

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

February 9, 2015, 6:00 PM.  
City Hall Assembly Chambers

Worksession - No public testimony

**I. ROLL CALL**

Deputy Mayor Mary Becker called the meeting to order at 6:00 p.m. in the Assembly Chambers.

Assemblymembers Present: Mary Becker, Karen Crane, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, and Debbie White.

Assemblymembers Absent: Kate Troll

Staff present: Kim Kiefer, City Manager; Jane Sebens, Assistant Attorney, Rob Steedle, Deputy City Manager; Laurie Sica, Municipal Clerk; Kirk Duncan, Parks and Recreation Director; Myiia Wahto, Recreation Superintendent; Kathrin Millhorn, Aquatics Manager; Lindsey Brown, Parks and Recreation Administrative Officer; Robert Palmer, Assistant Attorney; Hal Hart, Community Development Director; Eric Feldt, Planner II; and Mila Cosgrove, HRRM Director.

**II. APPROVAL OF AGENDA**

Hearing no objection, the agenda was approved.

**III. APPROVAL OF MINUTES**

**A. January 26, 2015 - Committee of the Whole Meeting Minutes - DRAFT**

Hearing no objection, the minutes of the January 26, 2015 Committee of the Whole meeting were approved with minor corrections.

**IV. AGENDA TOPICS**

**A. Discussion about formation of an empowered Aquatics Board**

Mr. Duncan said revenues increased and expenses decreased by a total of \$70,000 so far in FY15 and he anticipated saving another \$234,000 by eliminating the Aquatics Manager position and shuffling staff. He would write a business plan for the aquatics program including the level of participation, how to drive revenues and how to control costs by the end of May. He would meet with individuals and groups in the community over the next several months to get input. He spoke about the importance of having all staff get "guest service training." He would distribute user surveys and anticipated having cost recovery and user participation goals in place by the end of June. Goals include increasing participation, decreasing expenses and he will look at public / private partnerships. He would look at various types of financial support groups such as foundations or "friends" groups, and also look at a variable pricing model to include users at all income levels.

Max Mertz, member of the Aquatics Advisory Board, spoke to a power point presentation. He spoke about his involvement with Glacier Swim Club. Several members of GSC were present. GSC was very involved with supporting the two pool facilities and he spoke about hosting large swim meets, local swimming clubs, the masters program and the high participation rates of the club. Mr. Mertz said there had been a steady decline in pool users and the numbers now were less than in 2006 when only one pool was open. He spoke about cost recovery and said the pools would not pay for themselves entirely, but a 50% cost recovery had been achieved in the past. He provided statistics from a Sports Management Group study. He said Eaglecrest was very focused on its bottom line and

the finances were highly scrutinized. There needed to be greater transparency with the finances of the pools within the Parks and Recreation and the overall CBJ budget. He spoke about the effect of cuts to the pool's budget and talked about the effect of the closure of the pool on Mondays. Pools should be open on holidays, which are high revenue days. Perhaps some of the positions that were cut may need to be reemployed. He spoke highly of Kirk Duncan's abilities to manage. He showed the Parks and Recreation Department organizational chart and said there were many areas of responsibility and compared it to a management structure chart for the Eaglecrest facility. He said benefits of an empowered board was the ability to focus on one responsibility, and the possibility for volunteer empowerment and engagement, a leaner management structure, marketing, developing a fee structure policy, providing for maintenance needs, transparency, cost control, improved revenue, maximized facility use, providing for scholarships and keeping the pools open. He listed several names of competent people who would be good members of an empowered board. He said the draft ordinance in front of the Assembly had a seven member board with a hired manager, a budget approved by the Assembly, that marketed, monitored progress and reported to the Assembly. Mr. Mertz said that Mr. Duncan was the perfect person to assist with a transition plan. He said that 59% of the vote favored a charter amendment to allow an empowered board and the voters expected this to happen. He spoke about community support, including the Juneau Chamber of Commerce, to get this done. He encouraged the Assembly to support the draft ordinance.

The Assembly and Mr. Mertz exchanged questions and answers.

*MOTION, by Sanford, to send the concept of the Aquatics Empowered Board to the Human Resources Committee, to work on a more complete draft.*

Mr. Jones said the packet contained a draft ordinance and said he did not see anything that needed more work. He would take it to the HRC committee if there were identified work that needed to be done. He was not sure whether he supported this yet. He voted to send it to the public for a vote, he voted against this on the ballot, and he did not feel it was this committee's position to stop it, he was willing to work on the issues, but he was still not sure how he would ultimately vote.

Ms. Crane said she had a number of questions that she wanted to discuss and this is the first time the Assembly had an opportunity to address the topic. She supported referral to the HRC and asked generally what an empowered board was expected to generate. What were the factors that would indicate that an empowered board was successful? She had questions about several issues such as staffing, and said if she got her questions answered she might be more supportive.

Ms. Gladziszewski asked if the empowered board could keep both pools open better than current staff could. Eaglecrest was not always as successful as it is now, and she said Mr. Duncan had fostered that improvement. A focused board may be the key, but other than that, if there is ineffective management whether it is staff or a board in charge, that needs to change. The department can do better management, can do better marketing -she wanted to know what a board could do better.

Mr. Sanford said that yes, staff could do a better job, but the report we have from the consultant stated that they had not done a better job. Mayor Sanford asked Ms. Sebens about the memo provided by Ms. Mead on Board duties. Ms. Sebens said that Ms. Mead identified issues for consideration that were comparisons between the various CBJ enterprise boards, and that the draft was modeled on the Eaglecrest ordinance.

Ms. White said the Assembly supported Juneau Votes, and the public voted favorably for the empowered board, and this Assembly was considering ignoring the will of the voters.

Ms. Gladziszewski said that the Parks and Recreation Advisory Committee had not had an opportunity to discuss this issue and that committee was split on whether an empowered board was good, and it was troubling that PRAC, as the overall committee advising Parks and Recreation had not considered this and weighed in. Just making another board, without being very clear as to what their duties are, does a disservice to all.

Ms. Crane said the Assembly voted to put this on the ballot but there was a lot of discussion and a lot of questions then, the Mayor said this vote was advisory and it would be reviewed and the Assembly would be able to ask more questions at a later time when we had heard what the public felt.

Mr. Kiehl said the voters approved permission, not a requirement, to establish an empowered board. Yes, the public voted strongly to keep the pools open and gave us the tools we need, but we need to figure out if this is the right tool. He had not heard that we need a board with the power to fire someone, to set up its own mini administrative structure, and as one of nine responsible for the budget, he was concerned about setting up another silo. He said that all agree on the goal of keeping the pools open and running them better.

Ms. Becker said she gave the public more credit that they knew what they were voting for and they thought the Eaglecrest model was good.

Mr. Nankervis supported the motion to move this to the HRC. He got the impression from the voters that they supported the creation of an empowered board. As a retired police officer, he did not support the marijuana initiative, but he would do his best to implement the public vote. He did not support the valley library or bundling projects. This was a singular issue that did pass. It was incumbent upon him to do what the majority of the public wanted.

Hearing no objection, the matter was moved to the Human Resources Committee.

Mr. Jones asked when an answer would be needed from HRC. Mayor Sanford suggested returning an ordinance to the Assembly in a few months. Mr. Jones said he would attempt to be quicker.

**B. Ordinance 2015-07 An Ordinance Amending the Land Use Code Relating to Accessory Apartments.**

Beth McKibben said the ordinance created a clear definition of an accessory apartment, which was a lesser use than the primary use of the lot as a single family home and not a duplex. Over time the community had become more accepting of accessory apartments. There was an ad hoc committee to review accessory apartments, which reviewed what other communities were doing, and looked closely at the CBJ Table of Permissible uses and the Table of Dimensional standards.

Ms. McKibben said the ordinance would allow for larger accessory apartments, up to 1000 square feet, if certain conditions were met with respect to the net floor area of the primary dwelling, size of the lot, and wastewater treatment capacity. The ordinance also simplified the review and approval process for accessory apartments that were proposed on lots that exceeded the minimum lot sized and were connected to sewer. The ordinance provided that the Planning Commission could approve an accessory apartment application on a lot that was less than the minimum lot size and was not connected to sewer. The Commission could also approve an accessory apartment application with a conditional use permit for a single family home in a multi-family zone district where density (number of units per lot) was calculated by unit/acre (D10, D15, D18, LC, GC, MU2, and WC) that were located on a lot too small to permit a second dwelling unit. The ordinance would also clarify the parking requirements, as well as create a parking standard for the larger accessory apartments.

The Assembly had concerns about the requirement for two additional parking spaces for larger accessory apartments. Ms. McKibben said that some variances had been granted to the parking requirements for accessory apartments. There was some discussion about the applicability of PD1 and PD2 reduced parking requirements.

She explained examples of various applications depending on zoning and lot sizes. She said that much of this was based on available sewer system connections. Mr. Jones suggested that instead of requiring a conditional use permit based on waste water considerations, an alternative would be certification by a licensed waste water engineer.

Ms. White said her main concern was parking and there should be something that said if the apartment was within a certain distance from public transit, could there be exceptions to the parking requirements. Ms. McKibben said that the parking was based on existing residential parking standards, and there was contemplation of some bonus points in the code but those had not been implemented.

Ms. White asked if common wall developments could add accessory apartments and Ms. McKibben said yes, within the dimensional and zoning standards.

Mr. Nankervis asked why there was more parking required if there was only one bedroom, whether it was 600 feet or 800 feet. She said it was to simplify things in the table. He asked why stacked parking was allowed for residences but not for accessory apartments, and it was mainly due to the control of parking being in two different residences rather than one.

Ms. Gladziszewski said any way to reduce the requirements for parking, especially downtown, would be good. She said that parking was needed, but two parking spots for an apartment seemed like a lot.

Mayor Sanford said the problem is if the cars are not off the streets, then the apartments cause problems in the neighborhoods with on street parking.

Mr. Jones said there was a push to add accessory apartments, and the new subdivision rules proposed to relax the requirements for sidewalks and paved streets - so this could conflate problems if no parking was required.

The Assembly discussed D10 and D10SF zoning districts and those requirements.

*MOTION, by Jones, to amend the ordinance to reflect that where all conditions are equal, except for being on the sewer system, that the requirement for a conditional use permit be removed and replaced with some type of certified engineer's approval to state there was sufficient capacity in the on-site sewer system.*

Ms. White said that the DEC septic certification notes how many bedrooms are allowed, and that would be sufficient and save money on hiring an engineer.

There was no objection to the staff investigating this topic based on Mr. Jones' and Ms. White's comments.

Mr. Hart said that one of the roles of the Planning Commission was to hear neighborhood concerns about the impact of adding density to a neighborhood, and therefore the conditional use permit was a way to facilitate the broader discussion.

Mr. Palmer said currently the staff did not have the ability to require the construction of a new septic system and the conditional use permit gave the Planning Commission the ability to require that. Mr. Jones urged the drafting of the code to allow the development based on the rules of adequate sanitation.

Ms. Becker thanked the staff for its work on this topic.

### **C. Auke Bay Plan**

Mr. Feldt said this plan was entirely managed by CDD, along with the neighborhood and no consultant was involved so it was unique, fun and a little scary. He thanked everyone involved with the planning effort. Pat Carroll from the Alaska Department of Transportation (DOT) was present who had also participated in the planning effort.

Mr. Feldt said CDD worked to gain consensus on every aspect of the plan. There was a lot of collaboration between DOT, the University of Alaska Southeast (UAS), businesses and neighbors.

Local architects gave time to the effort and a result led to the vision of a neighborhood town center. He gave examples of issues/concerns and solutions from each chapter of the plan. The various zoning designations in the area have been reviewed and zone changes will be recommended in the coming months.

The Planning Commission would be holding a meeting on the Auke Bay Plan at its COW on Feb 10, and at its regular meeting that same night would take action. The plan was scheduled for introduction at the Assembly meeting on February 23 and public hearing and Assembly action on March 16. He said the plan had helped the department develop new relationships with citizens and had inspired some area residents to bring forward some ideas for changes.

Ms. Crane asked about the aspirational nature of the plan and asked who would create the changes proposed. Did CDD have the staff, time or money to carry it out. Mr. Hart said that staff was committed to doing the zoning changes and the plan gave form to investment in the area. The plan would develop project by project. He suggested engaging the working group in the zoning change. The discussion was still evolving about the community's responsibility to carry out the plan. They want to promote the public / private partnership approach. The plan identified a road corridor, the property owners needed to implement it as CBJ did not have the funding to build the road. He said there was a willingness by the public to participate.

Mayor Sanford said it was a great plan, and there were already two other neighborhoods identified for planning efforts. His concern was that it set out expectations for a CBJ contribution to the development through funding. Mr. Hart said he understood that and if the private sector was willing to make the investment then the planners needed to commit to working with them.

Mr. Kiehl asked if the Docks and Harbors Board reviewed this and Mr. Feldt said Mr. Uchytel and the Board had provided comments. Mr. Kiehl asked what zoning designation would relate to the town center concept. Mr. Feldt said that mixed use zoning district was most applicable but the heights anticipated in the plan were much lower, so this may allow for the creation of something unique in this area. We want to make sure it is a best fit for the vision of the plan, not a "near sorta best." The plan could advise the creation of a unique zoning designation.

Mr. Jones said that David Logan of the Docks and Harbors Board was involved with the planning effort and reported to the Docks and Harbors Board throughout. Mr. Jones had the impression at the planning meetings that the people participating were very committed. As people looked at doing development they would be looking to the plan and referring to it when they made their proposals. He spoke about the collaborative nature of the planning effort, which included people with diverse opinions who all cared about Auke Bay, and who would see that this plan was carried out with or without the contribution of CBJ.

Mr. Nankervis thanked the staff for the significant efforts. This was a piece in the puzzle and nothing could exactly match an aspirational plan, but it was great to keep the vision in mind.

Ms. Becker thanked Mr. Feldt and Mr. Hart for their work.

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

Ms. Crane said that her intent with the Wednesday, February 11 Finance Committee was to come up with an agreement on the recommendations coming from the Tax Exemption Review Committee.

## **VI. ADJOURNMENT**

There being no further business to come before the committee, the meeting adjourned at 8:33 p.m.

Submitted by Laurie Sica, Municipal Clerk