

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - June 29, 2015

MEETING NO. 2015-20: 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, Maria Gladziszewski (telephonic), Jesse Kiehl, Jerry Nankervis (telephonic), Merrill Sanford, Kate Troll and Debbie White.

Assembly Absent: Loren Jones.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Dan Bleidorn, Deputy Lands Manager; Hal Hart, Community Development Director; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Patricia DeLaBruere, Airport Manager.

II. SPECIAL ORDER OF BUSINESS

III. APPROVAL OF MINUTES

Hearing no objection, the following minutes were approved with minor grammatical corrections:

- A. June 8, 2015 Regular Assembly Meeting No. 2015-16
- B. June 10, 2015 Special Assembly Meeting No. 2015-17
- C. June 11, 2015 Special Assembly Meeting No. 2015-18
- D. June 15, 2015 Special Assembly Meeting No. 2015-19

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Kiefer referred the Assembly to Bid Results for Salmon Creek Water Filtration Plant, CBJ Contract No. E-15-224. The protest period ended June 29, 2015 at 4:30 p.m. and no protests were filed. Ms. Kiefer requested the following recommendation be added to the consent agenda: "To award Bid E-15-224 to North Pacific Erectors, Inc., for the total amount of bid of \$3,902,146.82." Ms. Kiefer noted the bid amount was less than the engineer's estimate of \$4,586,970.00.

Hearing no objection, the Assembly added Ms. Kiefer's manager's recommendation to the consent agenda.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION, by Becker, to adopt the Consent Agenda as amended to include awarding Bid E15-224. Hearing no objection, it was so ordered.

1. Ordinances for Introduction

- a. Ordinance 2015-34 An Ordinance Amending the Land Use Code Relating to Transitional Housing.

This ordinance would amend Title 49 as follows:

1. By creating a transitional housing category in the Table of Permissible Uses (CBJ 49.25.30) and related definition, consistent with the Board of Adjustment's unlisted use decision, dated August 26, 2014.
2. By amending the definition of "correctional facility" to include "halfway houses," and by amending the Table of Permissible Uses to delete references to "halfway houses."
3. By eliminating the "group home" category and definition for consistency with federal law.
4. By amending the "assisted living" definition to distinguish that category as it has historically been understood from transitional housing and multifamily housing.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- b. Ordinance 2015-35 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Tract B1 of USS 1568, Located at 7400 Glacier Highway, from D-5 to D-18.

In January 2015, the applicant applied to have Tract B1 of USS 1568, located at 7400 Glacier Highway, rezoned from D-5 to a mix of D-18 and Light Commercial. On February 26, 2015, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area.

The Planning Commission, at its April 14, 2015 meeting, recommended denial of the proposed rezone to the Assembly. The applicant, on April 24, 2015, submitted a timely protest to the Planning Commission's recommendation of denial.

On June 11, 2015, the Assembly took comments from the applicant and the public and received information from staff. The Assembly requested staff draft an ordinance for public hearing that, if adopted, would rezone the above-identified area from D-5 to D-18.

The rezone from D-5 to D-18 conforms to CBJ land Use Code requirements as follows:

1. The request is more than 2 acres.
2. No similar request has been made in the past year.
3. The request conforms to the 2013 Comprehensive Plan land use maps.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- c. Ordinance 2015-20(A) An Ordinance Appropriating to the Manager the Sum of \$72,000 as Funding for the Accessory Apartment Grant Incentive Program, Funding Provided by the Juneau Affordable Housing Fund's Fund Balance.

This ordinance would appropriate \$72,000 for an Accessory Apartment Grant Incentive Program.

The Affordable Housing Commission has designed a program to incentivize the development of accessory apartments. The basic concept behind the program is to provide homeowners a sum of money, after a certificate of occupancy is obtained, for newly constructed accessory apartments.

Originally, the funding for this program was proposed to come from \$77,000 remaining in an affordable housing grant from the State of Alaska. That ordinance failed at the Assembly's March 16, 2015, meeting.

At the June 8, 2015, Assembly meeting, a motion was passed to direct staff to prepare an ordinance that allows for the project to be funded by the Juneau Affordable Housing Fund, in the amount of \$72,000.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- d. Ordinance 2015-20(B) An Ordinance Appropriating to the Manager the Sum of \$5,270,000 as Funding for Various Water and Wastewater Capital Improvement Projects; Funding Provided by Water Utility Revenues, Water Fund's Fund Balance, and Wastewater Fund's Fund Balance.

This ordinance would appropriate \$5,270,000 for Water and Wastewater Utility capital projects with funding provided by the Water and Wastewater Fund's fund balances. The FY16 Water and Wastewater Capital Improvement Projects (CIPs) were included in the overall FY2016 -2021 CIP Resolution 2713(b) in the unscheduled funding section.

This ordinance would appropriate \$1,000,000 of Water Utility funds and \$330,000 of Water Fund's fund balance to the following FY16 Water Utility CIPs. The estimated remaining Water Fund's fund balance will be \$4,010,000 after this appropriation.

WATER UNSCHEDULED FUNDING

Water Utility	Cope Park Water Main	\$ 350,000
Water Utility	Crow Hill Reservoir improvements	500,000
Water Utility	Front Street Douglas (Savikko to D St)	150,000
Water Utility	W Juneau Reservoir - Cathodic Protection and mixer	140,000
Water Utility	Utility Adjustments: Lakewood	20,000
Water Utility	Utility Adjustments: Pavement Management	20,000
Water Utility	Distin / W Eighth Reconstruction	150,000
Water Enterprise Fund Total		\$ 1,330,000

This ordinance would appropriate \$3,940,000 of Wastewater Fund's fund balance to the following FY16 Wastewater Utility CIPs. The estimated remaining Wastewater Fund's fund balance will be \$1,750,000 after this appropriation.

WASTEWATER UNSCHEDULED FUNDING

Wastewater Utility	MWWTP Headworks Improvements	\$ 1,500,000
Wastewater Utility	MWWTP Roof Repair	500,000
Wastewater Utility	Areawide Sewer Cleanout replacements	150,000
Wastewater Utility	Utility Adjustments: Eagles Edge	20,000
Wastewater Utility	Utility Adjustments: Pavement Management	20,000
Wastewater Utility	Front Street Douglas (Savikko to D St)	150,000
Wastewater Utility	Downtown, Whittier St Improvements	150,000
Wastewater Utility	Lakewood Subd Reconstruction	150,000
Wastewater Utility	SCADA	250,000
Wastewater Utility	Facilities Planning	250,000
Wastewater Utility	MWWTP Instrumentation Upgrades	300,000
Wastewater Utility	Long Run Dr Lift Station Improvements	300,000
Wastewater Utility	Distin/ Indian Reconstruction	100,000
Wastewater Utility	Cope Park Sewer improvements	100,000

Wastewater Enterprise Fund Total \$ 3,940,000

Water and Wastewater Funding Total \$ 5,270,000

The final design of the Cope Park Improvements project discovered additional unforeseen sewer and water repairs necessary during the project that were not accounted for in the FY16 CIP. These increases are reflected in the \$50,000 increase for Cope Park Water Main and the addition of \$100,000 for Cope Park Sewer Improvements.

Two water utility projects from the FY16 CIP are not included in this list due to being ADEC grant requests – Salmon Creek Secondary Disinfection (\$3 million) and Last Chance Basin Well Upgrade (\$2 million). Salmon Creek appears to be successful in receiving the full \$3 million, but is awaiting the Governor's signature.

The projects receiving grant and loan funding will be presented to the Assembly for appropriation at a future date, when the applications are complete and the funding is made available to the CBJ.

The Public Works and Facilities Committee reviewed this ordinance at its June 22, 2015 meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- e. Ordinance 2015-20(C) An Ordinance Appropriating to the Manager the Sum of \$850,000 as Funding for the City Shop Sand and Salt Storage Shelter; Funding Provided by Wastewater Fund's Fund Balance.

This ordinance would appropriate \$850,000 from the Waste Management Fund's fund balance as support for the sand and salt storage shelter to be located at the City Shop in Lemon Creek. There is also a transfer (T-972) of \$176,135 from two existing CIPs to accompany this ordinance. These funds would move into the Street Maintenance Shop CIP, R72-081.

As discussed at the March 2nd and March 23rd Public Works and Facilities Committee meetings, there are significant operational efficiencies to be gained by constructing a new sand and salt storage shelter at the City Shop. Allocating more space to the Household Hazardous Waste program will allow that program to grow and to increase diversion from the landfill and provide the community with additional free chemical products.

The combination of this appropriating ordinance, the transfer of \$176,135, and the FY16 CIP Resolution 2713d of \$300K will provide the funding to complete this project. A conservative project estimate for the sand and salt storage shelter is \$1.4M (the estimate has increased \$200,000 since we last reported to PWFC), but we expect very competitive bidding from contractors and suppliers of fabric building systems.

Moving forward with this project will position the CBJ to achieve three important goals:

1. Save money on street maintenance.
2. Incrementally grow the HHW Program
3. Open the opportunity in the future to combine the HHW and Recycling programs and save on the costs of those programs.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- f. Ordinance 2015-20(D) An Ordinance Appropriating to the Manager the Sum of \$500,000 as Funding for the Juneau International Airport Runway Rehabilitation Capital Improvement Project, Funding Provided by the Juneau International Airport Operating Reserves.

This ordinance would appropriate \$500,000 for the Runway Rehabilitation capital project.

Funding is provided as follows:

Juneau International Airport Operating Reserves: \$500,000

These funds would be reimbursed from a pending Federal Aviation Administration (FAA) grant amendment.

This airport capital project would resurface the runway, and install new drainage. The FAA funds 93.75% of the project with the remainder being split between Alaska DOT and Juneau International Airport.

The Airport Board approved this action at its June 23, 2015, Special meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- g. Ordinance 2014-24(AU) An Ordinance Appropriating and De-appropriating to the Manager the Sum of \$14,300 and \$4,778 Respectively as Additional Funding for the Salt Water Pump House Stabilization CIP; Additional Funding Provided by the Alaska Department of Natural Resources and In-Kind Services and Supplies.

The project is now complete and this ordinance would appropriate additional grant funds made available from the Alaska Department of Natural Resources Office of History and Archaeology to install a new roof structure and new roofing material on the Salt Water Pump House located on Sandy Beach and part of the historic Treadwell Mine Complex. In addition this action would appropriate in-kind services and materials to the project budget which was used and approved as a portion of the required match for the grant.

The Treadwell Historic Preservation and Restoration Society provided funds to the CBJ as a match to the grant. The amount of funds provided proved to be in excess of what was required due to the additional funds provided by the state and in-kind supplies and services supplied by outside vendors. Thus, excess funds would be returned to the Society for future projects at the Treadwell Historic Mine Site.

The specific amounts subject to this ordinance are as follows:

- Appropriation of additional funds received from the Alaska Department of Natural Resources Office of History and Archaeology totaling \$5,023.51.
- Appropriation of donated services and materials totaling \$9,275.84.
- De-appropriation of donated funds from Treadwell Historic Preservation and Restoration Society totaling \$4,777.16.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

- a. Resolution 2728 A Resolution Designating State of Alaska, Department of Environmental Conservation Grant Funds for the Long Term Biosolids Treatment and Disposal Project as the Number One Local State Funding Priority for Fiscal Year 2016.

The City and Borough is applying for Alaska Department of Environmental Conservation (ADEC) grants through the Alaska Clean Water Fund grant program. The application process has a ranking system whereby projects from around the State are evaluated based on criteria such as the benefit to public health, whether the plans will be completed by the community, the level of community support, and the existence of supplementary sources of funding. To achieve maximum points, thereby assuring the best chances for grant monies, ADEC requests a resolution of support by the community's elected leaders identifying this project as the community's number one priority.

This resolution requests that the Long Term Biosolids Treatment and Disposal Project be considered Juneau's number one priority for State grant funding this fiscal year. The proposed project will end the shipping of CBJ's biosolids via barge and rail to Arlington, Oregon for landfill disposal, and provide the CBJ with a stable, local, long-term, greener, and more cost-effective treatment and disposal method.

The CBJ is requesting \$1,000,000 in grant funding for this project, which, if awarded, will require a 40 percent match.

The CBJ has already successfully obtained ADEC Municipal Revolving Loan Program funding assistance for the design and construction of this project.

The Assembly Public Works and Facilities Committee reviewed this request at its June 22, 2015, meeting and recommended forwarding to the full Assembly for approval.

The Manager recommends this resolution be adopted.

3. Bid Award

- a. BID E15-224 Salmon Creek Water Filtration Plant

This project would consist of installing a membrane water filtration system at Salmon Creek Plant and miscellaneous related work.

Bids are scheduled to be opened at 2pm on Thursday, June 25, 2015, with a 24 hour protest period.

At time of packet printing bids were not yet available. The bid award memo will be posted by Monday, June 29, 2015 into Novus.

The manager recommended award of Bid E-15-224 to North Pacific Erectors, Inc., for the total amount of bid of \$3,902,146.82.

4. Transfers

- a. Transfer T-971 This transfers \$1,800,000 from the West Juneau-Douglas Highway Access Study Capital Improvement Project (CIP) to a new CIP titled Gastineau Building Demolition.

This transfers \$1,800,000 from the West Juneau-Douglas Highway Access Study Capital Improvement Project (CIP) to fund demolition of the Gastineau Apartment building. Award of a demolition contract would come before the Assembly for consideration and approval.

Engineering staff would proceed on the preparation of a bid package and advertise for demolition, if or when, the Assembly directs that action by motion.

The Public Works and Facilities Committee reviewed this information item at its June 22, 2015 meeting. The Lands Committee also reviewed this request at its June 22, 2015 meeting and recommended moving it to the full Assembly for approval.

The Manager recommends this transfer be approved.

- b. Transfer T-972 of \$176,135 from two existing CIPs as funding for the Sand and Salt Storage Shelter to be located at the City Shop in Lemon Creek. These funds will be moved into the Street Maintenance Shop CIP, R72-081

Staff requests the transfer of \$176,135 from two existing CIPs as funding for the sand and salt storage shelter to be located at the City Shop in Lemon Creek. These funds will be moved into the Street Maintenance Shop CIP, R72-081. There is also an ordinance (2015-20(C)) that would move \$850K from the Waste Management Fund's fund balance.

As discussed at the Public Works and Facilities Committee meetings, there are significant operational efficiencies to be gained by constructing a new sand and salt storage facility at the City Shop. Allocating more space to the Household Hazardous Waste program would allow that program to grow and to increase diversion from the landfill and provide the community with additional free chemical products.

The Manager recommends this transfer be approved.

VII. PUBLIC HEARING

- A. Ordinance 2014-24(AT) An Ordinance Appropriating to the Manager the Sum of \$32,238 as Additional Funding for the 2013 State Homeland Security Program; Grant Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.

This ordinance would appropriate \$32,237.76 as additional funding for the 2013 State Homeland Security Programs (SHSP) Grant from the Alaska Department of Military and Veterans Affairs for the City and Borough of Juneau. The State Grant Number is 13SHSP-GR34078.

These funds are an additional award to support the goals and activities of the Emergency Management Division. These funds would be used towards the 12SHSP

Mobile Data Terminal Project, upgrading communications capabilities in emergency response vehicles.

This increases the total award to \$177,275.48.

There is no dollar match requirement for this grant.

The Manager recommends this ordinance be adopted.

MOTION, by Becker, to adopt Ordinance 2014-24(AT). Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS

- A. Ordinance 2015-29(b) An Ordinance Amending the Signs Code and Providing for a Penalty.

This ordinance would amend CBJ Chapter 49.45, the Signs Code, by changing violations of the code from criminal infractions to a civil violations, and by amending the currently imposed staggered penalty (\$25, \$50, and \$100) to a \$500 per day, per offense penalty with a 15-day grace period. After noticing the decline in sign compliance and the inherent disincentive for compliance in the existing Code (\$25 to put up a sign without a permit vs. \$50 to apply for a permit), the Historic Resources Advisory Committee (HRAC) initiated this amendment.

The HRAC unanimously voted in support of the amendment at its December 9, 2014, meeting. The Title 49 subcommittee also unanimously supported the change at its January 27, 2015, meeting. At its meeting on April 14, 2015, the Planning Commission voted to recommend approval of the amendment to the full Assembly.

At its meeting on June 8, 2015, the Assembly tabled this issue for further discussion.

Version (b) amends the ordinance to address issues raised by the Assembly at its June 8th meeting.

The Manager recommends this ordinance be adopted.

Ms. Mead said a copy of version c was emailed to the assemblymembers, and she distributed copies to those in the Chambers. Version c included amendments suggested by Mr. Kiehl.

Mr. Kiehl said version c adds at line 19, on page 1, a reference to our citation code elsewhere, and this cleared up the confusion on the "every day a sign is up is a separate violation and a ticket can be written," and makes the 15 day fix-it period more clear. This says that within 15 days you can fix the violation and the ticket is dismissed as long as you have not previously had a fix it period. He read section (b) from the amended ordinance version c.

Public Comment:

Zane Jones spoke as a representative of the Historic Resources Advisory Committee, and said the HRAC supported the change to the signs code. He said the changes with version c made the ordinance more clear.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2014-29(c).

MOTION, by Nankervis, to amend Ordinance 2014-29(c) to reduce the fine amount from \$500 to \$300.

Mr. Nankervis said a \$500 fine was too high.

Ms. Crane objected and said a lot of discussion and work had gone into this ordinance and supported leaving the fine at \$500.

Mr. Kiehl supported the amendment, saying \$300 was still greater than the cost of a permit and was more in line with other fines.

Ms. Troll supported the \$500 fine as it was proven to work well in Skagway.

Roll call on the amendment:

Aye: Kiehl, Nankervis, Sanford

Nay: Becker, Crane, Gladziszewski, Troll, White

Motion failed, 3 ayes, 5 nays.

Hearing no objection, Ordinance 2015-29(c) was adopted.

B. City Manager Evaluation Subcommittee - Final Recommendation

Mayor Sanford said that a subcommittee of Ms. Becker, Ms. Crane and Mr. Nankervis had met and forwarded a recommendation to increase the City Manager's compensation by 3% for a one year period. Hearing no objection, Mayor Sanford said he would work with the Human Resources Department to facilitate that change.

IX. NEW BUSINESS

A. Authorization to Begin Lease Negotiations with Pacific Coast Paving for an Asphalt Plant

On June 2, 2015, the Division of Lands and Resources received a lease application from Murray Walsh representing Pacific Coast Paving, Inc. The applicant is requesting a long term lease of approximately one acre on City property located adjacent to the Lemon Creek Gravel Pit, with the intention of operating a general-purpose asphalt plant.

According to CBJ 53.09.260, the application "...shall be reviewed by the Assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease..."

If the Assembly determines that it is appropriate to lease this property to Pacific Coast Paving, an ordinance and lease will be drafted and be brought before the Assembly for further review and approval. Once negotiations are finalized, it is the intention to grant Pacific Coast Paving a use permit while the lease goes through Planning

Commission and Assembly review, in order to take advantage of this year's construction season.

The Lands Committee reviewed this request at its June 22, 2015 meeting, and recommended forwarding to the full Assembly for consideration.

The Manager requests authorization to enter into lease negotiations with Pacific Coast Paving, Inc.

Public Comment:

Murray Walsh thanked the Lands Committee for the positive recommendation and the Lands staff for their expeditious work. Answers to all of the questions raised by Secon in their letter to the Assembly would be addressed during the negotiations.

Ms. White referred to the letter from Secon and asked if the work could be done in the land allotted. Mr. Walsh said it could, as there would not be stockpiled material on the site. This would be brought to the site as needed, which kept the aggregate dryer and reduced the leased space needed from CBJ. Ms. White asked if bringing the materials to the site would increase traffic. Mr. Walsh said it would need to be delivered to the site either way and would not increase traffic.

Mike Short, Secon, said that the proposed site was small, and the stockpiles would usually be the same size as the plant, so hauling crushed material would increase the dust on the road. This was a wet wash type of plant and the water would need to be separated from the solids prior to re-use, so that will take more land than was shown on the application. Those questions would need to be answered.

Assembly Action:

MOTION, by Kiehl, to authorize the manager to enter into lease negotiations with Pacific Coast Paving, Inc. Hearing no objection, it was so ordered.

B. Regulation Public Use of Municipal Transit System

This regulation would repeal and reenact the Public Use of Municipal Transit System regulations - 03 CBJAC 20. The proposed changes to the Public Use of Municipal Transit System regulations would include orderly operation of the City and Borough of Juneau transit vehicles and facilities, administration, definitions, Capital Transit Code of Conduct, enforcement, penalties, and appeal process.

The changes made to the regulations are updates that bring them into conformance with State laws. The changes would clarify the rules to the public and allow Capital Transit and the Juneau Police Department to enforce the Code of Conduct.

A public hearing regarding the proposed regulation changes was held at the June 22, 2015 Public Works and Facilities Committee meeting, no public comment was received.

CBJ 01.60.260 provides that regulations be presented to the Assembly for review. Taking no action constitutes approval of the regulations, with an effective date of 7 days following adoption. The Assembly may not amend the regulations. If the

Assembly disapproves the regulations, it shall return the regulations to the agency and may state the reasons for its disapproval, but shall not establish explicit conditions for subsequent approval or direct particular amendments of the regulation. Alternatively, the Assembly may direct that the matter be prepared as an ordinance or resolution for its consideration.

Mayor Sanford said the only public comments he had heard were from elders whose concern was a lack of courtesy from younger bus riders not giving up their seats, causing elders to stand for the ride.

MOTION, by Crane, for orders of the day. Hearing no objection, the regulations were allowed to become effective.

X. STAFF REPORTS

A. City Attorney Updates: Gastineau Apartments and Hohman Property

Ms. Mead said that on June 19, Mr. and Mrs. Barrett were required to submit a number of things pursuant to the demolition order, including applying for all necessary permits, including a demolition permit application, abatement and mitigation plans for traffic and hazardous materials. On June 19, the Building Official received letter from Mrs. Barrett saying that they had put out a competitive bid packet on March 27 to 40 different companies, that they had extended the deadline to June 30, and that a number of unsolicited bidders from the local area had reached out wanting to submit a bid to them by July 1. The Building Official asked for a copy of the March 27 RFP and a list of the contractors to whom it was sent, and a request for the names of the unsolicited bidders, but no response was received. Mr. Barrett submitted an appeal of the demolition order and the Building Code Board of Appeals (BCBA) met June 26 and declined to accept the appeal due to finding the matter appealed outside the BCBA jurisdiction, namely Mr. Barretts' objection to the CBJ appraisal amount done for the eminent domain process. CBJ sent a notice to Mr. and Mrs. Barrett putting them on notice that CBJ would move forward. The first task was to hire someone to put together the bid packet. Notice was provided to the Barretts regarding the transfer on the consent agenda and that the request for proposals for the design piece was posted. There were seven days notice required before CBJ could spend funds on the project. The other task was the declaratory judgment to seek reimbursement for CBJ funds incurred in the demolition and Ms. Mead expected to file that in court in the next week.

In response to Ms. Troll's question, Ms. Mead said that the inability of the BCBA to act on Mr. Barrett's appeal did not inhibit the processes in place.

Ms. Becker asked if CBJ could require the owner to take further action to secure the property and prohibit dumping trash into the building. Ms. Mead said the building was condemned, so there should be no activity, but it was still private property.

Mayor Sanford asked if CBJ could require clearance of all access routes through the building in case of another fire on order to protect first responders. Ms. Mead said Mr. Barrett had complied by putting plywood over the door, and that the Building Official could take a look and make an appropriate order. Ms. Kiefer said that Mr. Ford had asked for clearance of the access ways and had not had compliance. Ms. Kiefer said that during the last fire it was fought from the outside, and fire staff were taking precautions. Mr. Kiehl said he did not believe the

building was secure from casual entry and asked what steps could be taken to secure it. Ms. Mead said the Building Official had discretion to require that the building was secured and how it had to be done, so she would talk with him to make that determination. Mr. Kiehl urged appropriate action. Ms. Troll agreed and said the Building Official had the backing of the Assembly.

Ms. Mead said Mr. Hohman was served a writ of execution to initiate the sale of the property on June 16 and had 15 days to file for any exemptions he believed he was entitled to, for example, the homestead exemption. If he filed, CBJ had ten days to respond and the court then held a hearing to resolve those issues. There were not timelines set out in statute but it was done on an expedited basis. If no exemption was requested, or after the court hearing, there was a notice of sale timeline required. CBJ was required to give notice by three methods over a 45 day period. The bid must be more than any approved exemption and the debt load. She understood the debt owed was approximately \$51,000, which if Mr. Hohman was entitled to the full exemption, the property would need to sell for \$120,000. Once sold, CBJ must file a confirmation of sale to the court. Mr. Hohman would have 60 days to redeem the property after the confirmation was filed. Then the sale was confirmed by the court, which gave the purchaser another 12 month period of redemption. After the confirmation of sale, the purchaser has the right to take possession of the property with the knowledge that the property owner had 12 months to redeem the property. She was looking at a timeline to complete CBJ's actions on the property before December, but the timeline for building activity on the house could be much longer.

Ms. White asked if someone bought the property and Mr. Hohman attempted to redeem it, would the improvements come in to play and Ms. Mead said no.

XI. ASSEMBLY REPORTS

A. Mayor's Report

None.

B. Committee Reports

Committee of the Whole: Chair Becker said the COW met on June 22 and heard the annual report from JPD, a request from Juneau School District for maintenance funding, a request from the airport for GO bond funding, an update on changes to the transit system and information on Title 49 code amendments regarding changes to the subdivision ordinance. The next meeting was set for July 13.

Lands and Resources Committee: Chair Kiehl said the committee met on June 22 and heard a recommendation from the Affordable Housing Commission on accessory apartments, which was introduced tonight, a fund transfer for Gastineau Apartment demolition, about two potential land trades regarding roadside fisheries, about the asphalt paving plant lease proposal, and about the Reninger Subdivision. CBJ received the US Army Corps fill permit for that project. This subdivision would create six multi-family lots available to the market.

Finance Committee: Chair Crane said the next meeting was set for July 30.

Public Works and Facilities Committee: Mr. Nankervis said the next meeting on July 13 was cancelled.

Marijuana Committee: Mr. Kiehl said the next meeting was set for July 2 and would include reports from the Law Department and the Fire Marshal.

C. Liaison Reports

Bartlett Regional Hospital: Liaison Crane said BRH was working on the contract issue with the emergency room service provider. The Board had formed committees to look at different care units and was receiving detailed reports. The demonstration project which would mean \$4 million for BRH was included in a bill that had passed out of the U.S. Senate Finance Committee and needed to pass through Congress.

School Board: Liaison Kiehl said that JSD was looking at a proposal for a new charter school.

Airport Board: Liaison White said the runway rehabilitation work was almost done, with a July 1 reopening that would put the taxiway and temporary taxiway back to its original configuration. The master plan was 50% done. The food and beverage service at the departure lounge was almost complete and the liquor license was anticipated to be approved on July 20. A total roof repair on maintenance shop was needed. New firefighting apparatus was being purchased and delivered. The Board was considering changing its regular meeting date based on new board members' schedules.

Juneau Convention and Visitors Bureau: Liaison White reported on a number of film projects happening in Juneau and spoke about the number of meetings being facilitated by JCVB, all of which generate significant revenue within the community.

Alaska Committee: Liaison Becker said the committee met and talked about its role in the economic plan, heard a report on visitor satisfaction survey, and had concern about the lack of reliable cab service at the airport and an interest in the ability for people to park downtown in excess of two hours when doing business at the capital.

Downtown Improvement Group: Ms. Becker said that there was a meeting at Centennial Hall to discuss the layout of downtown roads. Mr. Singletary spoke to the group about sales tax and there was a lot of interest in a CBJ business license.

Chamber of Commerce: Liaison Becker said that Mike Satre spoke about the Greens Creek Mine and its current operations.

D. Presiding Officer Reports

Ms. Mead noted that Hearing Officer John Corso was drafting a decision in the appeal case, Bicknell v Planning Commission.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Nankervis said he attended an amateur radio club event and appreciated their service during emergencies.

Ms. Gladziszewski thanked people for organizing "Prayers for Charleston," which was a great event.

Ms. Troll said she was feeling lots of good housing energy with several projects underway. She made a suggestion regarding zoning protests - that when a rezone proposal before the Assembly had a difference between what the Planning Commission and CDD staff recommended, that both would be provided an opportunity to comment on the recommendations they had made. She also spoke about a July 8 Whitehorse / Juneau tennis event, which came with a challenge from the Mayor of Whitehorse to Juneau. Mayor Sanford encouraged Ms. Troll to represent Juneau well.

Ms. Crane said she attended the ribbon cutting for the new AWARE transitional housing and it was a very fine ceremony and building. She anticipated good outcomes from this new program. She would be attending the National Association of Counties annual meeting in Charlotte, NC.

Mr. Kiehl echoed Ms. Gladyszewski about the moving ceremony, "Prayers for Charleston." He also attended the opening ceremony for AWARE's "Kaaseii" transitional housing. There are many that need more time than the AWARE shelter can provide to get on their feet and this facility would be life changing. He congratulated the Miners' Association and all who hosted "Gold Rush Days," He also attended the Pride Celebration, and JPD's quarterly award ceremony and encouraged people to attend.

Ms. Becker said she attended Gold Rush Days and noted that Jerry Harmon was awarded for his service to this program. She also attended the ham radio event and attended the prayer service.

Mayor Sanford wished CBJ a Happy 45th Birthday on July 1, the date of incorporation in 1970, joining the cities of Douglas, Juneau and the Greater Juneau Borough, and said he was proud of being part of the development of the CBJ along with his fellow Assemblymembers.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Matthew McGuan said he was at the head of a ground swell to remove the display of confederacy in Juneau, in the flying of the State of Mississippi flag on Egan Drive between KTOO and the Prospector). He said it symbolized slavery and thumbed its nose at civil rights. He understood that the Flag Committee took on a noble effort and that the right of way belonged to the State of Alaska DOT, but said that to give outsiders a space to venerate that symbol in a place of prominence should not be allowed.

Marc Wheeler, said there was a common concern about the Mississippi flag being flown in the gateway to the community and visitors would see this symbol of oppression being displayed, which was a marker of the nation's "original sin." He grew up in the South and knew the pain that symbol could bring. He encouraged CBJ to ask DOT and the Friends of the Flag to remove that symbol from public property.

Mayor Sanford asked if those concerned could get the State of Mississippi to change its flag? Mr. Wheeler said that change happened very slowly in the south and he didn't know if the community had time to wait for that action.

XIV. EXECUTIVE SESSION

Mayor Sanford called for an executive session to discuss Ms. Mead's performance evaluation.

MOTION, by Becker, to enter executive session, to discuss a personnel matter, namely, a performance evaluation of Municipal Attorney Amy Mead. Hearing no objection, the Assembly entered into executive session at 8:30 p.m. and returned to regular session at 9:25 p.m. Mr. Nankervis disconnected his call and Ms. Mead attended the executive session.

Mayor Sanford said that in executive session the Assembly spoke with Ms. Mead, and he would be drafting a performance review in writing based on the comments made.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:30 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor