MEETING NO. 2009-19: 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 Bruce Botelho.

I. ROLL CALL

Assembly Present: Jonathan Anderson, Bruce Botelho, Jeff Bush (telephonic), Sara Chambers, Bob Doll, Merrill Sanford, David Stone, and Randy Wanamaker.

Assembly Absent: Johan Dybdahl.

Staff Present: Kim Kiefer, City Manager; John Hartle, City Attorney; Laurie Sica, Municipal Clerk; Craig Duncan, Finance Director; Rorie Watt, Engineering Director; Dale Pernula, Community Development Director; Charlie Ford, Building Inspector; Heather Marlow, Lands and Resources Manager; Jeannie Johnson, Airport Manager; John Stone, Port Director; Kirk Duncan, Eaglecrest Ski Area Manager; Kevin Weed, Officer, Animal Control.

II. SPECIAL ORDER OF BUSINESS

III. APPROVAL OF MINUTES

A. August 24, 2009 – Regular Assembly Meeting 2009-18

Hearing no objection, the minutes of the August 24, 2009, Regular Assembly Meeting 2009-18, were approved.

IV. MANAGER’S REQUEST FOR AGENDA CHANGES – None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

VI. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

Mr. Anderson requested that Ordinance 2009-23 be removed from the consent agenda.

C. Assembly Action

MOTION, by Anderson to adopt the consent agenda, as amended with the removal of Ordinance 2009-23. Hearing no objection, it was so ordered.
1. Ordinances for Introduction

a. Ordinance 2009-20
An Ordinance Authorizing The Port Director To Negotiate And Execute A Lease Of A Portion Of Alaska Tidelands Survey No. 43, Located At Approximately 1.5 Mile North Douglas Highway On Gastineau Channel, For An Existing Mobile Home Park Known As Waterside Park, And Waterfront Related Uses.

Administrative Report: Attached. The manager recommended Ordinance 2009-20 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2009-22
An Ordinance Amending The Land Use Code To Create The Single-Room Occupancy Housing Type And To Amend The Permitting Process For Accessory Apartments.

Administrative Report: Attached. The manager recommended Ordinance 2009-22 be introduced and set for public hearing at the next regular meeting.

c. Ordinance 2009-08(P)
An Ordinance Appropriating To The Manager The Sum Of $131,400 As Funding For The Juneau Arts And Cultural Center, Grant Funding Provided By The United States Department Of Energy.

Administrative Report: Attached. The manager recommended Ordinance 2009-08(P) be introduced and set for public hearing at the next regular meeting.

d. Ordinance 2009-08(Q)
An Ordinance Appropriating To The Manager The Sum Of $9,885 As Funding For The Purchase And Implementation Of A Crash Data Retrieval System, Grant Funding Provided By The Alaska Department Of Transportation And Public Facilities.

Administrative Report: Attached. The manager recommended Ordinance 2009-08(Q) be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2494

Administrative Report: Attached. The actual resolution, with the bid amounts, was presented as a red folder item. The manager recommended Resolution 2494 be adopted.

b. Resolution 2495
A Resolution Expressing Assembly Support For The Juneau Coordinated Transportation Coalition FY11 Project Ranking Recommendations.

Administrative Report: Attached. The manager recommended Resolution 2495 be adopted.
c. Resolution 2496
A Resolution De-Appropriating $5,523,317 Of Federal Aviation Administration Grant Funding From The Runway Safety Area Construction Capital Improvement Project.

Administrative Report: Attached. The manager recommended Resolution 2496 be adopted.

3. Transfers

a. Transfer T-900
Transferring $340,000 From Bayview Subdivision Sewer Outfall Capital Improvement Project To North Douglas Sewer Areas D, E, And F Capital Improvement Project, Funding Provided By A State Of Alaska, Department Of Environmental Conservation Grant.

Administrative Report: Attached. The manager recommended the Assembly adopt the Assembly Public Works and Facilities Committee's recommendations for action from today’s meeting and authorize the transfer of $340,000 from the Bayview Subdivision Sewer Outfall Capital Improvement Project (CIP) to the North Douglas Sewer Areas D, E, and F CIP.

b. Transfer T-901
Transferring $25,000 In General Sales Tax From The Eaglecrest Lodge Improvements Capital Improvement Project (CIP), And $4,019 In Areawide Street Sales Tax, From The Federal Aviation Administration (FAA) Cable CIP To The Eaglecrest Mid-Mountain Chairlift CIP.

Administrative Report: Attached. The manager recommended the Assembly adopt the Assembly Public Works and Facilities Committee's recommendations for action from today’s meeting and authorize the transfer of $29,019 from two Capital Improvement Projects (CIP); $4,019 from the Eaglecrest FAA Cable CIP, and $25,000 from the Eaglecrest Lodge Improvements CIP to the Eaglecrest Mid Mountain Chairlift CIP.

Removed from the Consent Agenda

Ordinance 2009-23
An Ordinance Authorizing The Manager To Convey Lot 14, Block D, Greenwood Subdivision, At Not Less Than Fair Market Value By Negotiated Sale In Support Of The Juneau-Douglas High School Home Building Project.

Administrative Report: Attached. The manager recommended Ordinance 2009-23 be introduced and set for public hearing at the next regular meeting.

Mr. Anderson asked Ms. Marlow how this process has worked in the past, and how it is planned this time. Ms. Marlow said this type of transaction was last done in 2000, but had been done several times in the past. CBJ determines an agreed upon price for the purchase of the land, and conveys the land to the buyer of the finished home. The School District does not receive title to the actual property. CBJ has a purchase and sale agreement with the School District that identifies the sale price and when the property will be conveyed. This process is the model that we are recreating with this transaction. The value of the unimproved lot is
$65,000, the price will be paid by the purchaser of the finished home, and the school district receives the money from the structure and CBJ will receive money for the land from the title company that closes the transaction. Mr. Anderson asked if the school district gained some value from this transaction. Ms. Marlow said the school gains the sweat equity of the labor – the student labor that went into the actual construction. JSD receives some donation of professional services from local contractors, such as site work, foundation, and utility installation – frequently provided at a discounted rate. The students do the labor. The district receives the benefit of those donations and the sweat equity. Mayor Botelho said that the School District uses the proceeds to “forward-fund” the next project, in theory.

**MOTION**, by Anderson, to introduce and set for public hearing Ordinance 2009-23 at the next regular meeting.

Mr. Doll asked about the property ownership. Ms. Marlow said that CBJ holds title to the property, and purchased three adjoining lots in this neighborhood to be used for the trailhead for Blackerby Ridge. CBJ has assessed the need for land for this trailhead and for an access road to property the city owns behind this area and has found it can make do with two of the three lots, so this lot is ripe for disposal. JSD approached the city for the lot and it is within 3.5 miles of the school, has utilities and access, and meets JSD specifications for a location upon which the students can work.

Mr. Stone asked if the city had ever given a discount on a lot for the purposes of the student home construction program. Ms. Marlow said no, all the previous transactions have been at fair market value.

Hearing no objection, Ordinance 2009-23 was introduced and set for public hearing at the next regular meeting.

**VII. PUBLIC HEARING**

A. Ordinance 2009-16(b)

**An Ordinance Repealing And Reenacting The Building Regulations, And Amending The Fire Code Fine Schedule And The Building Code Fine Schedule.**

**Administrative Report:** Attached. The manager recommended Ordinance 2009-16(b) be adopted.

**Public Comment:** None.

**Assembly Action:**

**MOTION**, by Sanford, to adopt Ordinance 2009-16(b). Hearing no objection, it was so ordered.

B. Ordinance 2009-08(J)

**An Ordinance Appropriating To The Manager The Sum Of $7,500 As Partial Funding For The Local Emergency Planning Committee Program, Grant Funding Provided By The State Of Alaska, Department Of Military And Veterans Affairs.**
Administrative Report:  Attached.  The manager recommended Ordinance 2009-08(J) be adopted.

Public Comment:  None.

Assembly Action:

**MOTION, by Doll, to adopt Ordinance 2009-08(J).** Hearing no objection, it was so ordered.

C. Ordinance 2009-08(K)
**An Ordinance Appropriating To The Manager The Sum Of $9,600 As Funding For The Purchase Of Equipment To Be Used In Oil And Hazardous Materials Response Activities, Grant Funding Provided By The State Of Alaska, Department Of Environmental Conservation.**

Administrative Report:  Attached.  The manager recommended Ordinance 2009-08(K) be adopted.

Public Comment:  None.

Assembly Action:

**MOTION, by Chambers, to adopt Ordinance 2009-08(K).** Hearing no objection, it was so ordered.

D. Ordinance 2009-08(L)
**An Ordinance Appropriating To The Manager The Sum Of $800,000 As Funding For The Purchase Of Two Buses For Capital Transit And Two Paratransit Vans For Care-A-Van, Grant Funding Provided By The State Of Alaska, Department Of Transportation And Public Facilities.**

Administrative Report:  Attached.  The manager recommended Ordinance 2009-08(L) be adopted.

Public Comment:  None.

Assembly Action:

**MOTION, by Anderson, to adopt Ordinance 2009-08(L).**

Mr. Anderson asked if there is a plan to consider the possibility of purchasing alternative-fueled buses.  He asked how the Assembly’s intention in the Transit Plan figures into this ordinance.  Ms. Kiefer said at this point, staff is trying to add two buses to the currently submitted request and is not looking at the new non-diesel buses.  It was faster to get this request tied on to an existing 3-bus request already submitted, than to go out with something new.  Mr. Anderson asked what the future intentions were for purchase of buses.  Ms. Kiefer said that after CBJ gets these two, plus the additional three already requested, the fleet will be “caught up” and there will be time to see what other options are available for future purchase.  She said there is a long list just to get the existing buses replaced.  CBJ is on the edge of getting a good transit system in place and will then look at future needs.
Mayor Botelho said alternative energy buses were an element of the adopted transit plan and this is a reminder of that goal.

Ms. Chambers asked if the community had staff to support the caravan fleet.

Ms. Kiefer said she understood that the two care-a-van vehicles will replace old buses. There should not be a need to find or fund new driver positions.

Mr. Anderson said the Assembly decision to fund the dialysis transportation this current fiscal year was part of that conversation and we will be reviewing this in the next budget cycle.

Hearing no objection, it was so ordered.

E. Ordinance 2009-08(M)
An Ordinance Appropriating To The Manager The Sum Of $4,546,000 As Partial Funding For The Downtown Transportation Center Capital Improvement Project, Grant Funding Provided By The State Of Alaska, Department Of Transportation And Public Facilities, And The United States Department Of Transportation, Federal Transit Administration.

Administrative Report: Attached. The manager recommended Ordinance 2009-08(M) be adopted.

Public Comment: None.

Assembly Action:
MOTION, by Sanford, to adopt Ordinance 2009-08(M). Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS

A. Ordinance 2009-12(c)
An Ordinance Amending the Animal Control Code.

The Assembly acknowledged that public comment was closed at the last meeting, but agreed to allow further public testimony and took a five minute recess to allow persons wishing to testify to so indicate by their signature.

Mayor Botelho thanked members of the public for their comments and acknowledged the written testimony of Worth Barthel, Mo Hicks, Karla Hart, Donna Leigh, Kristen Bomengen, Allie Rosen, Peter Anderegg, Sue McGowen, Skiff Lobaugh, Linda Mills, Susan Hoffman, Pat Kallbaugh, Sandi Harris, Paula Terrell, George Utermohle, Andrew Grossman and Sue Fry. He said the Assembly read the written comments submitted.

Administrative Report: Attached. Ms. Kiefer distributed an additional memo to the Assembly in the red folder, which compared the current Animal Control Code and the additions of the Parks and Recreation regulations, to the proposed ordinance. The regulations were instituted in 2005 following a two-year dialogue with the Dog Task Force, to indicate locations where dogs
could be allowed off-leash, on-leash or prohibited on park property. The biggest change in this ordinance is to incorporate regulations into code. Animal Control has not been able to enforce the regulations in place since 2005, as they are not currently part of the ordinance. After 2005, Parks and Recreation signed all areas on-leash, competent voice control or no dogs allowed.

Ms. Kiefer asked the Assembly to make a small edit on Page 41, line 6 – where it mentions all public school grounds, to please add “and in the manner” after the word “locations.” The airport dike trail or road has been of significant interest for many people. The proposed code references the airport code specifically. The dog task force when drafting the regulations reviewed competent voice control language in the existing code. To make it more clear to people, competent voice control is a “verbal leash,” and we have worked at refining this definition. If you keep the existing language on page 3, lines 8-9, the person is with the animal and monitors all its activities. The current proposed amendment allows some brief lapses. Animal Control sees the revision as good, it is clearer for the employees. The manager recommended Ordinance 2009-12(c) be adopted.

Mr. Anderson asked Jeannie Johnson to comment on the current regulations of the airport. Ms. Johnson said the ordinance did not change any current practice on the airport road; we are not making any changes at the airport. It allows competent voice control at the airport dike trail.

Mr. Doll asked if this is an issue of great concern for CBJ. Ms. Kiefer said CBJ, through JPD, has a contract with GHS for animal control services. She did not have statistics handy on the number of calls and the number of incidents reported.

Mr. Sanford said that animals at-large is a life safety situation for the airport.

Mayor Botelho asked for an explanation of why regulations are unenforceable by Animal Control and the need to elevate them to ordinance status. Mr. Hartle said that the CBJ Charter provides that a rule, which carries a penalty, has to be in ordinance. This is so that the Assembly would have the decision-making authority regarding the enactment of such a penalty.

Mr. Anderson asked about using the term “domestic animal” rather than just dogs and how the term works in the situation of potentially dangerous and dangerous animals, when adding animals such as guinea pigs, gerbils, birds, snakes and lizards.

Ms. Kiefer said in talking with animal control, there is a potential for a bird to get out of its cage and hurt someone. Many of the changes were at the request of the Humane Society, and Chava Lee can address these questions. The code has been broadened in some areas and narrowed in others. For example, cats on leashes would be a huge issue, and likely, they would not do personal harm, other than property damage, but not at the level of other animals.

Mr. Anderson asked if Animal Control maintained records regarding which animals were designated dangerous, about the requirement for insurance and how the enforcement worked.

Chava Lee said Animal Control has seen just about every type of animal that can be imagined in Juneau, including a 4-foot komodo dragon. The only animal Animal Control has declared potentially dangerous or dangerous is a dog.
Mr. Anderson asked when an animal would be designated as dangerous. Ms. Lee said the actions would need to fall under the description of potentially dangerous or dangerous, and the description has been in the code for some time. Mr. Anderson said the range of animals that could be so designated was being expanded.

Ms. Lee said Animal Control maintains records of animals that have been deemed dangerous or potentially dangerous and where they are located. The need to maintain homeowners insurance for housing a dangerous animal has been thoroughly discussed. The insurance market has sometimes not been able to provide this type of coverage. In the past 6 months, they found an insurer, which offers this type of insurance.

Mayor Botelho asked about the right of an owner to contest such a designation. Mr. Hartle referred to the code and said the owner has the right to due process, there is an Animal Hearing Board and some cases have gone to court, generally up to 2 – 3 cases a year are seen in the attorney’s office. Regarding insurance, on page 33, line 10, we have added the phrase “if reasonably available,” since the insurance market has fluctuated with the availability of this type of insurance.

Public Comment:

George Utermohle, President of The Grateful Dogs of Juneau, a local non-profit group promoting responsible dog ownership in Juneau, said dog owners like to be part of the community and be good neighbors. It is important that these rules are clear and enforced. He asked about the exhibits that were attached to the ordinance, Map A of downtown, and the seaward boundary refers to the mean high water mark but the map does not accurately reflect this. Exhibit B discusses the Gold Creek watershed, and the versions before have shown a truncated area and he hopes that the map is clear before the ordinance is adopted. Regarding competent voice control, the current definition goes back to 1992. The Dog Task Force met in 2003 to 2004, and favored allowing for competent voice control. The current definitions in the draft ordinance are derived from a regulation adopted by the Parks and Recreation Department. The history leading up to the adoption of that regulation does not support the enforceability of that language because the Assembly at that time gave a mandate to enforce competent voice control under the definition in the Animal Control Code. There is not authority to adopt and enforce a new definition of competent voice control in Parks and Recreation regulations. The language of that regulation is what has been brought forth in this ordinance. This language has not been tested because it has never been enforceable and it is in direct conflict with the mandate of the Assembly.

Mayor Botelho said that whatever the history of the regulation, once taken into the ordinance, the inconsistency between regulation and ordinance is gone. The underlying difficulty may be the lack of satisfaction in the definition, that it has not been tested.

Mr. Utermohle said his concern is that the proposed definition of competent voice control in this ordinance is not sufficient and does not address the issue as well as the current definition in law.

Paula Terrel supported Mr. Utermohle’s comments and said “if it ain’t broke, don’t fix it.” The regulations and code should be the same. In version C, it says the dog under voice control does not jump up on a person without invitation or aggressively bark at or advance on a person or
domestic animal.” She thinks that advance means “aggressively advance” on another person. Otherwise, responsible dog owners will be in a world of hurt. She did not think that barking has anything to do with competent voice control; it is the dog’s behavior.

Mary Hicks, said her Jack Russell Terrier needs to run several miles a day and putting her dog on a leash would be like putting a leash on a hamster or boa. She used to teach logic, and this is illogical. She wants her dog to have a good life, leash-less, and without upsetting the public. This is an emotional issue for dog owners. She respectfully requested that the Assembly honor Mr. Utermohle’s suggestions.

Cheryl Jebe, said she was present to support Mr. Utermohle and all the work he has done. She wanted to support the Grateful Dog’s position that the competent voice control definition in the ordinance since 1992 should remain.

Laura Else, said her concern was with Code Section 8.4.060. Some of the code was canine specific. This section regarding female dogs in season is not referring to domestic animals. All female domestic animals will be subject to the code if the language is changed. Was this the city’s intent? She recommended that the canine specific portions of this section stay canine specific, or there will need to be species-specific responses, such a species-specific collars, and harnesses.

Assembly Action:

**MOTION, by Doll, to adopt Ordinance 2009-12(c).**

**MOTION, by Doll to amend, by deleting the new definition of competent voice control and maintain the existing language in the code.**

Mr. Anderson agreed with Mr. Doll’s amendment. He said this is a definition only, and the enforcement part is listed in another section of the ordinance. He thought it would be better if the definition just said that competent voice control was that the animal “follows all commands quickly and accurately.”

Mayor Botelho asked for a staff response. Ms. Kiefer suggested that if the requirement to see and monitor a dog at all times is kept in the definition of competent voice control, she recommended adding wording “with only brief lapses.”

Mr. Doll said he would like to add that to his amendment.

Mayor Botelho asked if the group was comfortable with a relaxation of the rules to discuss the issues, rather than specific motions, and there was no objection.

Mayor Botelho asked if the exhibits attached to the ordinance were accurate. Mr. Hartle said that Exhibit A can be corrected, and that the Exhibits B and C are correct.

Mayor Botelho asked about Ms. Else’s concerns. Ms. Kiefer said she thought it was in the best interest of keeping the female animals in heat under control. It goes to the issue of population control, and adding further issues for Animal Control.
Mayor Botelho asked for a ten minutes recess for Mr. Doll and Mr. Anderson to review the proposed amendment, and asked staff to look at exhibit A, and to reconvene at 8:15 p.m.

Mr. Doll said that if the Assembly was willing to postpone this action to the next meeting perhaps it could meet with Animal Control to discuss competent voice control and perhaps include examples in the definition.

Mr. Anderson said including examples would open this to more problems.

Mayor Botelho said the motion to revert to existing language with respect to competent voice control was before the body.

**MOTION**, by Wanamaker, to table the ordinance to allow staff and the appropriate parties further opportunity to work to provide examples for the categories.

Roll call:

Aye: Bush, Chambers, Doll, Sanford, Stone, Wanamaker, Botelho

Nay: Anderson

Motion to table passed, 7 ayes, 1 nay.

Mayor Botelho asked the manager to look at the definition, and as one alternative, to outline, by example, what the current definition means. He understood from Animal Control’s perspective that one of the difficulties in enforcement now is ambiguity in how to enforce competent voice control and what it means. That is what triggered the amendments to begin with.

**IX. NEW BUSINESS**

A. Liquor License

**Restaurant Designation Permit Application**

**Fervid Enterprises d/b/a Solstice Bar/Lounge**

Administrative Report: Attached. The manager recommended adoption of the recommendations from the Human Resources Committee meeting, held immediate preceding the Assembly meeting.

Public Comment: None.

Assembly Action:

**MOTION**, by Chambers to adopt the Human Resources Committee recommendation and waive the Assembly’s right to object to the issuance of a restaurant designation permit for Fervid Enterprises d/b/a Solstice Bar/Lounge. Hearing no objection, it was so ordered.

B. Airport Rates and Fees Regulation Change

Administrative Report: Attached. The manager made no recommendation.

Public Comment: None.
DRAFT

Assembly Action:

MOTION, by Sanford, for orders of the day. Hearing no objection, it was so ordered.

C. Docks and Harbors – Amending the Shorepower Access Fees Regulation

Administrative Report: Attached. The manager made no recommendation.

Public Comment: None.

Assembly Action:

MOTION, by Doll, for orders of the day. Hearing no objection, it was so ordered.

D. Docks and Harbors – Amending the Small Boat Harbor Fees and Charges Regulation

Administrative Report: Attached. The manager made no recommendation.

Public Comment: None.

Assembly Action:

MOTION, by Sanford, for orders of the day. Hearing no objection, it was so ordered.

X. STAFF REPORTS

A. H1N1 Update – City Manager

Ms. Kiefer reported that after the Assembly authorized the manager to use $3600 in manager contingency funds for hotel stays for ill homeless patients and only three hotel nights were used. Additional education regarding prevention has been done, the Glory Hole has received donations of sanitary supplies and along with the United Way, has received private donations to augment this short-term sheltering plan. A longer-term plan is under review. Ms. Kiefer requested the Assembly extend this authorization through the flu season.

Mayor Botelho asked if there was objection to the manager’s request, and Mr. Sanford objected.

Roll Call:

Aye: Chambers, Doll, Stone, Wanamaker, Anderson, Bush, Botelho
Nay: Sanford

Motion carried 7 ayes, 1 nay.

Ms. Kiefer referred to a letter from the Planning Commission requesting the Assembly look into downtown parking management now that the new structure will be coming on line. Ms. Kiefer has appointed a staff committee with representatives from Engineering, Parks and Recreation and Community Development to look at what the goals should be for the parking management plan. Those ideas and goals will be presented to a variety of people and there will
likely be a joint meeting of the Assembly and Planning Commission when we get more feedback on the options.

XI. ASSEMBLY REPORTS

A. Mayor’s Report

Mayor Botelho said he was in receipt of a request from Jim Preston, Chair of the Docks and Harbors Board, asking that the Assembly consider support for a land swap with the University of Alaska Southeast on property currently leased by CBJ from the University in the area between the Harris and Aurora Harbors. He referred the request to the Lands and Resources Committee and Mr. Anderson agreed to look into the matter.

B. Committee Reports

Lands and Resources Committee: Chair Anderson said the committee met August 31 and discussed subport vicinity revitalization planning and authorized staff to do initial planning efforts. The next meeting is October 5, 2009.

Public Works and Facilities Committee: Chair Sanford said the committee met Monday 9/21 and discussed Statewide Transportation Improvement Plan (STIP) comments, agreed to the target amounts and dates for reduction of greenhouse gases in Juneau developed by the Juneau Commission on Sustainability, and discussed the transfers for the North Douglas sewer and Eaglecrest grants. The committee heard a report on a sales tax projections in relation to project funding and the Assembly will be briefed in November on this topic. It will be a topic of discussion for the next budget cycle.

Human Resources Committee: Chair Chambers said the committee met Monday, 9/21, and she made the following report:

The Americans with Disabilities Act Committee Annual Report and Appointments were rescheduled to the October 12, 2009 HRC agenda and anyone wishing to apply to serve on the committee was encouraged to apply prior to that meeting.

Hearing no objection, the Assembly supported the recommendation of the Human Resources Committee and appointed Stephen Wright to the Fisheries Development Committee for a term expiring January 31, 2010.

Hearing no objection, the Assembly supported the recommendation of the Human Resources Committee and appointed two members to the Youth Activities Board: Evan Gross to the Youth Seat for a term expiring August 31, 2012, and Nathaniel Habeger to a public seat for a term expiring August 31, 2012.

Ms. Chambers provided a status report on the liquor licenses currently pending protest at the Wed., September 23 Alcohol Beverage Control Board meeting, which include the Sandbar, Zephyr and the Mad Greek (all for sales tax delinquencies).

Hearing no objection, the Assembly withdrew its protest of the Ri D Kuag d/b/a Canton House liquor license #2185 due to the payment of $85,107.08 received by the CBJ Finance
Department on Friday, September 18 to satisfy the delinquency on the Confession of Judgment.

The HRC received a report from School Board Member Destiny Sargeant and Superintendent of Schools Glenn Gelbrich about the School Board Drug Testing Task Force Report Sept. 2009. They are working on compiling a secondary group of people to constitute a community task force, which will include members of the Assembly, medical service providers, community members including members of the Chamber of Commerce, and representatives from other community interest groups. The first meeting of this task force will take place on Wednesday, September 23 to continue the discussion on the following three questions:

1. What would we like to have available in the community – what would the range of services be?
2. What is available right now?
3. What might they do to begin to bridge the gap between 1 & 2?

C.  Liaison Reports

Planning Commission: Liaison Doll said the next meeting is Tuesday, September 22, at 7 pm.

Affordable Housing Commission / Homeless Coalition: Liaison Chambers said she attended a joint meeting of the two groups and was encouraged that the groups are addressing overlapping concerns of homelessness in the community.

Airport Board: Liaison Sanford said all construction activity is in full bore and the road in front of the Airport is scheduled to be open Wednesday, 9/23.

Chamber of Commerce: Liaison Anderson said the Chamber will host a candidate forum Thursday, 9/24, and has provided many other excellent programs he has attended including information on H1N1 for businesses and a tour of Lake Dorothy Hydro project. The annual dinner will be held October 24 with a mining theme.

Hospital Board: Liaison Stone said the next meeting is Tuesday, 9/22 at 5:15 pm.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mayor Botelho asked Mr. Doll and Mr. Anderson to work directly on the Animal Control Ordinance language.

Mr. Anderson thanked Ms. Danner and Ms. Madsen for their meeting attendance and for running for election.

Ms. Chambers asked about the letter to the Assembly from Michael Wise regarding an oil leak at the Mendenhall Wastewater Facility. Mr. Hartle said the City Manager and Attorney's office has actively been working on this situation.

Mr. Wanamaker said people in Southeast Alaska were pleased to see so many Juneau representatives at the recent Southeast Conference meeting in Haines. It is beneficial to meet with our neighbors and solve common problems.
Mr. Anderson said the University of Alaska Board of Regents would meet in Juneau this Thursday and Friday, and provide an opportunity for public comment both days at Noon.

Mr. Doll said the Southeast Conference is forming a committee to address health issues and is looking for committee members.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

XIV. EXECUTIVE SESSION – None.

XV. ADJOURNMENT - 8:42 p.m.

Signed: ___________________________  Signed: ___________________________
Laurie Sica, Municipal Clerk  Bruce Botelho, Mayor