

# **ASSEMBLY HUMAN RESOURCES COMMITTEE THE CITY AND BOROUGH OF JUNEAU, ALASKA**

January 8, 2018 6:00 PM  
Assembly Chambers  
Final Agenda

## **I. ROLL CALL**

## **II. APPROVAL OF AGENDA**

## **III. APPROVAL OF MINUTES**

- A. December 18, 2017 Human Resources Committee Minutes

## **IV. PUBLIC PARTICIPATION**

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

## **V. AGENDA TOPICS**

### **A. Board Matters**

- 1. Local Emergency Planning Committee - Annual Report and Appointments
- 2. Juneau Economic Development Council - Appointment

### **B. Liquor Licenses**

- 1. Liquor License #2533 - Jack and Arlene Tripp d/b/a Viking Restaurant and Lounge  
[Mid-Cycle Protest]

### **C. Other Business**

## **VI. STAFF REPORTS**

## **VII. COMMITTEE MEMBER COMMENTS AND QUESTIONS**

## **VIII. ADJOURNMENT**

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: [city.clerk@juneau.org](mailto:city.clerk@juneau.org)

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

December 18, 2017 6:00 PM  
Assembly Chambers

**I. ROLL CALL**

HRC Chair Maria Gladziszewski called the meeting to order at 6:09 p.m.

HRC members present: Maria Gladziszewski, Jesse Kiehl and Norton Gregory (telephonic) and Rob Edwardson (telephonic)

Technical difficulties were preventing the telephonic participation to stream through the main sound system system in the Chambers so Mr. Gregory and Mr. Edwardson's participation was through the speaker phone only.

Staff present: Deputy Clerk Beth McEwen; Municipal Clerk Laurie Sica

**II. APPROVAL OF AGENDA**

Ms. Gladziszewski stated that she would like to move the liquor license item up on the agenda and moved the discussion of board evaluation/review to the end of the agenda. *Hearing no objection, the agenda was approved as amended.*

**III. APPROVAL OF MINUTES**

A. November 6, 2017 Human Resources Committee Minutes

B. November 27, 2017 Human Resources Committee Minutes

*Hearing no objection, corrections, or changes, the minutes of the November 6 and November 27, 2017 Assembly Human Resources Committee meetings were approved as presented.*

**IV. PUBLIC PARTICIPATION**

*No one from the public asked to address the committee on non-agenda items.*

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

**V. AGENDA TOPICS**

A. Board Matters

1. Americans with Disabilities Act (ADA) Committee - Appointment

Ms. McEwen noted that the Clerk's office received an email earlier in the day which was forwarded to the Assembly regarding another resignation from the ADA Committee.

With that resignation having been received, that makes two vacant seats on the ADA Committee. The HRC could choose to recommend an appointment to either a term expiring August 31, 2018 or a term expiring August 31, 2020.

**MOTION** by Mr. Kiehl to recommend the appointment of Elizabeth Harrington to the ADA Committee to a term expiring August 31, 2020. *Hearing no objection, the motion carried.*

## 2. Youth Activities Board - Appointment

The Youth Activities Board has two open seat, one of which is for a representative from the Juneau Arts and Humanities Council.

**MOTION** by Mr. Kiehl to recommend the appointment of MK MacNaughton to the Juneau Arts and Humanities Council seat on the Youth Activities Board for a term expiring upon her completion of her term with the Juneau Arts and Humanities Council. *Hearing no objection, the motion carried.*

## 3. Utility Advisory Board - Appointment

The Utility Advisory Board has one open seat, which may be filled by an accountant, commercial customer, or general public member for a term expiring May 31, 2020.

**MOTION** by Mr. Kiehl to recommend the appointment of Kevin Buckland to the Utility Advisory Board to a general public seat with financial background for a term expiring May 31, 2020. *Hearing no objection, the motion carried.*

## B. Other Business

### 1. Discussion re: Board Evaluation/Review Process

Ms. Gladyszewski said that she is interested in the proposal that the City Attorney mentioned during the Assembly retreat of combining the various appeal boards into one or possibly two boards.

She asked if any of the other members had thoughts or comments about the board evaluation/review process. Hearing none, Ms. Gladyszewski suggested that she discuss the possible merging of appeal board duties with Ms. Mead and bring that back to the HRC at a future meeting.

Ms. McEwen gave the committee a brief update on the board management software replacement program. She will continue to provide status updates as the program development continues. When it comes time to develop the online application form, she will be seeking feedback from the HRC on what they would questions like included on the final board application form.

## C. Liquor Licenses

### 1. Liquor License Transfer Thibodeau's Douglas Depot Package Store License #828

Ms. Gladziszewski noted the letter in the packet from the Douglas Advisory Board (DAB) which held a public meeting on December 13 which included this topic. Following its meeting of December 13, the DAB sent a letter supporting the application for this liquor license to the HRC and Assembly.

Ms. Gladziszewski also noted a few emails that the Assembly had received including one that came in just minutes before the HRC meeting began.

Ms. Gladziszewski called for public participation on this agenda item.

Mr. Robert Sewell, a Douglas resident, raised concerns relating to the public notice process for all types of licenses and permits which might affect the nature and character of their community.

He also commented on the method for measurement to the nearby church. Mr. Sewell also raised concern that the Douglas Advisory Board should have term limits and their work be more transparent.

Ms. Gladziszewski asked if the HRC members had any questions for Mr. Sewell, hearing none, she thanked Mr. Sewell for his testimony.

Mr. John Delgado, a member of the Douglas Advisory Board, said he was speaking as a private citizen/Douglas resident and not on behalf of the board. He stated that he was in favor of the liquor license application as he felt it would be good for the community since the building in that location is virtually in danger of falling down and the Thibodeau's are willing to make a substantial investment in that property to make it a better place. He also stated that he felt public notice by CBJ has been quite sufficient if people are paying attention.

Ms. Gladziszewski asked Mr. Delgado about the meeting of the DAB on December 13 and what was discussed relating to this license. Mr. Delgado said he doesn't recall how many people attended the meeting. He said that Mr. Pete Thibodeau gave a full description about his plans for that property. They plan on not only renovating the existing building but also on placing new gas pumps to replace those currently on the property.

Mr. Edwardson said in reading through the packet, it appears that the applicant has complied with all city and state laws and he does not see any basis upon which to protest the issuance of this license.

Mr. Edwardson said they received a number of comments regarding lack of public notice and he asked about the public notice process. Ms. McEwen explained the code requirements relating to the notice to the applicant in the event of a possible protest

recommendation. The code relating to liquor licenses does not require notice similar to an abutters notice but that all liquor licenses are published in the Assembly's agenda which appears in the newspaper's Your Municipality ad the Friday prior to the Monday's Assembly agenda. She also stated that with respect to this particular license, additional notice was provided to the Douglas area by sending copies of the certified letter to the Douglas Island Neighbors Association, the Douglas Community United Methodist Church, and the Douglas Advisory Board and the additional public meeting held on December 13 by the Douglas Advisory Board.

Mr. Kiehl agreed that additional notice came out in this case. He said that if the Assembly wants to make a change to the process in which we treat liquor licenses and make them go through the Conditional Use Permit process that marijuana licenses are made to go through, that would take a code change and not something that can happen at this point with this license. He stated that he too reviewed the packet materials and was satisfied that the license before them has met all the necessary code requirements and there is no basis for protesting the license application.

Mr. Kiehl went on to say that if the Assembly wishes to make code or zoning changes it has the opportunity to do so in the future. The Assembly has talked about coming up with a Douglas Plan similar to other area plans as they are working on updates to the Comp Plan. He said if they want to change the zoning in Douglas, that is a much larger discussion that needs to occur with the Assembly before someone submits an application for a liquor or other license. He said that the applicant has come in good faith under the rules currently in place and he sees no reason to protest the issuance of this license.

**MOTION** by Mr. Kiehl that the HRC recommend the Assembly waive its right to protest the transfer of the package store liquor license #828. *Hearing no objection, the motion carried.*

## **VI. STAFF REPORTS**

### **A. Liquor and Marijuana Licensing Process Verbal Report**

Ms. McEwen explained the process for liquor license review by a local governing bodies.

1) Alcohol Marijuana Control Office (AMCO) sends notification to the local governing body which has 60-days in which to comment on the license.

2) Clerk's office loads the AMCO information into a SharePoint system for staff review by the Fire, Finance, Community Development, Public Works, and Police Departments.

3) Staff makes recommendations of protest or no protest to the license action.

3a) If staff recommends protest, a certified letter stating with specificity the basis for protest is mailed to the licensee and the Clerk's staff places that license on the HRC agenda and under New Business on the Assembly's agenda and the licensee is afforded an informal hearing before the Assembly on the matter.

3b) If staff recommends waiver of protest, the license is placed on only the Assembly agenda with a recommendation for the Assembly to waive its right to protest.

4) Following Assembly action, Clerk's office sends a letter to AMCO notifying them of the local governing body action on the liquor license.

Ms. McEwen explained that this is generally the same process for marijuana licenses. In addition to the 60-day local governing body process for marijuana licenses, they also go through a separate Conditional Use Permit as well as a local CBJ marijuana license application process at CDD.

Mr. Kiehl asked questions regarding the types of things that the police department reviews when it does its review. Ms. McEwen noted that there is a quarterly report that police departments provide to AMCO about their enforcement of AS 04 and she said she would ask JPD to see if they could forward copies of those quarterly reports to her and the Assembly.

Ms. Gladziszewski said she would like to have a discussion with CDD regarding the potential for a Conditional Use Permit process for new or transferring liquor licenses similar to those done for marijuana licenses.

## **VII. COMMITTEE MEMBER COMMENTS AND QUESTIONS**

## **VIII. ADJOURNMENT**

There being no further committee questions or comments, Chair Gladziszewski adjourned the meeting at 6:38 p.m.

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

Emergency Programs Division  
155 S. Seward St., Juneau, Alaska 99801  
[michelle.brown@juneau.org](mailto:michelle.brown@juneau.org)



Voice (907) 586-0371  
Fax (907) 586-4517

DATE: December 13, 2017

TO: HRC

PRESENTATION BY: Dan Garcia, Juneau LEPC Chairperson

PREPARED BY: Michelle Brown, Emergency Programs Grant Coordinator

SUBJECT: Annual Report, Juneau Local Emergency Planning Committee (LEPC)

Regular LEPC Public meetings are held on the 2<sup>nd</sup> Wednesday of each month with the exception of April when much of the group participated in an emergency exercise. Monthly Minutes are provided to the CBJ Clerks Office by Michelle Brown. Public notices for meetings and events occur monthly in PSA's and through newspaper, radio, e-mail, local meetings, events calendars, and bulletin boards. We have strong participation from both seated members and the general public resulting in an average group size of 24 people. Regular public participation includes the School District, Salvation Army, UAS, Coast Guard, National Guard, Airport, and S.A.I.L. with the CBJ providing a deaf interpreter. We benefit from the Elected Official seat which consistently provides guidance, knowledge of local news, and recommendations. This is currently occupied by Rob Edwardson who has already proven to be a valuable asset.

The Committee received a request to include a Health seat. This is a recognized membership group in the Alaska LEPC Handbook AS 26.23.037. The Juneau LEPC has taken this under advisement and feels it would be a valuable addition. This would require a Resolution and change to our By-Laws. We are working on a recommendation and will reach out to the HR Committee soon.

We are currently working to renew Year end expired seats. Mike Lopez recently stepped down to focus on assigned internal projects at the hospital. Mike started the original CERT program in early 2000 and has been a seated member and active voice of community readiness on the LEPC since 2007. His knowledge and enthusiasm will be greatly missed. He advocated for two exceptional BRH representatives on the LEPC, Kim McDowell, Emergency Dept. Director and Tonia Montez, House Supervisor. We currently have applications before the HRC for approval of these members in the BRH seats, and enthusiastically welcome them to the LEPC. BRH is an important partner in all aspects of readiness for a disaster; over the last two years BRH had significant absences; the new representatives assigned and supported by BRH to represent this seat should significantly improve that deficiency.

Since 2010 the BRH Administrative building classrooms hosted our monthly meetings. That meeting space is centrally located in our community to provide the convenience that encourages public participation and it is large enough to accommodate a group of our size. August of 2017 BRH notified us that they would no longer be able to accommodate our group because the space was needed internally. We are currently seeking a new regular meeting space for this group, and are experiencing difficulty finding space that is centrally located (Valley/Lemon Creek) and large enough for our group. Recommendations from the HR Committee would be appreciated.

A State of Alaska LEPC grant with no match requirement reimburses the CBJ for much of the wages/ benefits for hours spent on LEPC goals and activities by Michelle Brown and the rest are covered through the EMPG grant with a 50/50 match requirement. The LEPC grant also provides funding for LEPC and Community Emergency Response Team (CERT) activities, outreach materials, advertising, and Tier II annual community notice. LEPC members actively seek and create opportunities to encourage community preparedness for individuals and organizations by providing education, exercise, and engaging activities within the community.

In 2017 the LEPC was represented in the following activities:

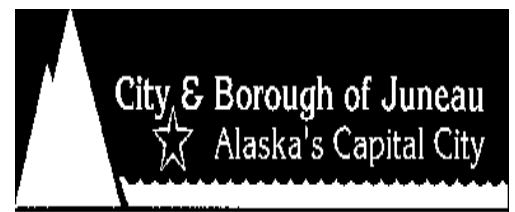
- Tier II reporting outreach to local businesses and community notice
- Assisted in the revision of the CBJ All Hazards Mitigation Plan
- Worked with National Guard to understand local capabilities and implementation of State Mutual Aid agreement
- 2017 Safety & Preparedness Expo Event featuring interactive learning opportunities with many State and local partners was hosted by the Juneau LEPC (attendance 876)
- Worked closely with Juneau School District and University to forge strong partnerships that are multilateral to community readiness
- Public Health Exercise to set up and run a Point of Distribution at the Harborview Elementary School Gym and successfully distributed flu inoculations to 338 individuals in 3 hours
- Central Council Tlingit Haida Indian Tribes of Alaska (CCTHITA) Wellness Caregivers Workshop presentations to encourage planning for safe and responsible response to any emergency
- Worked with Assembly Rep in support of the Warming Center
- Worked with Red Cross to recruit volunteers, participated in training and sheltering events
- Trained on the new electronic Tier II reporting system through the State of Alaska. This resource improves accessibility to information on hazardous materials which increases safety for first responders and the public.
- The Juneau LEPC is an Ambassador to the National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Weather-Ready Nation. We work with NOAA and other Ambassadors to strengthen national resilience against extreme weather, water, and climate events thru public outreach and information sharing.
- Several members attend the DHS/EM Preparedness Conferences, Local Emergency Planning Committee Association (LEPCA), and SERC regional meetings
- Area Maritime Security Committee Functional Exercises & Full Scale Exercise Planning
- Airport/Bartlett Regional Hospital (BRH) Conducted a Tabletop Exercise with many participating organizations testing their capabilities to this type of response
- Juneau Elderly Housing and Care facilities presentations to clarify their role in both responsible response and Local Emergency Planning
- City and Juneau School District continued to train on Alert, Lockdown, Inform, Counter, Evacuate (A.L.I.C.E.) protocol for proactive survival strategies when dealing with violent intruder or active shooter situations
- JPD Year of Caring. The LEPC is participated as an organization by showing appreciation through flowers to under-recognized organizations and individuals
- Juneau Community Emergency Response Team (CERT) trained 28 individuals



The Juneau Community Emergency Response Team (CERT) was reactivated in 2012 and since that time has trained approximately 216 individuals in Juneau to be better prepared to respond responsibly in an emergency. The CERT now has additional facilitators trained for regular duty and backup.

#### CERT Goals

- Provide Certification Training semi-annually
- Become deployable thru partner agencies. CERT is currently working in partnership with police, Fire, and Red Cross to create additional training opportunities for a growing resource of much needed deployable volunteers.





## OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202  
Phone: (907)586-5278 Fax: (907)586-4552  
email: [Beth.McEwen@juneau.org](mailto:Beth.McEwen@juneau.org)

### MEMORANDUM

DATE: January 5, 2018  
TO: Assembly Human Resources Committee  
FROM: Beth McEwen, Deputy Municipal Clerk  
cc: Emergency Programs Staff Liaisons Tom Mattice & Michelle Brown  
RE: **REVISED** (LEPC) Seat Assignments/Nominations

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The Local Emergency Planning Committee (LEPC) has primary and alternate seats. Due to the unique nature of the LEPC membership structure, it does not fit into the new board management system in the same way as all the other boards. As we transition into the new board management system, board members have to be listed according to initial start date and the nearest term end date without the intervening reappointment dates listed as in our previous membership lists. In order to accommodate this for the LEPC, I ask the HRC to forward the nomination of the full slate below for reappointment of all members to the LEPC with the start and end dates noted below.

Please note, this list is organized according to seat number, **primary seat (in bold)** or alternate seat (in regular font) with *those applicants that are new to the committee and a specific seat noted in italics.*

**Seat 1 – Assemblymember Seat [Primary Member] – Rob Edwardson start date 10/17/2017, end date 12/31/2018.**

Seat 1a – Assemblymember Seat [Alternate Member] vacant seat.

***Seat 2 – Peace Officer Seat [Primary Member] Lt. Scott Erickson. start date 1/8/2018, end date 12/31/2020. [Replacing Police Chief Ed Mercer 8/8/2011-12/31/2017.]***

Seat 2a – Peace Officer Seat [Alternate Member] Deputy Chief David Campbell start date 3/5/2012, end date 12/31/2020.

**Seat 3 – Firefighters/Emergency Medical Services [Primary Member] Assistant Fire Chief Ed Quinto start date 8/31/2015, end date 12/31/2019.**

Seat 3a – Firefighters/Emergency Medical Services [Alternate Member] Fire Captain Todd Cameron start date 11/28/16, end date 12/31/2019.

**Seat 4 – General Public Seat [Primary Member] Lindsey Peterson (former last name “Taylor”) start date 5/01/16, end date 12/31/2020.**

Seat 4a – General Public Seat [Alternate Member] Destiny Sargeant start date 3/5/2012, end date 12/31/2020.

**Seat 5 – Bartlett Regional Hospital Seat [Primary Member] Kim McDowell (to be confirmed by Assembly) start date 1/8/2018, end date 12/31/2020. [Previously held by Miguel “Mike” Lopez 3/2009-12/31/2017.]**

*Seat 5a – Bartlett Regional Hospital Seat [Alternate Member] Tonia Montez (to be confirmed by Assembly) start date 1/8/2018, end date 12/31/2020 [Previously held by Martha Palicka 11/2016-12/31/2017.]*

**Seat 6 – Media Seat [Primary Member] Bill Legere start date 3/5/2012, end date 12/31/2018.**

*Seat 6a – Media Seat [Alternate Member] Mikko Wilson start date 1/28/2013, end date 12/31/2018.*

**Seat 7 – American Red Cross Seat [Primary Member] Andrew Bogar start date 11/9/2015, end date 12/31/2019.**

*Seat 7a – American Red Cross Seat [Alternate Member] Norman (Chip) Wagoner Jr. start date 11/26/2016, end date 12/31/2019.*

**Seat 8 – Owner/Operator of a Facility Subject to the Right to Know Act 1986 [Primary Member] Dan Garcia start date 2/1/2007, end date 12/31/2018.**

*Seat 8a – Owner/Operator of a Facility Subject to the Right to Know Act 1986 [Alternate Member] Nicholas Zito (to be confirmed by Assembly) start date 9/27/2017, end date 12/31/2018. [Previously vacant seat.]*

**Seat 9 – Community Group Seat [Primary Member] Karen Wood (to be confirmed by Assembly) start date 10/1/2017, end date 12/31/2018. [Previously held by Matt Musslewhite 3/16/2009-6/30/2017.]**

*Seat 9a – Community Group Seat [Alternate Member] Ed Williams start date 3/16/2009, end date 12/31/2018.*

**Seat 10 – Haz/Mat Transporter Seat [Primary Member] Paul Khera start date 6/27/2017, end date 12/31/2020.**

*Seat 10a – Haz/Mat Transporter Seat [Alternate Member] Joel Curtis start date 3/16/2009, end date 12/31/2020.*

**Seat 11 – Vulnerable Population Representative Seat [Primary Member] Jason Burke start date 11/28/2016, end date 12/31/2019.**

*Seat 11a – Vulnerable Population Representative Seat [Alternate Member] Zachariah Fisher (to be confirmed by Assembly) start date 9/27/2017, end date 12/31/2019.*

**Seat 12 – Manager’s Designee Seat [Primary Member] Tom Mattice start and end dates N/A.**

*Seat 12a – Manager’s Designee Seat [Alternate Member] Michelle Brown start and end dates N/A.*

## Beth McEwen

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**From:** Michelle Brown  
**Sent:** Thursday, January 04, 2018 12:39 PM  
**To:** Ed Mercer; Beth McEwen  
**Cc:** David Campbell; Scott Erickson; Tom Mattice  
**Subject:** RE: Juneau LEPC  
**Attachments:** 2015-CBJ\_Board\_Application\_Final-fillable-form.pdf; 2015-SERC\_LEPC\_Application\_Form.doc

Hey Ed,

You will be missed but we know you are still out there supporting our efforts. Thanks for all you have done for and with this group!

No this e-mail will suffice as your official resignation.

I will need David and Scott to complete the application forms attached.

The seat title's for the applications are:

Scott - Law Enforcement Seat 2

Dave – Law Enforcement Seat 2A (Alternate)

Thank you for your quick response.

*Michelle Brown*

Emergency Programs Grant Coordinator  
City & Borough of Juneau  
155 South Seward Street, Juneau, Alaska 99801

Phone: (907) 586.0371 • Fax: (907) 586.4517

[michelle.brown@juneau.org](mailto:michelle.brown@juneau.org)

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**From:** Ed Mercer  
**Sent:** Thursday, January 04, 2018 12:17 PM  
**To:** Michelle Brown  
**Cc:** David Campbell; Scott Erickson  
**Subject:** RE: Juneau LEPC

Hi Michelle,

I will be resigning my primary seat on the LEPC and would like to have Scott Erickson as the Primary and Dave Campbell as the Alternate.

Do you need anything more from me regarding my resignation from LEPC?

Thanks, Ed

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**From:** Michelle Brown  
**Sent:** Thursday, January 04, 2018 11:19 AM  
**To:** Ed Mercer  
**Subject:** Juneau LEPC

Good morning Chief,

Since your promotion, other duties have not allowed you to attend the Monthly LEPC meetings. I noticed that Scott Erickson was in attendance at our last meeting. Thank you for assuring we had representation in the room.

Are you planning to resign your seat and assign someone else to it?

Currently the Primary Law Enforcement Seat is held by you and the Alternate is held by David Campbell.

Here are some options to consider:

- A new representative from JPD could apply for the Primary Seat
- David could apply for the Primary Seat and a new rep. from JPC could apply for the Alternate Seat
- Nicholas Zito (State Troopers) is currently Alternate on the Right to Know Seat, he previously requested a move to the Law Enforcement Seat.
  - He could take the Alternate Seat for Law Enforcement
  - A new representative from JPD could apply for the Primary Seat
    - Note: this would increase the importance to have both people in the room because we would no longer have redundancy.
      - You could ask a different Officer to fill in if the seated member was going to be absent.
  - A new individual would be sought to fill the Right to Know Seat if Zito moves to Alternate Law Enforcement Seat

Please let me know so we can discuss the changes at our January 10<sup>th</sup> meeting. Which is scheduled to be hosted at the JPD Training/EOC room.

Thanks,

*Michelle Brown*

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**Board of Directors  
Juneau Economic Development Council  
612 West Willoughby Avenue  
Juneau, AK 99801**

**January 4, 2017**

**Assembly of the City and Borough of Juneau  
155 South Seward Street  
Juneau, AK 99801  
Attention: Laurie Sica, Municipal Clerk**

**RE: Recommendations to the CBJ Assembly for appointment of members of the Board of Directors of the Juneau Economic Development Council**

Dear CBJ Assembly:

The Juneau Economic Development Council (JEDC) seeks the assistance of the City and Borough of Juneau (CBJ) Assembly to make four appointments to our Board of Directors. In accordance with the Bylaws of JEDC, the membership of the JEDC Board of Directors is comprised as follows:

- The Mayor of the City and Borough of Juneau or the Mayor's designee from the CBJ Assembly;
- The Chancellor of University of Alaska Southeast (UAS) or the Chancellor's designee from UAS;
- One member appointed by the CBJ Assembly representing organized labor;
- One member appointed by the CBJ Assembly representing a nonprofit environmental organization;
- Seven (7) members appointed by the CBJ Assembly based upon their experience and expertise in fields relating to economic development, including but not limited to large and small business, entrepreneurship, natural resource development, tourism, banking and finance, engineering and construction, and government.

Board Members serve staggered three-year terms and may serve two consecutive terms. In Article Four, Section 2, Paragraph E, of JEDC Bylaws, it states:

*"The JEDC shall publish notice of vacancies on the JEDC Board of Directors. The JEDC Board or a recruitment committee will review and may interview candidates for the JEDC Board of Directors. The JEDC Board will forward the names of recommended candidates to the CBJ Assembly. The CBJ Assembly will appoint JEDC board members."*

In accordance with our Bylaws, notice of vacancies on the JEDC Board of Directors was posted to the CBJ and JEDC websites. Three seat openings were posted for the Board:

- Two At-Large Seats with terms expiring November 2020
- One Seat Representing a Non-Profit Environmental Organization expiring November 2020

On Wednesday, November 1 the JEDC Board conducted interviews for the candidates who applied to serve on the JEDC Board of Directors for the two At-Large Seats and the CBJ Assembly subsequently made appointments to those seats. Due to lack of applicants for the Seat Representing a Non-Profit Environmental Organization, the application period was extended through December.

The JEDC Board interviewed candidates for the one Seat Representing a Non-Profit Environmental Organization on January 3, 2018. There were three applications for the Seat Representing a Non-Profit Environmental Organization. The three applicants were:

1. Susan Murray
2. Meredith Trainor
3. Gretchen Keiser

The JEDC Board of Directors recommends to the CBJ Assembly that the following person be named to the one Seat Representing a Non-Profit Environmental Organization on the JEDC Board:

- **Susan Murray**, for a second three-year term expiring on/about November 2020.  
Susan Murray is the Deputy Vice-President, Pacific, for Oceana—one of the world's largest non-profits focused on ocean advocacy—and based here in Juneau with a team of seven colleagues. She is a 27-year resident of Juneau, raising two sons in our community. Her professional career includes service as the Executive Director of the Council on Domestic Violence and Sexual Assault and also eight years with the Alaska Office of the Governor as the Director of Constituent Relations. She has served a successful first term on the JEDC Board of Directors, including two years as Board Secretary.

JEDC Board wishes to acknowledge the interest of both Meredith Trainor and Gretchen Keiser in serving our community through the JEDC Board of Directors.

On behalf of the JEDC Board of Directors, we look forward to your appointment.

Regards,

A handwritten signature in black ink, appearing to read "Brian Holst", enclosed within a simple oval outline.

**Brian Holst**  
**Executive Director**



## OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202  
Phone: (907)586-5278 Fax: (907)586-4552  
email: [Beth.McEwen@juneau.org](mailto:Beth.McEwen@juneau.org)

### MEMORANDUM

DATE: January 4, 2018  
TO: Assembly Human Resources Committee  
FROM: Beth McEwen, Deputy Municipal Clerk  
RE: Mid-Cycle Liquor License Protest Recommendation

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Staff from the Finance and Engineering/Public Works Departments recommend the Assembly file a mid-cycle protest of the **Jack and Arlene Tripp dba Viking Restaurant & Lounge Liquor License #2533** in accordance with AS 04.11.480 which states the following:

*"The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application...."*

The basis for staff's recommendation of protest is listed below:

- Sales Tax is recommending protest based on the unfilled July – November 2017 monthly sales tax returns, plus unremitted sales taxes, liquor taxes and associated late filing fees, late payment penalty and interest.
- Utility Billing is also recommending protest due to the account being 2 months delinquent on their utility payments.

CBJ Code 20.25.025 provides the licensee an opportunity for an informal hearing before the Assembly as follows:

*"(b) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the applicant's address identified on the state license application. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest."*

Your HRC and Assembly packets contain the certified letter and attachments sent to Jack D. and Arlene D. Tripp on December 29, 2017 regarding the recommendations for protest and their right to an informal hearing before the Assembly.



OFFICE OF THE MUNICIPAL CLERK  
Ph: (907)586-5278 Fax: (907)586-4552  
e-mail: [Beth.McEwen@juneau.org](mailto:Beth.McEwen@juneau.org)

December 29, 2017

*Via certified & regular mail*  
Jack D. and Arlene D. Tripp  
216 Front Street  
Juneau AK 99801

Re: Beverage Dispensary Liquor License Mid-Cycle Protest  
Jack D. and Arlene D. Tripp d/b/a Viking Restaurant & Lounge License #2533

Dear Mr. and Ms. Tripp,

At its meeting of March 6, 2017, the CBJ Assembly waived its right to protest the renewal of your above liquor license for the 2017/2018 biennial cycle. The City and Borough of Juneau is currently in the process of our annual review of liquor license businesses within the community for compliance with CBJ Code for the continued operations of all liquor licenses. Alaska Statute section 04.11.480 provides the following with respect to protesting the continued operation of a liquor license during the second year of the biennial license period (*emphasis added*):

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. ***The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application.*** The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

As is our practice in these matters, the staff from the Fire, Finance, Police, Public Works, and Community Development Departments review each establishment to ensure compliance with city code. Both the Finance/Sales Tax Office and Public Works Utility Billing offices are recommending protest of the continued operation of this license due to unfiled sales tax returns for the periods July – November 2017 and the associated sales tax, penalties and interest owing,

December 29, 2017

Page 2 of 2

Letter to Jack & Arlene Tripp d/b/a Viking Restaurant & Lounge re: Mid-Cycle Liquor License Protest

as well as the amounts due associated with the utility accounts which are currently two months in arrears.

Please note that while payment plans are available and encouraged if you are unable to pay the full amounts due, entering into a payment plan, ie: Confession of Judgment and Stipulation, will not put the business in good standing with the CBJ for purposes of liquor license protest. Only when the all returns are filed and full payment of the outstanding balance, interest, and penalties are received, will the staff withdraw its recommendation to protest the license.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will initially be considered at the Monday, January 8, 2018 Assembly Human Resources Committee (HRC) meeting at 6:00 p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00 p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference.

**In the meantime, I would urge you to work with CBJ Sales Tax and Utility Billing staff to try to resolve the outstanding balances owing on your account. Sales Tax Administrator Clinton Singletary can be reached at 586-5265 and Utility Accounting Technician Suzanne Crabtree can be reached at 586-0898.**

Sincerely,

Beth McEwen  
Deputy Clerk

Enclosures

cc via email:

Assembly Human Resources Committee & Assembly  
Liquor License Staff Reviewers

**ALASKA STATUTES AND CBJ CODE SECTIONS**  
**RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS**

**City and Borough of Juneau (CBJ) Code**

**20.25.025 - Assembly review of license issuance, renewal, transfer, or continued operation.  
modified**

(a) The assembly may protest the issuance, renewal, transfer, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

(1) Failure of the applicant to secure a local permit, or if the applicant is in violation of any applicable local permit;

(2) That the applicant has violated a provision of AS 04 or regulations adopted by the state, or a condition imposed by the alcohol control board on the licensee, or if issuance of the license would violate a provision of state law or regulations;

(3) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;

(4) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;

(5) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;

(6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough;

(7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section;

(8) The concentration of other marijuana establishment or alcohol licenses in the area;

(9) Any factor identified by state statute or regulation as appropriate grounds for a protest;

(10) Any other factor the assembly determines is generally relevant or is relevant to a particular application.

**ALASKA STATUTES AND CBJ CODE SECTIONS**  
**RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS**

(b) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the applicant's address identified on the state license application. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.

(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002; [Serial No. 2016-22\(am\), § 3, 8-22-2016](#) )

**State Law reference**— Assembly protest, AS 04.11.480.

**Alaska Statutes**

**Sec. 04.11.480. Protest.**

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510 (b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310 , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510 (b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510 (b)(3) shall be retained as part of the board's permanent record of its review of the application.

**ALASKA STATUTES AND CBJ CODE SECTIONS**  
**RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS**

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510 (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510(c).