MEETING NO. 2011-09:  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. Mayor Botelho noted that Lt. Brandon Stone, Assemblymember Stone’s son, was injured in Afghanistan recently. This is a reminder that there are men and women putting themselves in harms way every day. He asked everyone to consider this while saying the Pledge of Allegiance.

I. ROLL CALL

Assembly Present: Jonathan Anderson, Mary Becker, Karen Crane, Ruth Danner, Bob Doll, Johan Dybdahl, Merrill Sanford, David Stone (arrived at 7:30 p.m.) and Bruce Botelho.

Assembly Absent: None.

Staff Present: Rod Swope, City Manager; Kim Kiefer, Deputy City Manager; John Hartle, City Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Craig Duncan, Finance Director; Rorie Watt, Engineering Director; Rich Etheridge, Fire Chief; Dan Jager, Fire Marshal; Dale Pernula, Community Development Director, Charlie Ford, Building Codes Official; Mila Cosgrove, HRRM Director; John Stone, Port Director; Heather Marlow, Lands and Resources Manager; Joe Buck, Public Works Director; Scott Jeffers, Deputy Public Works Director; Maggie Ford, Administrative Officer II, Public Works; Rob Steedle, Project Manager, PRISM; Bob Bartholomew, Project Manager, PRISM; Cristi Herren, Asst. Project Manager, PRISM.

II. SPECIAL ORDER OF BUSINESS

A. Scott Jeffers – Retirement

Joe Buck thanked Scott Jeffers for over 34 years of dedicated service to the CBJ. He will be retiring on Friday, April 29, and has worked all aspects of the wastewater utility including collections and treatment as an operator, senior operator, supervisor, superintendent and is retiring as the Deputy Public Works Director in charge of Juneau’s public utilities. In all capacities, Mr. Jeffers provided consistent, strong, fair leadership. He has made many significant contributions over his career. His work with the Utilities Advisory Boards stands out. A former supervisor, Don Shyra, said of Mr. Jeffers that he had exceeded his job requirements by a wide margin. The CBJ is a better place to live due to Mr. Jeffers contributions and he will be missed by all his co-workers.

Mr. Jeffers said he started in 1977 as an operator in training, thinking this would be a line of work that might keep him employed for several years. He said he had done some serious job-hopping within the CBJ. He was grateful for the chance to learn new things on the job, to take on new challenges and responsibilities and to grow personally and professionally. He appreciated the leadership and guidance from Joe Buck and the support from the Manager’s Office, HR, Engineering, Finance, and many other work groups, which helped make his job easier. He praised all his co-workers in providing one of the most important services. He thanked the Assembly for their support and work.
B. Cristi Herren – Bob Bartholomew – PRISM Recognition

Kim Kiefer said that for the past four years, Bob Bartholomew and Cristi Herren have managed PRISM – the software implementation project. They have moved the employees forward and served as negotiators, cheerleaders, supporters, taskmasters, team builders and leaders, and have done it with humor, grace, sensitivity, patience and focus. They have helped CBJ employees understand how we are all connected and how what they do fits in with the overall work of CBJ. Mr. Bartholomew and Ms. Herren have truly left CBJ in a better position than when they arrived.

III. APPROVAL OF MINUTES

A. March 21, 2011 – Regular Assembly Meeting 2011-05

Hearing no objection, the minutes of the March 21, 2011 - Regular Assembly Meeting 2011-05 were approved.

B. March 23, 2011 – Special Assembly Meeting 2011-06

Hearing no objection, the minutes of the March 23, 2011 - Regular Assembly Meeting 2011-06 were approved.

C. March 24, 2011 – Special Assembly Meeting 2011-07

Hearing no objection, the minutes of the March 24, 2011 - Regular Assembly Meeting 2011-07 were approved.

D. March 29, 2011 – Special Assembly Meeting 2011-08

Hearing no objection, the minutes of the March 29, 2011 - Regular Assembly Meeting 2011-08 were approved.

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

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

Elton Engstrom asked for additional time to speak to the Assembly and without objection, the Assembly suspended the rules to allow his presentation. Mr. Engstrom said Mayor Botelho had asked him to review a brief by Wright, Davis and Tremaine, and he provided the Assembly with his thoughts in writing. He is a practicing lawyer; however, he was not being paid by the city for his remarks.

Mr. Engstrom said his focus was on two issues – whether private docks had legal standing to question the head tax or to require the Assembly to act. There seem to be strong demands from the private dock companies to have the CBJ give them a share of head tax revenues. The brief states, “…the private docks remit the fees,” which is not true. The cruise lines remit the fees. He read from the brief, “…the CBJ will need to make substantial additional appropriations to maintain the private docks.” The head tax is a federal issue for federal courts and it is doubtful that the courts will give anyone standing except for those paying the tax. Paying the tax is the basis for claiming a legal injury. He said that if in the unlikely possibility, that Juneau’s head
tax would be held invalid, the charge on a passenger coming to Alaska will not change, it would remain the same because the state’s fee of $34.50 includes the provision for Juneau and Ketchikan. In response to the demand that the Assembly must act, the Assembly must not cede its duty to anyone else. Whether the Assembly may grant tax revenues to a private entity for work already encompassed under contractual obligations requires careful, deliberative study. The private docks have contracts with cruise lines that pay for profit, upkeep and depreciation, which a share of the head tax would only duplicate. He gave an example of the type of expenses he referred to, including dock resurfacing, corrosion control, retaining wall construction, replacement of canvas top on the cruise passenger staging area, pave parking area, restroom cleaning and supplies, covered area on main dock, extend covered walkway to entrance. He said that the list did include two items he thought might be outside of the contract with cruise lines, which were analysis and cost estimate for a new floating dock and security training in compliance with Coast Guard required security plan. He thought those items could be paid by the city using head taxes.

Mr. Engstrom said the Alaska Constitution, Article 9, Section 6, states that there may be no appropriation of public money except for a public purpose. Even if the Assembly decides it has the legal power to act, it remains to be determined if it should act. In the language of the brief, the CBJ will be required to make substantial appropriations to maintain the private docks. This sounds like a strong demand. Does this place a straight jacket over the city to determine how and when to develop the harbor to meet the needs of the cruise industry? Do the needs and demands of the private docks then become a constant factor in the management of the Port of Juneau? Does this suppose an annual appropriation of hundreds of thousands of dollars to private docks? He said this issue goes to the core of legislative power, which cannot be shared or diluted by the Assembly members. It may be suspect if the Assembly feels pressure due to the threat of a lawsuit. The Assembly has legislative responsibility from a vote of the people and must act with high responsibility to protect that trust.

Mr. Anderson asked if Mr. Engstrom was referring to cruise ship fees, not taxes, as applied to private docks, and did he have any thoughts on whether CBJ could use cruise ship fees, which everyone pays, to construct public docks. Mr. Engstrom said the private docks do not pay head tax fees, the ships pay the head tax. He thought the Assembly had a wide discretion on the management of the harbor, so CBJ could do so, but should not put money into a private dock, which duplicates the contracted services it already provides. The Supreme Court has granted aid to private companies but not in the situation in which this is a duplicate payment.

Mr. Doll asked Mr. Engstrom what he thought of making the determination of what is a correct use of fees by determining what would directly benefit the passenger, such as the canvas awning over the passenger, instead of repair to the dock. Mr. Engstrom said that should be looked into.

Ms. Danner asked Mr. Engstrom if he saw a problem with moving forward with the City Manager’s recommendation this year, then changing the way we look at it next year. Mr. Engstrom said the Assembly would face another problem next year and unless the Assembly is careful, it will become part of the system, with precedence.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction – None.
B. Assembly Requests for Consent Agenda Changes – None.

C. Assembly Action

*MOTION, by Doll, to adopt the consent agenda.* Hearing no objection, it was so ordered.

1. Ordinances for Introduction

a. Ordinance 2011-09
   **An Ordinance Creating The Library Department.**

   **Administrative Report:** Attached. The manager recommended Ordinance 2011-09 be introduced and set for public hearing at the next regular meeting.

b. Ordinance 2011-10
   **An Ordinance Appropriating Funds From The Treasury For FY12 School District Operations.**

   **Administrative Report:** Attached. The manager recommended Ordinance 2011-10 be introduced and set for public hearing at the Special Assembly meeting scheduled for April 27, 2011.

c. Ordinance 2011-11
   **An Ordinance Appropriating Funds From The Treasury For FY12 City And Borough Operations.**

   **Administrative Report:** Attached. The manager recommended Ordinance 2011-11 be introduced and set for public hearing at the Special Assembly meeting scheduled for April 27, 2011.

d. Ordinance 2011-12
   **An Ordinance Establishing The Rate Of Levy For Property Taxes For Calendar Year 2011 For The Budget For Fiscal Year 2012.**

   **Administrative Report:** Attached. The manager recommended Ordinance 2011-12 be introduced and set for public hearing at the Special Assembly meeting scheduled for April 27, 2011.

e. Ordinance 2011-13

   **Administrative Report:** Attached. The manager recommended Ordinance 2011-13 be introduced and referred to the Committee of the Whole.
f. Ordinance 2010-11(AL)
An Ordinance Appropriating To The Manager The Sum Of $131,285 As Partial Funding For The Gastineau Elementary Renovation And $225,000 As Additional Funding For The Juneau School District Site Improvements, Funding Provided By 2003A General Obligation Bond Interest Income.

Administrative Report: Attached. The manager recommended Ordinance 2010-11(AL) be introduced and set for public hearing at the next regular meeting.

g. Ordinance 2010-11(AM)
An Ordinance Appropriating To The Manager The Sum Of $27,262 For Completion Of The Amalga Harbor Launch Ramp Upgrade Capital Improvement Project, Funding Provided By The Harbors Fund Balance.

Administrative Report: Attached. The manager recommended Ordinance 2010-11(AM) be introduced and set for public hearing at the next regular meeting.

h. Ordinance 2010-11(AN)
An Ordinance Appropriating To The Manager The Sum Of $57,996 As Additional Funding For The Juneau International Airport Runway Safety Area Capital Improvement Project, Grant Funding Provided By The Alaska Department Of Transportation.

Administrative Report: Attached. The manager recommended Ordinance 2010-11(AN) be introduced and set for public hearing at the next regular meeting.

i. Ordinance 2010-11(AO)
An Ordinance Appropriating to the Manager the Sum of $1,441,744 as Additional Funding for the Juneau International Airport Snow Removal Equipment Facility Capital Improvement Project, Grant Funding Provided by the Federal Aviation Administration.

Administrative Report: Attached. The manager recommended Ordinance 2010-11(AO) be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2568
A Resolution De-Appropriating $65,795 From The Amalga Harbor Launch Ramp Upgrade Capital Improvement Project.

Administrative Report: Attached. The manager recommended Resolution 2568 be adopted.

b. Resolution 2569
A Resolution Adopting Revisions To The Personnel Board Rules Of Procedure.

Administrative Report: Attached. The manager recommended Resolution 2569 be adopted.

c. Resolution 2570
A Resolution Expressing Assembly Support For The Southeast Alaska Solid Waste Authority’s Fiscal Year 2012 Legislative Appropriation Request.
d. Resolution 2574
A Resolution Correcting the Time and Method of Payment of Assessments for Local Improvement District No. 98, and Modifying Resolution No. 2566.

Administrative Report: Attached. The manager recommended Resolution 2574 be adopted.

e. Resolution 2575
A Resolution Correcting the Time and Method of Payment of Assessments for Local Improvement District No. 130, and Modifying Resolution No. 2565.

Administrative Report: Attached. The manager recommended Resolution 2575 be adopted.

f. Resolution 2576
A Resolution Authorizing the Manager to Enter Into an Agreement With the State of Alaska Regarding the Construction, Maintenance, and Ownership of the Juneau Auke Lake Wayside Project.

Administrative Report: Attached. The manager recommended Resolution 2576 be adopted.

3. Transfer

a. Transfer T-926
Transferring $30,000, as a loan, from Casey Shattuck III, IV, and V Projects to the Eaglecrest Mountain Operations/Lifts Project.


4. Liquor License

a. Liquor License Renewals

1. Restaurant/Eating Place License #4493, Kwang LLC d/b/a Tarentino’s, located at 140 Seward Street, Juneau

Administrative Report: Attached. The manager recommended the Assembly waive its right to protest Restaurant/Eating Place License #4493.

VII. PUBLIC HEARING

A. Ordinance 2011-01


Public Comment:
Rich Conneen, Rich Conneen Architects, supported repeal, rewrite of the ordinance, and offered his assistance. He discussed how the International and National Codes are drafted and Title 19 offers local changes to the codes to address practical matters. He described a project he worked on which he said was “dead in the water” due to this code section. He explained the cost to meet the code of the project to add 1000 square feet to a 10,000 square foot business in the valley. The situation was much different from the older buildings close to each other downtown, and the ordinance had a blanket effect, which did not take into consideration the nature of the properties. He would like to see the ordinance better written, and if there are micro issues, there should be some agreement in the community. The downtown district should perhaps have stringent requirements, but those problems should not be solved this way through a commerce-killing ordinance. This seems like activism to these business owners.

Mr. Sanford asked if he thought all commercial buildings should be sprinklered. Mr. Conneen said no. The code is not to protect property; it is to protect life safety, by having adequate egress from a burning building. The sprinkler system would not likely put out the fire. This is like saying every building should be accessible, which would ruin some very interesting buildings. The national code has solved this problem.

Assembly Action:

MOTION, by Sanford, to adopt Ordinance 2011-01.

Mr. Sanford said he did not mind proceeding in this direction, but the old way, even though it was confusing, was stricter than the 2006 code. He recommended to the fire department and staff to prepare an ordinance that was stricter, but also simple to implement.

Mr. Anderson asked about the process. The manager’s report says the current ordinance is overly complex and confusing, but the last time we amended this code, he thought the manager’s report would have said it was a good thing to do. What problems has the current code caused for code officials and fire marshals?

Mr. Swope said that the codes are large and staff does make mistakes. Staff has been having trouble interpreting and using this code, so it is better to bring it back for review and amendment, than to continue to make mistakes and find that buildings are out of code. Mr. Swope invited Chief Etheridge to comment.

Chief Etheridge said the idea behind this ordinance is good; requiring more sprinklers in older buildings is good. The problem with the ordinance is the application of it. The people who wrote and understood the code are no longer here to apply it. When they implemented the code, they had to refer to their notes, as it was complicated. This code has created six buildings in town that should have sprinklers in them but that do not, as no one caught the need for them during plan review, and inspection found that they should have had them installed. This needs to be refined and we are working with the Building Code Advisory Committee to determine what is appropriate. He said that state and national codes have to be written broadly and the local community needs to fine-tune the codes to apply it to local situations. He talked about money and influence in the writing of national codes. The Building Code Advisory Committee does a good job figuring out how the codes fit into Juneau’s situation.

Mr. Doll asked when the next amendment to this code would be before the Assembly. Chief Etheridge said it would be some time. They are waiting for the State to issue the new code,
which it does every three years. Currently they are working with 2006 code, the State is reviewing the 2009 codes, and the 2012 codes come out next month. Chief Etheridge said they are looking at other communities in Alaska to see their direction.

Hearing no objection, Ordinance 2011-01 was adopted.

B. Ordinance 2010-11(AK)
An Ordinance Appropriating To The Manager The Sum Of $85,000 As Funding For The Purchase Of 5785 Montana Creek Road, Tract A, U.S. Survey 2337; Funding Provided By The Lands Fund Balance.


Public Comment: None.

Assembly Action:

MOTION, by Anderson, to adopt Ordinance 2010-11(AK). Hearing no objection, Ordinance 2010-11(AK) was adopted.

VIII. UNFINISHED BUSINESS – None.

IX. NEW BUSINESS

A. Resolution 2573
A Resolution Designating Tract A, U.S. Survey 2337, Located At 5785 Montana Creek Road, As Greenbelt And Natural Area Park Land, Effective When The Property Is Acquired By The City And Borough.

Administrative Report: Attached. The manager recommended Resolution 2573 be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Anderson, to adopt Resolution 2573. Hearing no objection, Resolution 2573 was adopted.

B. Export Manufacturing Property Exemptions

1. Alaska Glacier Seafoods, Inc.

Administrative Report: Attached. The manager recommended approval of the export manufacturing property exemption as requested by Alaska Glacier Seafoods, Inc.

Public Comment: None.

Assembly Action:
MOTION, by Crane, to approve the exemption requests for Alaska Glacier Seafoods, Inc., a manufacturing exemption for machinery, equipment totaling $120,945 ($1,227.59 in property tax). In addition, Alaska Glacier Seafoods has $432,674 in property qualifying from prior years, for a total 2011 assessment exemption of $553,619 or $5,619.23 in property taxes. Hearing no objection, it was so ordered.

2. Taku Smokeries

Administrative Report: Attached. The manager recommended approval of the export manufacturing property exemption as requested by Taku Smokeries.

Public Comment: None.

Assembly Action:

MOTION, by Becker, to approve the exemption requests for Taku Smokeries, a manufacturing exemption for machinery, equipment, computers and software, totaling $512,705 ($5,203.96 in property tax). In addition, Taku Smokeries has $63,303 in property qualifying from prior years for a total 2010 assessment exemption of $576,008 or $5,846.48 in property taxes. Hearing no objection, it was so ordered.

3. Alaskan Brewing Company, LLC

Administrative Report: Attached. The manager recommended approval of the export manufacturing property exemption as requested by Alaskan Brewing Company, LLC.

Public Comment: None.

Assembly Action:

MOTION, by Danner, to approve the exemption requests for Alaskan Brewing Company, LLC, a manufacturing exemption for machinery, equipment, furniture and fixtures, computers and software, and vehicles totaling $307,359 ($3,119.69 in property tax). In addition, Alaskan Brewing has $2,108,040 in property qualifying from prior years, for a total 2010 assessment exemption of $2,415,399 or $24,518.13 in property taxes. Hearing no objection, it was so ordered.

X. STAFF REPORTS – None.

XI. ASSEMBLY REPORTS

A. Committee Reports

Committee of the Whole: Chair Sanford said the COW met on April 4 and heard a presentation by Kevin Ritchie on after school activities for middle school students. The committee also heard a presentation from the Alaska Department of Labor about population and economic trends in Juneau and Southeast Alaska. The next meeting is set for Monday, April 25.

Finance Committee: Chair Stone said the Finance Committee met on April 6 and is now in process of budget review. He said the committee agreed to seek a grant to fund the Affordable Housing Coordinator position. The next meeting is set for Wed., April 13.
**Public Works and Facilities Committee:** Chair Doll said the PWFC reviewed seven items on tonight’s agenda. The next meeting is set for Monday, April 25.

**Lands and Resources Committee:** Chair Anderson said the committee met April 4 and discussed the Affordable Housing Coordinator position as well.

*MOTION, by Anderson, to authorize the manager to commence lease negotiations with the owners of four existing communications towers located at the West Juneau Reservoir site for a potential lease easement.* Hearing no objection, it was so ordered.

**Human Resources Committee:** Chair Danner said that the April 11 and May 2 meetings were cancelled and the next meetings would be May 9 for the full Assembly to meet as the HRC for interviews for the Airport, Docks and Harbors and Eaglecrest Boards; then May 23 would be the next regular meeting.

B. Liaison Reports

**Planning Commission:** Liaison Doll said the PC met on March 8 and would meet on May 12 to review several variance requests, discuss rezoning of land on Pederson Hill, and hear information on a conditional sub-lease at the west Juneau reservoir.

**Parks and Recreation Advisory Committee:** Liaison Doll said the PRAC met on April 5 and would meet on May 3. He noted a letter from Chair Jeff Wilson of the PRAC regarding its interest in the “Bridge Park,” for maximizing park use of the property near the Douglas Bridge.

**Airport Board:** Liaison Sanford said May 15 would be the dedication of the newly remodeled airport terminal. On March 19, the Board held a strategic planning meeting in new Alaskan Room, a community room upstairs with a great view. The Board discussed getting royalty payments for the sand and gravel that they are pulling out of the float pond basin. This is coming out as a royalty from FAA, being paid for by the FAA and being deposited for the runway safety area construction project. This was negotiated during the contract and is good forthe airport.**

**XII. ASSEMBLY COMMENTS AND QUESTIONS**

Ms. Crane said she has spoken with a number of people about problems with taxis at the airport being reluctant to take people to valley destinations, especially during the tourism season, and that the cabs prefer to take only downtown fares. She asked to have this issue taken to the HRC to look at this in more depth. Hearing no objection, it was so ordered.

Mr. Doll said his views on the cruise ship head tax have been revised since he spoke at the Finance Committee meeting, there is a “nose under the tent issue” with regard to how the head tax is used and he suggested that the next time the Finance Committee meets, the Assembly should adopt and enforce a standard of how those type of funds are spent.

Mr. Stone apologized for being late to the meeting. Mayor Botelho said the Assembly understood the special circumstances and offered the Assembly’s prayers to him and his family.
XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

XIV. EXECUTIVE SESSION

A. Assembly Review Of Applications For Appointment To Assembly Vacancy
(Attached)

Mayor Botelho said there have been questions raised about the propriety of going in to executive session, which was announced to review applications for appointment to the Assembly vacancy created by Mr. Anderson’s departure later this spring. The Alaska Open Meetings Act has as a fundamental policy that all meetings of governmental bodies are open to the public except as otherwise provided by law. There are two specific exceptions that are applicable in this situation. The first authorizes an executive session when subject to be considered tends to prejudice the reputation of any person. The Alaska Supreme Court has seen this in the context of employment, hires or performance evaluations, and has specifically permitted bodies such as the Assembly to meet in executive session to be able to compare the qualifications of applicants. The other exception that bears on the discussion is a provision in 44.62.310(a) which makes clear that the section does not apply to any votes required to be taken to organize a governmental body described in the subsection, and the Assembly is one of those bodies. The underlying public policy is to make sure that there is a candid exchange of views among the body in looking at qualifications. Doing this in public could have a chilling effect on that candor. Particularly when someone is joining this body, that person should not be burdened with knowing who supported or did not support them. They should come in to the office with the view that they enjoy the full support of the members. We serve as the surrogates of the electorate in this occasion, but we are a poor surrogate. We do not carry the mandate of the public to make the selection, but this process is called out by Charter.

Mr. Anderson said he understood and cited the precedent of executive sessions held to review Assembly appointments to the enterprise boards.

MOTION, by Doll, to enter executive session to consider applicants for the District 2 vacancy.

Public Comment:

Sarah Day, Juneau Empire, asked to have this examination in the open instead of behind closed doors. It may be in your rights to hold this discussion in executive session, the Juneau Empire respectfully submits that it is not necessary to do so. We understand that those who run for public office sacrifice much, including some amount of privacy. The merits of the candidate should be discussed for all to hear. If the person that is selected runs for re-election, they will run as an incumbent, which may give them an advantage over other candidates. We believe it is important for the process to be transparent, so that we know why the chosen candidate was selected and by whom. The City Charter stipulates that the selection of the candidate – the vote – must be public. The state law allows an executive session to be opened to the public if the person discussed so allows. They hoped that the thirteen candidates for this public office would request a public discussion.

Mark Bryan, Publisher, Juneau Empire, said that in a normal election the public gets the opportunity to vet the candidate in an open process. The charter provides that with a vacancy, the Assembly makes an appointment. In the process of the Charter being adopted, it was the intent that there would be a transparent process. Having the discussion behind closed doors
does not provide for that. The decision to have this conversation in executive session is for the convenience of the Assembly and not for the public.

Christopher Nelson, as an applicant, said he preferred to have an open meeting.

Mr. Hartle said the Assembly may hold the discussion in executive session, similar to appointments to other boards and the city manager and attorney appointment as well. The OMA exceptions include 1) the organization of a governmental body and 2) the “subjects that may tend to prejudice the reputation and character of any person, provided the person may request a public discussion.” Mr. Hartle said that Mr. Nelson requested a public discussion. The OMA does not mandate that the discussion be in open. The Assembly could decide to not discuss the person at all, to discuss the person in closed session, or to have the discussion in open session. It was a matter for the Assembly to decide.

Mr. Sanford asked if the Assembly could just hear and discuss Mr. Nelson’s application in open and the rest in executive session. Mr. Hartle said that could be a decision of the Assembly.

Mr. Anderson said the vote is always taken in open session. In making appointments, we generally interview applicants in open session. Will there be interviews of these applicants? Mayor Botelho said the Assembly may determine that interviews are necessary, however, the format was to review based on letters of intent and whatever background material was submitted by the applicant.

Hearing no objection, the Assembly adjourned into executive session at 8:19 p.m. The Assembly returned to regular session at 9:00 p.m.

Mayor Botelho said the Assembly reviewed the applications for appointment to fill the anticipated vacancy of Mr. Anderson and deliberated.

MOTION, by Sanford, to appoint Katherine Eldemar, to take the place of Jonathan Anderson. Hearing no objection, Ms. Eldemar will take the oath of office at the conclusion of the Regular Assembly meeting of May 23, 2011.

Mayor Botelho thanked the number of candidates that offered their service to the community and it was a very satisfactory and unprecedented showing. The Assembly appreciates those who chose to take part.

XV. ADJOURNMENT: 9:05 p.m.

Signed: ________________________  Signed: ________________________
Laurie Sica, Municipal Clerk  Bruce Botelho, Mayor
MEMORANDUM

Date: April 8, 2011

To: Mayor Botelho and Assemblymembers

From: Laurie Sica, Municipal Clerk

Re: District 2 Assembly Seat Vacancy - Applicants

The following qualified voters residing in Assembly District 2 submitted letters of interest by the deadline of April 7, 2011 at 4:30, to fill this vacancy until the next regular election, October 4, 2011, in alphabetical order:

Dave A. Boddy
8888 Nancy Street
Juneau, AK 99801
Ph: 907-789-2702

Gregory R. Brown
19400 Beardsley Way
Juneau, AK 99801
Ph: 907-209-4221

Wade Bryson
4109 Birch Lane
Juneau, AK 99801
Ph: 907-780-5830

Suzanne Dutson
4491 Trafalgar Ave.
Juneau, AK 99801
Ph: 907-523-0425

Katherine Eldemar
P.O. Box 33901
Juneau, AK 99803
Ph: 523-8082

O. Alexander Hoke
2815 Fritz Cove Road
Juneau, AK 99801
Ph: 907-789-1309

Dan Johnson
9582 Whitewater Court
Juneau, AK 99801
Ph: 907-790-3440

Jeff D. Landvatter
(Address Confidential)
Juneau, AK
Ph: 907-789-3008

Christopher G. Nelson
8698 Duran St.
Juneau, AK 99801
Ph: 907-209-2142

Jim Preston
12175 Glacier Highway
Juneau, AK 99801
Ph: 907-321-2288

Debbie A. White
17417 Andreanoff Dr.
Juneau, AK 99801
Ph: 907-723-9886

Thomas W. Lawson
16280 Point Lena Loop Rd.
Juneau, AK 99801
Ph: 907-789-2870

Malcolm A. Menzies
19005 Glacier Highway
Juneau, AK 99801
Ph: 907-789-9025

Christopher G. Nelson
8698 Duran St.
Juneau, AK 99801
Ph: 907-209-2142

Jeff D. Landvatter
(Address Confidential)
Juneau, AK
Ph: 907-789-3008

Debbie A. White
17417 Andreanoff Dr.
Juneau, AK 99801
Ph: 907-723-9886

Thomas W. Lawson
16280 Point Lena Loop Rd.
Juneau, AK 99801
Ph: 907-789-2870

Malcolm A. Menzies
19005 Glacier Highway
Juneau, AK 99801
Ph: 907-789-9025