events such as the Skagway Tsunami, Lituya Bay and Taan Fjord.

Juneau is fortunate in that we live in an area with a lateral strike-slip fault which tends to create smaller earthquakes and less chance of tsunami as compared to their mega-thrust counterparts. Yet we can see the threat still exists.

Modeling off events such as Seward, Valdez, and the Skagway tsunamis the team applied similar conditions to our near port hazard areas of Berners Bay, Eagle River Mouth, Fritz Cove, and Sheep Creek. They are also reviewing new areas at the Rock Dump, Snowslide Creek, and the Taku.



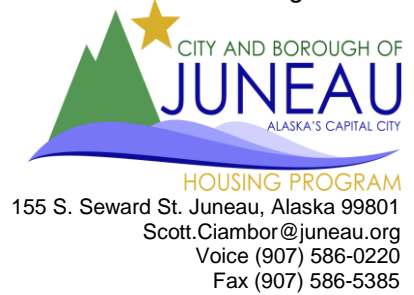
PIC: (DRAFT) EXAMPLE OF PRODUCTS STUDY

In Summary: They applied deterministic analysis of tsunami hazard by considering the maximum credible tsunami scenario for inundation mapping. Landslide tsunami hazard in Southeast Alaska does exist, but is poorly defined due to lack of constraints on parameters of potential slides (locations, volumes, geotechnical properties).

These products should not be viewed in terms of which side of the line you are on as the lines may move but this product is a useful tool to better understand what areas in our community are at greater risk. The project will be completed and available for the public to review by fall of 2017.



# MEMORANDUM



TO: CBJ Lands Committee  
FROM: Scott Ciambor, Chief Housing Officer  
DATE: July 5, 2017  
SUBJECT: 2nd and Franklin Negotiated Sale

At the June 26th meeting, Assembly members had questions about the 2nd and Franklin property and proposed housing project. While the developer, Eagle Rock Ventures (ERV), did meet with the Community Development Department (CDD) for a pre-application conference meeting on April 17, 2017, the developer has not submitted final plans for permit review.

After engaging in a public process pursuant to CBJ 53.09.260 for the negotiated sale of CBJ property, the Assembly adopted Ordinance 2016-39(b) authorizing the Manager to enter into a purchase and sale agreement with Eagle Rock Ventures.

The Purchase and Sales agreement was signed and recorded on March 30th with a closing date of June 27, 2017.

The Purchase and Sale agreement requires ERV to develop the property consistent with its June 13 Letter of Intent and July 28, 2016, proposal to build workforce housing. (Paragraph 17.1) ERV's communications described their proposal as:

- *A mixed use development with "safe, clean, affordable and well-located apartments for working people in Juneau."*
- *Studio apartments on floors two and above and commercial (e.g. retail/restaurant) space on the first floor and/or live/work units.*
- *The apartments would be relatively small residential units furnished with bed, desk, and chair, with a private bathroom and an "amenity area" (sink, refrigerator, and microwave).*

The Purchase and Sales agreement includes language on the Investigation Period and the Closing Date. In June 2017, ERV requested an extension to continue its work on the project and address issues discussed at the pre-application conference with CDD. ERV has contacted staff about continued work on housing demographics, financing, design/fire code, soil testing, and loan and state tax credit options. Based on the following language and because ERV demonstrated due diligence, the Manager agreed to a new closing date of April 30, 2018:

## 7. Closing

7.1 Closing Date. The purchase and sale transaction contemplated in this Agreement will close ("Closing") on or before the later of (i) June 27, 2017, or (ii) such later date as Seller (specifically the City Manager) may consent to from time to time, which consent shall not be unreasonably withheld, conditioned, or delayed. It will be deemed unreasonable for Seller to withhold its consent to any Closing Date extension requested by Buyer if (1) Buyer has (a) made reasonably diligent efforts to obtain Final Approval of the Development Approvals, (b) kept Seller reasonably informed regarding Buyer's progress with respect to obtaining Final Approval of the Development Approvals, and (c) responded to Seller's inquiries regarding the Development Approvals; or (2) absent such extension, the Closing would be scheduled to occur fewer than 30 days after Buyer's delivery of the Development Approval Notice. The Property will be delivered to Buyer on the date of Closing (the "Closing Date").

Next Step: ERV will submit an application to CDD, which will require Planning Commission review. Public comment and neighborhood harmony discussions will take place at that time.