

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

April 30, 2018, 6:30 PM.
Assembly Chambers - Municipal Building

Assembly Work Session - No Public Comment

I. ROLL CALL

Deputy Mayor Jerry Nankervis called the meeting to order at 6:20 p.m. in the Assembly Chambers.

Assemblymembers Present: Mary Becker, Rob Edwardson, Maria Gladziszewski (telephonic), Norton Gregory, Loren Jones, Jesse Kiehl, Ken Koelsch, Jerry Nankervis, and Beth Weldon.

Assemblymembers Absent: None.

Staff present: Amy Mead, Municipal Attorney, Mila Cosgrove, Deputy City Manager; Laurie Sica, Municipal Clerk, Bob Bartholomew, Finance Director; Rob Steedle, Community Development Director, Roger Healy, Engineering/Public Works Director; Robert Palmer, Assistant Attorney; Dallas Hargrave, Human Resources/Risk Management Director; Scott Ciambor, Chief Housing Officer; Irene Gallion, Housing and Homelessness Coordinator; Autumn Sapp, EPW Business Manager; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Jill McLean, Senior Planner; Brenwynne Grigg, CDD Admin Officer I; John Adams, CCFR Fire Engineer; Ed Mercer, Police Chief; Dave Campbell, Deputy Police Chief; Krag Campbell, JPD Lt.; Jeremy Weske, JPD Lt.; Brian Dallas, JPD Sgt.; Dominic Branson, JPD Sgt.; Sterling Salisbury, JPD Sgt.; Shawn Phelps, JPD Sgt.; Bob Diley, JPD Lead CSO; Jennifer Adams, JPD CSO; Sarah Dolan, JPD CSO; Joseph Fox, JPD CSO; Jessica Paskowski, JPD Admin Officer II; Erran Kalwara, Public Safety Manager; Christy Smith, JPD Dispatcher; Alisha Sell, JPD Dispatcher; Jeff Brink JPD Officer; Jim Esbenshade, JPD Officer; Lee Phelps, JPD Officer; Kirt Stage-Harvey, JPD Officer; Ken Colon, JPD Officer; Patrick Taylor, JPD Officer; Nick Garza, JPD Officer; Matt Dubois, JPD Officer.

II. APPROVAL OF AGENDA

Hearing no objection, Deputy Mayor Nankervis re-ordered the agenda to have Ordinance 2018-04 be the trailing item.

III. APPROVAL OF MINUTES

A. March 19, 2018 Committee of the Whole Minutes

Hearing no objection, the minutes of the March 19, 2018 COW meeting were approved as presented.

B. April 16, 2018 Committee of the Whole Minutes

Hearing no objection, the minutes of the April 16, 2018 COW meeting were approved as presented.

IV. AGENDA TOPICS

A. Utility Advisory Board Annual Report

Utility Advisory Board members Leon Vance, Chair; Kevin Buckland, Geoff Larson and Grant Ritter were present. Other members include: Bryan Farrell, Andrew Campbell, Janet Hall - Schempf.

Eric Vance, Chair, said the board is tasked with advising the Assembly and the Utilities on rates and other issues affecting the ability of the Utilities to maintain their self-supporting status. He thanked the board and staff for the work and support. Historically, rates were not set at a self supporting level, so the rates need to pay for operating and maintenance expenses, including a reserve for fluctuations in revenue, a reserve for unexpected major repairs and for expected infrastructure replacement; and debt service. In 2003, the Assembly adopted a large one time rate increase and followed up with ten year incremental increases. A new rate study in 2013-14 adopted a rate schedule through FY2019. The final scheduled increase will take place in July, 2018. The board recommends a 2.5% increase for waste water in each of the next five fiscal years, and no increases to water for the next five years. It also recommends that the city undertake another rate study to examine the requirements for the next 10 years. He introduced Kevin Buckland, who along with Grant Ritter, drafted a minority report.

Kevin Buckland spoke about his experience as a CPA, with cost methodology, and as an owner of the Rainway Carwash. Utility rates are becoming a deterrent to business investment. Rates are only fair and equitable when each customer class pays a fair share. He provided cost comparisons to utility rates in Southeast Alaska, Anchorage and Fairbanks, and Juneau is a high outlier. He said the State of Alaska is the largest buyer of water and the high cost could be a capital move factor. He would like to see residential metering and spoke about the significant difference in costs between metered and unmetered rates. Most sewer utilities have more than one rate class, but CBJ charges the same across users. We do not charge based on the cost of serving the customers. Rates can not be arbitrary and capricious. These rates are not subject to RCA regulation and are exempt. He spoke about the biological oxygen rate for wastewater of various users and how it varies but CBJ charges the same for everyone. Anchorage has three different customer rate categories for sewer and Juneau can do that or better. These are unfettered rate increases with no known end. Locking in rates now is not exigent. The UAB should look at the 2003 report and do more analysis, and take a serious look at rate equity. He would like to return a unanimous report next year.

The Assemblymembers took turns asking several questions of Mr. Vance and Mr. Buckland. There was interest expressed in getting follow-up information on the cost and time needed for additional rate and service studies. Mr. Nankervis noted that the reports provided to the Assembly were information only and no decision or direction was required at this time. He thanked the Utility Advisory Board and staff for their work.

B. Issues relating to Homelessness

Scott Ciambor, Chief Housing Officer, introduced Irene Gallion, recently appointed to the Housing and Homelessness Coordinator position. Mr. Ciambor reviewed the data from the 2018 Point in Time Homeless Count, which is an annual survey by HUD.

This data was collected for the night of January 24, 2018, in three ways:

- 1) at the Project Homeless Connect event;
- 2) street outreach on the day of the count; and
- 3) from shelter and transitional housing programs.

(The CBJ Cold Weather Emergency Shelter was included as part of the count this year.)

Juneau Point In Time Count Results 2016-2018

	2018	2017	2016
Unsheltered	44	59	51
Emergency Shelter	83	56	77
Transitional Housing	108	100	83
Total	235	215	211

Mr. Ciambor explained the mechanics of the survey. He said there has been a general increase in

homelessness across the country, especially on the West Coast, in the last year. Reasons include lack of affordable housing, the opioid issues and substance abuse. The people who have moved into the Housing First facility are considered in permanent housing and are not counted in this survey. Ms. Gallion said that work is being done to determine the cost savings across the community based on providing the Housing First facility, and provided preliminary statistics:

Housing First (HF) Preliminary Data Review - April 9, 2018

	Total HF Resident Contacts 6 mo. prior to move in	Total HF Resident Contacts 6 mo. post move in	% Decreased Useage
Bartlett Emergency Room Visits	360	97	73.1%
Rainforest Recovery Center visits	354	2	99.4%
Contacts with Juneau Police Officers	674	151	77.6%

Mr. Ciambor spoke about the cold weather emergency shelter, which came together quickly, thanks to staff of the Glory Hole and AWARE. Jackie Bryant was instrumental in the shelter's operation and worked with clients. JPD Officers Smith and Colon referred people to the shelter and were present when the shelter opened in the evening and when it opened in the morning. The shelter was open for 70 nights and served 158 unique individuals with a total of 715 bed nights. HMIS data was collected to provide information on individuals who used this shelter.

- 34 Chronically Homeless individuals;
- 114 individuals used the shelter for 2 nights or less;
- 45 individuals (28%) utilized another shelter during the winter; and
- Individuals residence prior to project entry:
 - Place not meant for habitation = 80
 - Staying at friends/family members room, apartment, house = 37
 - Emergency shelters = 26

Mr. Ciambor said all social and emergency service providers said this facility had a positive impact on their operations. He reviewed the funding and expenses for the shelter, staffing, and the possibility of using the current public safety facility for at least one more winter.

The Assembly asked several questions of Mr. Ciambor and Ms. Gallion. Mr. Nankervis thanked them both for their presentation and work.

C. JPD Recruitment and Retention

Several employees of the Juneau Police Department (JPD) were in attendance. Chief Ed Mercer, Deputy Chief David Campbell and HRRM Director Dallas Hargrave provided a presentation on the efforts being taken to support the work of the department through recruitment and retention. Chief Mercer explained the increase in crime and workload of the JPD. JPD has 55 police officer positions allocated. 8 of those positions are currently vacant. 4 positions are filled with officers in training.

Significant work has been done to discover ways to assist recruitment and promote retention. CBJ will work on three primary goals:

1. Recruit Locally: Focus recruitment efforts on recruiting those with a connection to Juneau or Southeast Alaska.
2. Recruit Experienced Officers: Increase opportunities for lateral transfers.
3. Improve Retention Factors: Motivate workforce to remain employed at JPD.

Strategies discussed include: advertising, employee recruitment initiatives, military outreach, recruitment bonuses, lateral transfer bonuses, leadership training and mentoring, take home vehicles, wage comparisons, longevity bonuses, changes to leave cash-out policies, and hiring civilian staff and adjusting workloads. A spreadsheet with costs of the various strategies was presented to the Assembly:

Initiative	FY19	FY20	FY21	Ongoing
Shifting Workload from Sworn Officers to (2) Civilian Investigators	\$180,000	\$180,000	\$180,000	Yes
Longevity Bonus	CN	CN	CN	CN
Employee Recruitment Incentive	\$12,000	\$12,000	\$12,000	Yes
Competitive Wages in Alaska	CN	CN	CN	CN
Advertising	\$25,000	\$20,000	\$20,000	Yes
Lateral Transfer Bonus	\$20,000	\$20,000	\$20,000	Yes
Recruitment Signing Bonus	\$12,000	\$12,000	\$12,000	Yes
Military Outreach	\$0	\$0	\$0	Yes
Grow Your Own	\$0	\$0	\$0	Yes
Flexibility to Cash Out Leave	CN	CN	CN	Yes
Take Home Vehicles	\$573,500	\$116,000	\$116,000	Yes

CN = subject to contract negotiations.

The Assembly asked several questions and offered thoughts on the matter, including whether 55 officers was a sufficient staffing level and suggesting that incentives for JPD family members be offered such as benefits at Parks and Recreation facilities, etc.

Mr. Nankervis thanked Mr. Hargraves and the JPD staff for their work and the presentation, and stated that JPD is the best police department in the state.

D. Ordinance 2018-04 An Ordinance Amending the Land Use Code Relating to Variances.

Ms. Mead explained that the body of variance case law in CBJ has become unwieldy over time. Laurie Boyce, Senior Planner, Robert Palmer, Assistant Attorney, and the Planning Commission have worked to revise the variance code. A variance is a permitted deviation from the code, in a situation which is proved to be patently unfair to apply the normal land use code to a development on a property. Variances are to be narrowly applied and only allowed in situations in which there is something about the property itself, outside of the owners control, that makes it necessary to vary the code. The Planning Commission decided to specifically prohibit certain things from being varied in the proposed code. If a situation does not fit into something specifically prohibited, an application for a variance may be submitted. The proposed ordinance clarifies the process for department director approvals. Ms. Mead said the proposed code allows the director to make a finding that the situation doesn't qualify to apply for a variance, which is appealable to the planning commission. This ordinance was introduced on April 2 and was ready for referral back to the Assembly for a public hearing upon motion by the Assembly.

Assemblymembers asked questions and discussed the topic, including an inquiry regarding the level of fairness of changing this ordinance for future applicants in light of variances granted to others in the past. Ms. Mead said there was a long history of variance decisions with little way of consistently applying them moving forward. This ordinance clears up that inconsistency.

Ms. Mead was asked about the definition of "hardship" and the process for staff finding that a situation doesn't meet the entry criteria for review of a variance application. Ms. Mead said in the past, every variance went to the Planning Commission, even those that didn't meet the standard at all. This code allows the Department Director to make a finding that a situation is not eligible for a variance. The Director's decision is appealable to the Planning Commission. Hardship is defined by case law. Mr. Palmer said that hardship is difficult to define. Case law articulates certain facts to outline a hardship, and he called it "squishy and subjective." There are four criteria in the ordinance to determine variances, one of which is a finding that there is an "undue hardship resulting from an unusual or special condition on the property." The Planning Commission has to use its expertise to make a determination. Ms. Boyce said the applicant makes its case for a hardship, staff does its analysis. Ms. Mead said that what used to be referred to as a "de minimus" variance is now a situation for a department director decision rather than review by the Planning Commission.

MOTION, by Weldon, to refer Ordinance 2018-04 to the Assembly for a public hearing. Hearing no objection, it was so ordered.

V. EXECUTIVE SESSION

A. Update on Labor Negotiations

B. Update on Pending Litigation

MOTION, by Kiehl, to enter into executive session, to discuss matters, the immediate knowledge of which could have a detrimental affect on the finances of the CBJ, specifically, labor negotiations and pending litigation.

Hearing no objection, the Assembly went into executive session at 9:40 p.m. and returned to regular session at 10:45 pm.

Mr. Kiehl stated that the Assembly heard updates on pending law suits and gave staff direction. In addition, the Assembly received an update on contract negotiations and gave staff direction.

Mr. Nankervis reminded the Assembly that the Finance Committee meeting was on Thursday, May 3rd and that the meeting started at 5:00 pm.

VI. ADJOURNMENT

Having no other business to come before it, the Assembly adjourned at 10:48 pm.

Submitted by Laurie Sica, Municipal Clerk