MEETING NO. 2010-07: 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 Deputy Mayor Randy Wanamaker.

I. ROLL CALL

Assembly Present: Jonathan Anderson, Ruth Danner, Bob Doll, Johan Dybdahl, Merrill Sanford, David Stone, and Randy Wanamaker.

Assembly Absent: Bruce Botelho, Jeff Bush.

Staff Present: Rod Swope, City Manager; Kim Kiefer, Deputy City Manager; Barbara Ritchie, Deputy City Attorney; Laurie Sica, Municipal Clerk; Craig Duncan, Finance Director; John Bohan, Chief CIP Engineer; Dale Pernula, Community Development Director; Roy McLeod, Port Administrative Officer; Gary Gillette, Port Engineer; Kirk Duncan, Eaglecrest Ski Area Manager; Jeannie Johnson, Airport Manager; Heather Marlow, Lands and Resources Manager.

II. SPECIAL ORDER OF BUSINESS

A. Employee Recognition – PRISM Project

Kim Kiefer said the original plan for installation of Govern, the land management and property control system software piece of PRISM, was 8 months, however, it was actually installed in 21 months, and would not have been done in that time if it were not for the dedicated work of Ben Lyman, Erin Russell and Autumn Lowrey. They are the “Subject Matter Experts” or “SME’s. Ben Lyman was the team leader and built more than 70 workflows at the same time completing his work as a planner on many complex planning projects. Erin Russell is responsible for all workflows and functionality for the Building and Fire Departments and worked with many other departments to integrate the system. Autumn Lowrey worked in Erin’s absence, learned software far out of her area of responsibility and has become a key trainer, problem solver, and trouble-shooter. Ms. Kiefer explained the new software, which will result in a uniform processing of project applications in the Community Development Department.

III. APPROVAL OF MINUTES

A. February 22, 2010 – Regular Assembly Meeting 2010-05

Hearing no objection, the minutes of the February 22, 2010 - Regular Assembly Meeting 2010-05 were approved.

B. March 8, 2010 – Special Assembly Meeting 2010-06

Hearing no objection, the minutes of the March 8, 2010 - Special Assembly Meeting 2010-06 were approved.
IV. MANAGER’S REQUEST FOR AGENDA CHANGES – None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

_Candice Bressler_ said she moved to Juneau a year ago and is proud to call Juneau home. Keeping Juneau beautiful for tourists and locals alike is important. She and her fellow Leadership Juneau students are concerned about a local eyesore downtown called the “PIT,” (the empty lot at the corner of Seward and Front Street). In 48 hours, they have had 180 people join a Facebook group regarding this problem. They even had someone donate money to assist their efforts to find a solution. She asked the Assembly to move forward and use all legal and social means to fix the pit. She said she would be monitoring the Assembly’s work. Fixing the pit will improve the economy and revitalize the core of downtown businesses.

Mr. Sanford asked Ms. Bressler if she knew this was private property, and if so, if she had suggestions for what type of action the Assembly could take to make a private property owner take action. She said she did know it was privately owned and did not have a specific action to recommend. The Leadership Juneau group has several ideas for the area and has learned a lot, they want to push this issue forward.

Mr. Anderson thanked Ms. Bressler and the Leadership Juneau group for their work, and asked if the group has other project plans. She said their current work is fact-finding, they have ideas, want, and need the support of the Assembly, but nothing is in place for future developments.

_Jeff Rogers_ said he is with Leadership Juneau. They believe the pit is not an intractable problem. We have a pit that is causing the sidewalks, and in time the street, to cave in – this is against the law. Private property owners have an obligation not to damage public property, even in their inaction. They have learned a number of things that are not part of the public record. The sale of the property has been pending for some time; the Assembly may be able to encourage that sale to move forward. This group of people against the pit will grow; we will have signs and perhaps a “jolly chant” to encourage something to be done. They are willing to work, raise funds and do whatever is needed. There is a lot going on behind the scenes that we cannot solve but perhaps the Assembly can.

_Ben Goldrich_ said he lives on 12th Street and a redesign to the 12th street project recently came to his awareness. The Community Development Department (CDD) met with the neighborhood and showed us the plan. None of the neighbors are thrilled with widening the sidewalk, narrowing the road, and having the sidewalk moved onto property currently being used as part of the yards, but it will tame traffic. They are willing give up part of their front yards for this slowing of traffic. He said that on December 14, Mayor Botelho brought this subject up at a regular Assembly meeting. On January 4, this item was raised as a non-agenda item. The Assembly listened to some discussion and held a vote prior to the Planning Commission holding its public meeting and hearing testimony from the public. The Assembly’s vote was to keep the road’s footprint as it is. If part of the project’s reason is to tame traffic, what is the Assembly’s plan for doing this? It seems the process has been reversed and it does not seem like good public policy to make a decision prior to hearing the recommendation of the Planning Commission and hearing the public testimony at that meeting. He asked the assembly to reconsider this issue and take a look at the recommendations of the Planning Commission, which were to have a slightly narrower roadway, wider sidewalks, and consider all the information prior to making a decision.
Mr. Sanford said he supported the Engineering Department's preferences for the project and asked Mr. Goldrich if he knew how many inches were under consideration with this street narrowing. Mr. Goldrich said the south sidewalks were proposed to be five feet., the roadway, which is currently 21.5 feet was going to narrow to a 20-foot roadway, eight feet. for parking, and six feet for the sidewalk on the north side. The modified project calls for 4.5 feet for the south side, 21.5 feet for the roadway, eight feet of parking, and six feet for the north side sidewalk. Mr. Sanford said what is debated is 10 – 13 inches, and most people do not think it will matter one way or the other. Mr. Goldrich said that his information is that taking those inches out of the roadway forces people to slow down, and now people fly up 12th Street, the stop sign is just a suggestion.

Mr. Doll asked Mr. Goldrich how the other residents of 12th Street feel about this matter. Mr. Goldrich said he spoke to a number of his neighbors today and none had heard about any changes to the plan they were shown. The neighborhood testimony was in support of the original proposal.

VI. CONSENT AGENDA

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

Several members of the public requested that Resolution 2523 be removed from the consent agenda.

B. Assembly Requests for Consent Agenda Changes

Mr. Doll requested that Resolution 2522 be removed from the consent agenda.

C. Assembly Action

MOTION, by Sanford, to remove Resolutions 2522 and 2523 from the consent agenda, and to adopt the remainder of the Consent Agenda as presented. Hearing no objection, it was so ordered.

1. Ordinances for Introduction

a. Ordinance 2010-07

An Ordinance Authorizing The Port Director To Negotiate And Execute An Amendment To The City And Borough's Lease With Douglas Island Pink And Chum, Inc., To Add Certain Tidelands To The Existing Leased Property Located Near Channel Drive.

Administrative Report: Attached. The manager recommended Ordinance 2010-07 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2010-08

An Ordinance Authorizing the Port Director to Negotiate and Execute an Amendment to the City and Borough's Lease with Channel Construction, Inc., to Add Certain Tidelands to the Existing Leased Property Located Near Channel Drive.

Administrative Report: Attached. The manager recommended Ordinance 2010-08 be introduced and set for public hearing at the next regular meeting.
c. Ordinance 2010-09  
An Ordinance Providing For The Issuance And Sale Of General Obligation Bonds In One Or More Series In The Aggregate Principal Amount Of Not To Exceed $13,580,000; And Providing The Form And Terms Of The Bonds And For Unlimited Tax Levies To Pay The Bonds Authorized By The Voters For The Pool Facility And Gastineau Elementary School.

Administrative Report: Attached. The manager recommended Ordinance 2010-09 be introduced and set for public hearing at the next regular meeting.

d. Ordinance 2009-08(AD)  
An Ordinance Transferring To The Manager The Sum Of $400,000 As Funding For The Bartlett Information Systems Building Demolition And Parking Lot Capital Improvement Project, Funding Provided By Bartlett Regional Hospital Fund Balance.

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

e. Ordinance 2009-08(AE)  
An Ordinance Appropriating To The Manager The Sum Of $914,389 In State Of Alaska Stimulus Grant Funding And De-Appropriating $914,389 In General Operating Revenues Previously Appropriated.

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

f. Ordinance 2009-08(AF)  
An Ordinance Appropriating To The Manager The Sum Of $2,000 As Funding for Avalanche Training, Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

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

g. Ordinance 2009-08(AG)  
An Ordinance Appropriating To The Manager The Sum Of $19,750 As Funding For The Juneau Haz-Mat Response Team To Attend The 2010 Alaska Shield Exercise, Grant Funding Provided By The State Of Alaska Department Of Military And Veterans Affairs.

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

2. Resolutions

a. Resolution 2520  
A Resolution Expressing Assembly Support For Increased Legislative Appropriations For Services Benefiting Vulnerable Alaskans
Administrative Report: Attached. The manager recommended the Assembly adopt the Human Resources Committee's recommendations for action from tonight's meeting.

b. Resolution 2521
A Resolution Authorizing An Application To The State Of Alaska For A Federal Grant To Plan, Develop And Install Historical Interpretive Signs At The Historic Treadwell Mine Complex And Jualpa Mine Camp Historic District.

Administrative Report: Attached. The manager recommended Resolution 2521 be adopted.

3. Transfers

a. Transfer T-906
Transferring $376,099 From Nine Completed Capital Improvement Projects (CIP) To Five Ongoing CIPs.

Administrative Report: Attached. The manager recommended this transfer be approved.

b. Transfer T-907
Transferring $200,000 From Casey Shattuck II Capital Improvement Project (CIP) To A New Eaglecrest Mountain Operations/Lifts CIP.

Administrative Report: Attached. The manager recommended this transfer be approved.

c. Transfer T-908
Transferring $10,000 In Secure Rural Schools And Community Self-Determination Act Of 2000 Title III Restricted Funds From The Youth Forest And Trails Training Program (Parks and Recreation Budget) To The Mayor And Assembly Budget.

Administrative Report: Attached. The manager recommended this transfer be approved.

4. Bid Award
d. Bid Award E10-167
Area Wide Paving

Administrative Report: Attached. The manager recommended award of this project to Secon, in the total amount bid, for an award of $1,018,468.90.

Removed from the consent agenda:

Resolution 2522
A Resolution Approving Certain Expenditures for Reimbursement from the Proceeds of Recovery Zone Facility Bond Debt to be Issued in the Future to Provide Funding Assistance to Alaska Glacier Seafoods, Inc.


Public Comment: None.
MOTION, by Doll, to adopt Resolution 2522.

Mr. Doll said his understanding is that Juneau has already been declared a recovery zone, these funds stemming from the Stimulus Package a year ago have passed from the state to Juneau by some formula in the original legislation, and he presumed that Alaska Glacier Seafoods, (AGS) has developed a case and justification for these funds. Mr. Swope said that was correct and CBJ is the go-between between financial institutions and AGS in this matter. Mr. Doll asked if any other interested businesses that met the requirements could access this type of funding. Mr. Swope said that was correct. Mr. Doll asked for an explanation of CBJ’s role.

Mr. Duncan said funds are not coming from the federal government. This is an authorization to issue debt at a tax-exempt rate. For private activities, this would not normally be issued as tax-exempt financing. Under the stimulus bill there is a window between now and the end of December, pending on state legislation, in which CBJ is allowed to issue tax-exempt financing as we might for a community purpose property for private activity. There have been several projects proposed, we have a limit on how it is calculated. The limit is $11 million. We would issue this as revenue bonds, to a bank, the bank buys the CBJ revenue bonds, CBJ would take the funding, give it to the project, and the project would be responsible for repaying the debt. CBJ does not have a direct obligation to pay the debt but it does have a moral obligation. CBJ is being a conduit between the bank and the business to issue tax-exempt financing.

Mr. Doll asked how the federal government was involved. Mr. Duncan said the federal government sets out the rules for what qualifies for tax-exempt financing. Normally these type of bonds cannot be done. Another program allows this for community-purpose funding and we are looking at this for the Dimond Pool – there is a time-certain window.

Mr. Anderson asked about the liability issue, where is the guarantee that the funds would be paid? Mr. Duncan said there is no guarantee. It is like going to the bank to borrow money, and instead of borrowing at a taxed rate, the business can borrow at a tax-exempt rate. This should save the borrower a little interest. This needs to happen in the form of a bond. The city is the method of getting the bond issued. The borrower is liable for the repayment. The risk is with the underwriter at the bank. In this instance, we have to go to a local bank to explain the situation with AGS.

Mr. Anderson asked if this can be for any business that might like to make use of this process, why Alaska Glacier Seafood is named. Why is it not just a resolution to apply for the bonds? Would another business need to get a resolution specifically? Mr. Duncan said this question arose in the Finance Committee meeting and staff was asked to look at ways to assist AGS develop an ice plant, which is being approached as a benefit to the community, so we are looking at projects that would provide incentive to commercial fishing or other JEDC-related projects providing some economic stimulus. This item is a stopgap; we need an ordinance to identify the lender. There are provisions in bonding about the timing of spending funds and the time that expenditures can be reimbursed from a bond. This provides a notice that if we actually do issue the bonds, we retroactively reimburse. This resolution starts the clock for this project and meets IRS guidelines to identify the fact that this is an official statement that CBJ is seeking to reimburse itself through bond debt sometime in the future. Mr. Anderson asked if there is a deadline for other businesses, which might be interested, in participating. Mr. Duncan said the law says any bonds would need to be issued by Dec. 31, 2010. The state has pending legislation with two different versions. One is that if we have not obligated ourselves
by June 30, the state will in essence take the authorization away and give it to another community. An amendment to that bill would allow us to give notice as of Juneau and take the authorization away as of August.

Ms. Danner asked if the $11 million is the estimated cost of the project and if the bank will have collateral outside of the project. Mr. Duncan said the state authorized CBJ to issue up to $11 million in total for all projects. Regarding the bank, the assumption is that there will be pledged assets from AGS to support the debt. Ms. Danner said the wording concerns her, in that it says if the bonds are issued; AGS can reimburse itself using the bond proceeds. Mr. Duncan said that the project will be built on a dock, pilings have been ordered, and if AGS pays for the pilings now, and time passes, AGS may not be able to borrow money to reimburse themselves for the piling. This allows them that if they have a project, and they are a ways into this, it allows them to borrow money back to the beginning of the project.

Mr. Sanford said Section 3 on the resolution spells out that this project is only expected to be $2,350,000 of the $11 million authorization.

Hearing no objection, Resolution 2522 was adopted.

c. Resolution 2523

A Resolution Expressing the Assembly’s Support for Google to Build and Test an Ultra-High Speed Broadband Network in Juneau.

Administrative Report: Attached. The manager recommended Resolution 2523 be adopted.

Public Comment:

Bob Varness, Alaska Communications Systems (ACS) General Manager, said his company supports Resolution 2523 and the Juneau Broadband Initiative. They support any effort that will increase connectivity between Juneau and the Lower 48 and further north. ACS will work with JEDC to fill out the application for submission to Google from Juneau.

Jeremy Johnson spoke in favor of Resolution 2523. The average connectivity in town is about 1 Mb for each home user. This is all an entirely local infrastructure that is being discussed for development. The pipe out that the major telephone companies will be able to offer will be what will allow us to connect with the rest of the world, though the local infrastructure, being fiber optic, allows a lot more interesting things. It is a reduction in the amount of electricity to run things over fiber. The things that can be monitored with fiber optic include home energy usage and heating in specific areas of a home. High definition television can pull out 7 Mb for a connection and that is seven times the average internet connection speed for one television set. If a fiber optic infrastructure is in place locally, it will allow for a competitive market for the high definition television delivery. We would gain benefit by allowing legislators to tend to legislation electronically without the need to travel by using a virtual network. He is on the application committee as a volunteer, and Section 3, requires a local government to be willing to appoint a single person to serve as a point of contact. He sees this as the only requirement of the community, and the rest of the obligation is upon the private utilities, which own the present infrastructure.

Scott Willis, representing Alaska Electric Light and Power (AEL&P), spoke in favor of Juneau submitting a response for this test. We think this will be positive for the community and we
have participated with JEDC to complete the application. This test could help us implement smart grid technology to be more efficient in energy delivery. Mr. Willis said the most important applications of a technology like this have not yet been thought of yet.

**MOTION, by Anderson, to adopt Resolution 2523.**

Mr. Anderson said he has been involved in this planning effort and he appreciates the community participation on this application. ACS, GCI, AEL&P, UAS Southeast, and many members in the local tech community have all been coming together to understand this and think about how it can work. We are approaching this realistically. There are many cities also applying. Mr. Anderson encouraged the public to nominate Juneau at the JEDC website.

Ms. Danner referred to an article in the Wall Street Journal about this project, which mentioned Juneau specifically.

Hearing no objection, Resolution 2523 was adopted.

**VII. PUBLIC HEARING**

A. Ordinance 2010-04

**An Ordinance Authorizing The Manager To Execute A Lease Of The Cornerstone Shelter Building And A Fraction Of U.S. Survey 381, On Hurlock Avenue, Containing 36,122 Square Feet, To Juneau Youth Services, Inc.**

**Administrative Report:** Attached. The manager recommended Ordinance 2010-04 be adopted.

**Public Comment:** None.

**Assembly Action:**

**MOTION, by Danner, to adopt Ordinance 2010-04.**

Ms. Danner questioned the market value of the lease and asked if that was known. Ms. Marlow said that it was not known.

Ms. Danner asked if the city tracks the market value of the revenues waived, and thinks this is important to get credit for the donations made to the community. She would like to have this happen with the implementation of the new software.

Hearing no objection, Ordinance 2010-04 was adopted.

B. Ordinance 2010-05(b)

**An Ordinance Amending The Official Zoning Map Of The City And Borough Land Use Code To Change The Zoning Of U.S. Survey 1361, Tract IV, Lot 3, North Douglas Highway, Currently Zoned D-3 To D-18.**

**Administrative Report:** Attached. The manager recommended Version (b) of Ordinance 2010-05 be adopted.

**Public Comment:**
Gavin Denton, representing Square Knot Development, said that affordable housing depends on high density. CBJ spent money on installing sewer in North Douglas with the intention of opening up land to provide more affordable housing. D-18 zoning would work toward that. The property already has all utilities available, a road in front of it, and the property above it does not have those advantages yet, yet it is zoned D-18. The best chance to get affordable housing out of this is to make this property D-18.

Ms. Danner asked if cottage housing for seniors was still the plan for this property. He said not for seniors specifically, but they are looking at constructing high quality small houses that are efficient to heat. This is the wave of the future. He did not think there would be a problem with a single driveway condition placed on the ordinance.

Mr. Dybdahl asked for the Planning Commission’s rationale to amend the rezoning request to D-10. He said he did not know, but there were people there protesting and they may have wanted to oblige them, and he thought it was an impulse.

Ms. Danner asked if the plans would be different with D-18. He said yes, as D-18 zoning allows for a smaller lot size, which is less costly to the purchaser and allows for a more affordable lot and house.

Mr. Doll asked if there is a site map for the proposed project. Mr. Denton said there is a rough site map. Mr. Doll asked if this was presented to the Planning Commission (PC). Mr. Denton said he did not remember.

Cameron Byrnes said he is a North Douglas resident with serious reservations about any change in the zoning at this time for many reasons. He asked for the plan for the increased traffic for the road, the round about and the bridge. He suggested that he project wait until the construction of a second crossing. He asked if the plan is for high-density development in this area similar to West Juneau. He said he did not think that was what most of the people in North Douglas wanted. He asked how the rezone related to the possible bench road, as there are maps that show various routes. This is moving too fast. There are more important things for the Assembly to decide before this type of construction is allowed. The bridge is not really big enough for the traffic, nor is the Egan Drive side. D-10 or D-18 zoning for this area are both mistakes, and planning decisions should be made regarding this area first.

Mr. Doll asked if Mr. Burns had seen the traffic study done for one of these projects. Mr. Byrnes said no, but he said he had looked at proposed plans, and for one portion of the development, estimated that an additional 50 cars might be entering the North Douglas highway at any given time.

Assembly Action:

**MOTION**, by Sanford, to adopt Ordinance 2010-05(b).

**MOTION**, by Sanford, to amend Ordinance 2010-05(b) to in all places substitute “D-18” for “D-10,” in the title, on the first page to refer to “up to 18 units per acre,” and on the second page, Section 2, to “D-18” everywhere instead of “D-10.”
Mr. Sanford said, this is not a short-term last minute change, he has been on the Assembly for seven years and on the PC for four years before that. CBJ has looked for areas to allow high-density housing and sewer was installed intentionally in North Douglas for this effort. There has been planning, Title 49 has been reworked, and it is appropriate to support the amendment and the ordinance.

Mr. Stone spoke in favor of the ordinance as amended, this was one of the main reasons the sewer was installed and CBJ has worked hard to encourage construction of affordable housing.

Mr. Doll spoke against the amendment. All other properties in the area are slated for D-18 zoning and the PC made its recommendation based on the minutes of the PC, and the applicant’s testimony that D-10 may work. If the applicant comes back to us and says they cannot make their plan work, then we have the chance to review the zoning again. The principal determinants for the density of use is the topography and water flow. The traffic is an issue and the PC made the right choice. We should honor their advice.

Ms. Danner asked if CBJ intended to move toward D-18 for all of Douglas Island or if there is a plan. This would be the first D-18 zoned parcel fronting on the highway.

Mr. Sanford said the PC has already zoned two of the lots to D-18 as a transition zone on its own, without an applicant. The plan has been to change the upper side of the road to the first big creek, near the gravel pit, to D-18, if the PC and Assembly so wishes.

Mr. Dybdahl said he supported D-18 zoning. CBJ has tried many times to get to affordable housing. The lower densities and the restriction on the homebuilders result in dwellings people cannot afford. If D-18 can get us to prices people can afford, we need to do this.

Mr. Anderson said he supported D-18 zoning. Juneau has limited land and the only way to get affordable housing is with higher density. He appreciates that this development is proposed to be cottage housing.

Mr. Doll said he did not believe the units would be affordable as they will have a water view and will be near the bridge.

Ms. Danner said that as the chair of the Affordable Housing Commission, she is in favor of higher density and hopes this will make an impact. Her concern is a question about what the Assembly has in store for Douglas Island.

Roll call on the amendment:
Aye: Anderson, Danner, Dybdahl, Sanford, Stone, Wanamaker
Nay: Doll
Motion passed, 6 ayes, 1 nay.

Hearing no objection, Ordinance 2010-05(b) was adopted as amended.

C. Ordinance 2009-08(AB)
An Ordinance Appropriating To The Manager The Sum Of $111,990 As Partial Funding Of The Planning, Study, and Design For Auke Bay Elementary School Capital Improvement Project, Funding Provided By General Obligation Bond Interest Income.
Administrative Report: Attached. The manager recommended Ordinance 2009-08(AB) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Doll, to adopt Ordinance 2009-08(AB).

Mr. Anderson asked if the schools could have tapped in to their $6 million maintenance bond for this project. Mr. Swope said yes.

Ms. Danner asked if CBJ earns income on the unspent bond proceeds. She said she was told our bonds are earning 0% interest. If we consider the debt service on the bonds and compare it with the income earned, are we coming up ahead as positive arbitrage or reverse arbitrage? Mr. Duncan said the actual interest earned on the bond proceeds is less than the interest we pay. In most cases the bonds are heavily reimbursed, up to 70% by the State, so the State reimburses us for both the principle and the interest. We earn interest on the total proceeds of all the principle until it is expended on the project. The main purpose of issuing the bonds is to get cash to pay for the project for which the bonds were approved. The voters approve a bond issue for a project that cash is generally expended in two years or less. The interest rates are 1% or less for short term. The bonds go out for at least ten years, but the investment of the proceeds is relatively short term because it is cash for the project to spend.

Ms. Danner asked if the bonds from 2000 have been in short term interest all this time. Mr. Duncan said yes, the bond proceeds are no longer there, just the interest in some cases, which is carried over. We issue bonds, they spend the principle we are earning interest while spending the principle, the interest sits in the account, and the interest is spent sometime in the future. Ideally we would like to see the school district spend this more rapidly, but in many cases the interest sits there for some time.

Ms. Danner asked regarding the 2000 GO School Bond interest income of $1,093, is that the last of what is left in that GO bond? Mr. Duncan said that he was not sure but assumed it was a little remaining balance that had accrued in the project.

Mr. Duncan said, regarding Mr. Anderson’s question, that the bond proceeds of the $6 million could be spent, but the problem was that this would have to be a reimbursable project, because the voters were told that they would be reimbursed at a particular percentage, and he was not sure if this would be considered a reimbursable expense.

Hearing no objection, Ordinance 2009-08(AB) was adopted.

D. Ordinance 2009-08(AC)
An Ordinance Appropriating To The Manager The Sum Of $2,000 As Partial Funding for the Purchase of Artworks for the Juneau-Douglas City Museum, Grant Funding Provided by Rasmuson Foundation and Museums Alaska, Incorporated.

Administrative Report: Attached. The manager recommended Ordinance 2009-08(AC) be adopted.
Public Comment: None.

Assembly Action:

MOTION, by Anderson, to adopt Ordinance 2009-08(AC). Hearing no objection, it was so ordered.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS

A. Docks and Harbors Regulations
   Adoption of Amendments to Title 05, Chapter 20 Small Boat Harbor Fees and Charges

   Administrative Report: Attached. The manager recommended approval

   Public Comment: None.

   Assembly Action:

   MOTION, by Johan, for orders of the day.

   Ms. Danner asked what problem was being fixed with this regulation. She said it seemed as if there are two vendors, which have negotiated a special deal outside of the regulations, and now Docks and Harbors (D&H) wants to put someone else into the same deal, even though they are paying more.

   Mr. McLeod said D&H wants to establish consistency throughout all the small boat harbors. If in Auke Bay, there is a passenger for hire fee. For whatever reason, in the downtown harbors, there is a loophole, which allows either daily moorage or the passenger for hire fee. We are trying to make it the same throughout all the small boat harbors, to pay the $1.10 passenger for hire fee for those people who are offering the day tours only. It does not apply to cruise ships.

   Mr. Sanford said in reading the packet, consistency was the goal and this regulation spells it out fairly.

   Hearing no objection, there was no further objection to orders of the day. The regulations were allowed to become effective.

B. Docks and Harbors Regulations
   Adoption of Amendments to Title 05, Chapter 15 Fees and Charges Port Fee Regulations for Passenger-For-Hire Vessels

   Administrative Report: Attached. The manager recommended approval of the regulations.

   Public Comment: None.

   Assembly Action:

   Mr. Doll asked, if the goal is to provide equity in surcharges, how equity is described.
Mr. McLeod said D&H is trying to recover the costs of having large numbers of people living on a few ships. The $69 surcharge applies to a family of four. Any situation above four would pay the extra $23 to take care of other costs we incur for year round water service, garbage service and wear and tear on the docks. Mr. Doll asked if those additional costs would be hard to quantify. Mr. McLeod said yes. Mr. Doll asked if the cost could not be quantified, what was to prevent the board from developing an unreasonable fee. M. McLeod said it is difficult to quantify, but the D&H Board went through a process 2-3 years ago to quantify costs. If I could quantify an additional $23 for one additional person, it would be difficult.

Ms. Danner asked what happens to the gray water from boats. Jim Preston, D&H Board Chair, said it empties into the harbor. D&H pays for the water on a metered system. There are pump out stations for the sewer. Not all vessels have the sink go into the holding tank, some drain out, but anything in a holding tank gets pumped out, through our facility, and into the sewer system. Garbage and recycling are at the top of the dock. D&H pays for garbage through their funds. Ms. Danner asked if recycling is encouraged. Mr. Preston said only waste oil is collected for recycling, other items are the responsibility of the harbor user.

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

A. Liquor Licenses 2010-2011 Renewals:

MOTION, by Doll, to accept the recommendation of the Human Resources Committee and waive the Assembly’s right to protest the following liquor license renewals:

1. Restaurant/Eating Place License #4192: Seong S. Kim d/b/a Seong's Sushi Bar & Chinese Takeout - location 740 W. 9th Street

2. Beverage Dispensary Lic. #648: Westmark Hotels Inc. d/b/a Bubble Room-Westmark Baranof - location 127 N. Franklin St.

3. Brewery Lic. #2534: Alaskan Brewing LLC d/b/a Alaskan Brewing Co. - location 5429 Shaune Drive

4. Recreational Site Lic.#4539 Juneau Bowling Center LLC d/b/a Juneau Bowling Center - location 608 W. Willoughby


7. Wholesale- General Lic.# 3166: Odom Corporation d/b/a The Odom Corporation - location 5452 Shaune Drive – Bay 1

Hearing no objection, it was so ordered.

X. STAFF REPORTS – None.
XI. ASSEMBLY REPORTS

A. Mayor’s Report – Mayor Botelho is on travel leave.

B. Committee Reports

**Committee of the Whole:** Chair Wanamaker said the next meeting is Monday, March 22, at 6 p.m. in the Assembly Chambers.

**Human Resources Committee:**

*MOTION*, by Doll, to accept the recommendations of the Human Resources Committee and appoint the following persons to committees:

- **Board of Equalization:**

- **Fisheries Development Committee:**
  - Re-appoint Thomas Fletcher and Stephen Wright for terms expiring January 31, 2013.

- **Parks & Recreation Advisory Committee:**
  - Re-appoint Ray Howard, James G. King, and Kate Walters for terms expiring February 28, 2013.

- **Sales Tax Board of Appeals:**

Chair Doll said the April 5, 2010 HRC meeting agenda was full and requested that the meeting start at 5:15 p.m.

**Finance Committee:** Chair Stone distributed a Finance Committee meeting schedule for the Assembly to review. The next meeting of the Finance Committee is Wednesday, April 7 at 5:30 p.m. in the Assembly Chambers.

**Public Works and Facilities Committee:** Chair Doll asked the Assembly to review the draft 2011-2016 Capital Improvement Project list on-line and submit comments:
The next meeting of the PWFC is Monday, March 22, at Noon in the Assembly Chambers.

**Lands and Resources:** Chair Anderson said the committee met March 8 and discussed the sale of the remaining CBJ lots at Lena Point. He also explained that the City received transfer of a 30 ft. strip of property alongside the downtown State Division of Public Safety building running over in front of the Zach Gordon Facility. The state uses this area for parking and CBJ needs to negotiate a lease of this property to the city.

*MOTION*, by Anderson, to direct staff to negotiate a lease agreement with the State of Alaska for use of this property as parking. Hearing no objection, it was so ordered.
Chair Anderson said the committee received updates from the lands manager regarding the license agreement with Totem Creek Golf Course, the parking plan for the future office building on the Subport property and the planning and surveying regarding Peterson Hill.

C. Liaison Reports

Eaglecrest: Liaison Anderson said the Eaglecrest Board is working on its long term plans.

Docks and Harbors: Liaison Dybdahl said the next meeting is Thursday, March 25, at 7 p.m. in the Assembly Chambers.

Airport: Liaison Sanford said the board met and has budget prepared to submit. He requested continued patience from the public for the many on-going projects, including installation of the new baggage claim system, the bank stabilization for the river and work on the dike trail and the runway safety areas.

Sustainability Commission: Liaison Doll said the committee is near the end of its three-year term and sunsets at end of June. The committee will approach the Assembly to request permanent status.

Planning Commission: Liaison Doll said the PC met on March 9 to review changes to the Table of Permissible Uses. Snow storage areas may be an issue in the future, in that smaller local areas for storage cuts down on trucking snow, but it also creates neighborhood noise and activity.

Parks and Recreation Advisory Committee: Liaison Wanamaker said the PRAC met in retreat last Saturday discussed strategic planning, goal setting and the priorities will be presented to the Assembly in the near future.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Wanamaker passed on Mayor Botelho’s request that the Assembly authorize the use of up to $5,000 to fund another Capital City Forum on April 3 at Centennial Hall. This forum is being hosted by and for students, parents and the School District. There was some discussion of a conflicting date with the Assembly Retreat on Solid Waste Management on April 3. Hearing no objection, it was so ordered.

Mr. Doll referred to the discussion about 12th Street, and asked the manager if the Assembly is beyond any further decision making on the issue. Mr. Swope said no. Mr. Bohan said the project has been bid but any the change could be made with the contractor with little or no cost impact at this time, however, they need to be notified soon, or there could be more cost impacts later.

Mr. Anderson said that reconsideration was not appropriate at this point.

In consultation with Ms. Ritchie, the Assembly determined that a motion to reconsider the Assembly’s last action on the issue was not in order.

MOTION, by Doll, to direct the manager to adopt the 12th Street renovation, which involves extending the sidewalks and narrowing the street.
Mr. Anderson said he could not support the motion, considering the traffic and types of vehicles that use the road as an access to downtown. He supported JPD enforcement of the stop sign and speed limits in the area.

Mr. Sanford said the Assembly had considered this 13” several times. The bid was out, the plans should be done and the Assembly should not continue to revisit projects. He did not have a concern one way or the other but he accepted the engineer’s recommendations.

Mr. Doll said that this decision was made on a 4-4 tie vote, it was not an overwhelming vote. It is also a corridor upon which people live. It is worthy of consideration.

Roll call:
   Aye: Doll, Wanamaker
   Nay: Anderson, Danner, Dybdahl, Sanford, Stone
Motion failed, 2 ayes, 5 nays.

Mr. Sanford acknowledged the passing of Anne Swofford Mann, long time resident who donated the Herb Bonnet painting in the Chambers to CBJ, and Bob Garrison, a consistent participant in public meetings and community events. Both will be missed and are to be thanked.

Mr. Dybdahl encouraged everyone to welcome Gold Medal Basketball visitors to Juneau.

Mr. Anderson asked about the public testimony on the “pit” and for a report on the status of the property and any options the Assembly may at its disposal.

Mr. Wanamaker said he was aware of some discussions between Bill Martin and the property owner about sale or use of the property for a Southeast Native Cultural Center, and the manager may want to inquire about this as well.

Hearing no objections, a staff report was requested on the status of the property at Seward and Front Street.

Ms. Danner said she participated in the culmination of a month long science program at Dzantik’i Heeni Middle School with 145 students studying outdoor safety education. She thanked the many people who made the program possible.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Dennis Harris said he was disappointed about the micro-management of the 12th Street project by the Assembly without adequate notice to the public. The last time the Assembly took action it was without public notice and took place the week before the engineering firm was meeting with the neighborhood. If you bring up things on non-agenda items, please respect the process, which is already well defined and underway. People have always driven too fast on 12th Street, even when it was unpaved. During the last project in the area the no parking signs at the corners were removed and it is time to get those signs put back up again to improve visibility at the intersections.

XIV. EXECUTIVE SESSION – None.
XV. ADJOURNMENT - 9:30 p.m.

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