I. ROLL CALL

Mayor Sanford called the meeting to order at 8 a.m.

Assembly present: Mary Becker, Karen Crane, Loren Jones, Jesse Kiehl, Jerry Nankervis, Carlton Smith, Kate Troll, Randy Wanamaker.

Assembly absent: None.

Staff present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Amy Mead, City Attorney, Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Diane Cathcart, Executive Asst. III; Mila Cosgrove, HRRM Director; Chief Etheridge, CCFR; Chief Johnson, JPD; Matt Scranton, MIS Director; Robert Barr, Library Director; Kirk Duncan, Public Works Director; Hal Hart, Community Development Director; Brent Fischer, Parks and Recreation Director; Rorie Watt, Engineering Director; Captain Mercer, JPD; Tom Mattice, Emergency Programs Manager; Carl Uchytil, Port Director; Matt Lillard, Eaglecrest Manager; Dan Bleidorn, Deputy Lands Manager; Jessica Beck, Lands and Resources Specialist.

II. APPROVAL OF AGENDA – Hearing no objection, the agenda was approved.

III. HOUSEKEEPING ITEMS

A. Draft Committee and Liaison Assignments for Assembly Approval

MOTION, by Kiehl, to approve the committee and liaison assignments. Hearing no objection, it was so ordered.

B. Draft 2014 Assembly and Committee Meeting Calendar for Assembly Approval

MOTION, by Becker, to approve the 2014 calendar. Hearing no objection it was so ordered.

C. Resolution 2550 – Assembly Rules of Procedure for Assembly Review / Approval

MOTION, by Crane, to reaffirm the Assembly Rules of Procedure. Hearing no objection, it was so ordered.

D. Alaska Municipal League – Mr. Nankervis and Mr. Wanamaker noted they would not be attending the AML meetings.
IV. PROJECT REPORTS

A. AJ Mine Update – Rob Steedle / Rorie Watt

Mr. Steedle said the unitization agreement had been updated and signed. Title 49, the Large Mine Ordinance, had been reviewed and staff had found nothing objectionable. He asked if the Assembly had any issues with the ordinance, to let him know. The next step would be drafting a lease for a mining company to review.

Ms. Crane said the issue of how will CBJ could be an owner and a regulator of a mine as well as public involvement had to be factored in with any draft of a lease.

Mr. Jones suggested a review of the mining ordinance in a public discussion and perhaps the mining ordinance should address the role of CBJ as an owner and a regulator. He assumed lease specifics would be developed when there was an operator in the picture. Before that the mining ordinance would need to be very clear and that should be discussed at some point.

Mr. Watt said the advisory committee noted the issue of the ordinance and the issue of the city wearing two hats. The ordinance would not change the dual role of the city. Some public comments suggested that there should be a third party entity regarding the city’s dual role, but the advisory committee determined that the Assembly, as the elected body of the citizens of Juneau, was the best organization to look at the issues for the community rather than a third party.

Mr. Jones said a presentation related to the ordinance may be worthwhile for the public.

Mayor Sanford said that a review of the mining ordinance was still in the Assembly goals.

Mr. Jones said that something as controversial as a mine and its mining ordinance should get a public review.

Mr. Smith asked the makeup of the AJ Mining Committee. Mr. Watt said it was a broad community group tasked with determining if the CBJ should investigate reopening the mine and under what circumstances.

Ms. Troll said the committee was tasked with “under what conditions should a mine be considered” – not whether it should or should not reopen. Ms. Troll said she would like to pursue the question of having an independent party to address the dual role.

Mayor Sanford said much of the discussion about any mine would depend on market conditions, which had deflated and there not a lot of dollars out there for exploration.

Mr. Watt said he would provide information to the Assembly on the ordinance.

Mr. Jones said rather than say the next step is a model lease, if we have some suggestions on Title 49, the ordinance should be reviewed. We haven’t been given
any time frames or who is involved. We only know that Mr. Steedle, Mr. Watt and the Mayor had looked into it.

Mr. Steedle said it sounded like the large mine ordinance should be brought up for review by the Assembly before the drafting of a lease. Ms. Crane said she was not familiar with the ordinance and before moving forward, all members needed to understand this.

Ms. Becker asked about differences in a large mine and a small mine. Mr. Watt said Echo Bay had developed a “small mine concept” which formed the basis for the AJ mining review committee. Mr. Steedle said the small mine concept that EB had was essentially a large mine.

Mayor Sanford said both types would be reviewed in a review of the mining ordinance by the Assembly within the next six months.

Mr. Wanamaker said there were no mining company objections to the large mine ordinance and suggested that staff review the comments made by the mining companies in the 80’s and 90’s when they were trying to work with the city and deal with the ordinance. Former CDD Directors Walsh and Pernula felt that the city had no expertise in drafting such an ordinance. The large mine ordinance has been changed through time and industry had always said it was extremely cumbersome and duplicative.

Mr. Kiehl asked if there were any changes in the current private partner ownership. Mr. Steedle said that he was not aware of any sale.

B. North Douglas Road Update- Rorie Watt

Mr. Watt said there was an existing CIP for the North Douglas Road extension and it had some funding. The project had a broad timeline. It took a while to work out with Goldbelt the location of the road. Goldbelt decided they did not want the road on its land. The present alignment was not all on city land on the least difficult route. Biologists had surveyed the area to identify habitat issues, streams and wetlands. A surveyor was on site this fall to complete the mapping. A plan would go to the Corps of Engineers this winter for review. At that point, CBJ would be able to apply for permits. The large permit was the Corps of Engineers fill permit. The big question for the city was to define the purpose and need for the permit application. CBJ would need to propose where the road ended and the type of road to be built. The long term purpose was the development of West Douglas and the shorter term purpose for 2.5 miles of gravel roadway and its management would need to be defined. This was a good topic for COW in the late winter when he had information back from the Corps of Engineers. There was $3.3 million available in the CIP.

It was suggested that the Assembly refamiliarize themselves with the West Douglas Development Plan.

Mayor Sanford asked for the agreement with Goldbelt to be distributed to the Assembly. He would like to see the Assembly say yes or no to this project and
proceed from there. Ms. Crane said she thought the Assembly had said yes. Mayor Sanford said that there was a different Assembly seated now and a review and recommitment was in order.

Mr. Wanamaker said in his mind the decision had been made to proceed and unless there was compelling information to change that direction he felt the plan was to proceed.

C. Annexation Update – Amy Mead

Ms. Mead said the Local Boundary Commission (LBC) was tasked with moving lands in unorganized boroughs into organized boroughs. In 1992, the LBC held a model borough boundary study and concluded that the land from CBJ’s current southern border to Hobart Bay would properly be included in the CBJ Borough, and it has been known as the “unorganized remnant” of the CBJ Borough. In 2007, CBJ conducted an Annexation Study, and at the committee agreed with the LBC decision about the unorganized borough land, but recommended to the Assembly that it no move forward with annexation at that time. In August 2011, Petersburg filed a petition to incorporate as a borough and asked for all of the land from their current city boundary up to CBJ’s existing southern boundary. There was nothing in their petition that justified their request for the land north of Hobart Bay to Juneau’s southern boundary. 90 days later CBJ filed an annexation petition. The LBC was tasked to decide on whether to consolidate the actions and decide them together or to decide them separately. The LBC has a constitutional obligation to consider the area as a whole. The LBC denied the request to consolidate the actions and refused to consider the request in a consolidated or unified manner. CBJ attended the Petersburg annexation hearing and the matter under review was only Petersburg’s petition. There was very little evidence from Petersburg about a claim to what has become known as the “overlap area” – the area that overlaps in the two petitions. The only claim they made was that they fish in the Stephen’s Passage next to the area. CBJ outlined evidence supporting Juneau’s claims to the area including many basis, but the LBC chose to not consider those claims and made a decision solely on Petersburg’s petition standing alone. CBJ appealed this decision to the court on the grounds that CBJ felt the LBC had failed to meet its constitutional obligation to consider the area and the decision was currently pending in court. The hearing on that was in September. The court’s decision was expected sometime in March if it takes the full 6 months the judge has to issue a decision. At that time, if CBJ is successful, CBJ would be faced with having to hold a hearing on its annexation petition. It was a large process. The hearing in Petersburg was two days long with a daylong decisional meeting. It would likely take the same amount of time or more and would need to be held in short order following the court’s decision. If CBJ is unsuccessful, CBJ would need to decide if it takes the matter further.

Mr. Kiehl asked what about the cost of a hearing? Ms. Mead said it would be 2-3 days, and CBJ would not likely have to pay witnesses. The witnesses that went for on behalf of CBJ to Petersburg went pro bono with the exception of travel costs. There were some witnesses that she recommended that would incur travel costs. She also said it may be prudent to hire an outside paralegal or consultant to organize the
hearing. It took a lot of coordination with witnesses and exhibits. A lot of time was spent for a very short presentation in Petersburg.

Mr. Smith said he had not read the brief and asked what the argument was. Ms. Mead said the constitution required the LBC to make borough boundary decisions and create boundaries that share common interests to the greatest extent. The LBC looked at Petersburg’s petition standing alone instead of considering CBJ’s competing claims. Petersburg did not make claims about the overlap area with the exception of fishing, so it was clear that in deciding Petersburg’s petition and granting it all the way to CBJ’s southern boundary that the LBC did not consider CBJ’s claims at all and she believed that was a failure to comply with the constitution.

V. 2013-14 ASSEMBLY GOALS

A. Assembly State Funding Goals

Kevin Jardell, CBJ Lobbyist, was present to talk about his activities. Since the contract was signed he had participated with the Alaska Committee, reached out to Southeast Conference and joined, reached out to the Alaska Municipal League, and called legislators letting them know he would be the new contact. Ms. Kiefer had raised the issue that CBJ’s budget process was late for the governor’s process and CBJ should be ready to report when the Governor requests information. The governor’s budget now was preliminary but a $500 – 700 million deficit was projected depending on the price of oil. The budget last year was based on $109 barrel of oil and the other day it was $104. There is some hesitancy to fund multi-year projects in the capital budget due to the uncertainty of future budget years. They will look at what can they get built this year, true infrastructure projects – road, water, sewer, fire trucks are very legitimate. This is not to say that multi year is impossible and we can fight for that, but they are hesitant and that is how we reviewed the current list in the packet with Ms. Kiefer. As you develop policy goals, we can discuss whether we back AML or take a lead on your issues. AMHS, SLAM, Juneau Access and other state issues you will need to be aware of and how you want to take action, we can talk more about that. The Legislative Council in Anchorage was getting a presentation by Wayne Jensen about how the Capitol improvements were going.

Mayor Sanford said that he assumed all members were very much behind the Capitol project and earthquake proofing the building. Mr. Jardell said he believed most legislators are behind it as well. Mayor Sanford said the SLAM building had three quarters of the funding and getting funding to complete the project would be a top priority. Mr. Jardell said the state would provide the funding for the next year and would not let the project stop.

Ms. Crane said the building is slated to open in 2016. The funding needed to be provided this year to complete this as prices continued to rise to complete the project. It was a state project but it was critical to the Willoughby Development project and then it would come off the Juneau list.

Ms. Kiefer said the information in the memo in the packet was pulled from the Sept 9 memo approved at the Finance Committee. She pulled things CBJ could get done
this year and put them in categories in coordination with Mr. Jardell. She was happy to answer questions. She said the full list was provided to the Governor’s office and it was added to their Capsys system. We gave Kevin and the delegation that prior list but the top priorities list was before the Assembly for any comments.

The Assemblymembers reviewed the list, asked questions and discussed strategies with Ms. Kiefer and Mr. Jardell.

Hearing no objections, the list as presented to the Assembly was approved.

B. 2012-13 Assembly Goals October 2013 Status Update

Mayor Sanford referred to the update provided by Ms. Kiefer. He said the unfinished projects or aspirational issues would stay on the list.

Ms. Crane asked if there was a cell tower plan under review. Ms. Kiefer said she was meeting with CDD regarding the plan. Ms. Crane said she had been considering a moratorium on any further cell towers until the plan was done, but would hold off if something was in the near works. Mayor Sanford said staff had a plan in the works and would be making presentation to the Assembly in the near future.

C. Housing Matrix

Mayor Sanford thanked everyone for the work on the Ad Hoc Housing Committee.

1. Housing Permit Update – Hal Hart

Mr. Hart said the Ad Hoc Housing Committee had gotten the conversation started and CDD was seeing increased interest in building residential units. He provided statistics about residential permits issued and under review. Most of the subdivisions under review were small subdivisions, not the large residential neighborhood type. There has been an increase in permitting apartment units as well. Two large housing developments on Cordova Street and Vista Drive in West Juneau were under development. Mr. Hart showed statistics of total housing units permitted by year. 2013 was a significant increase in recent years. He showed the distribution of building permits geographically.

Mr. Kiehl asked about prospects for downtown housing. Mr. Hart said he was working with some groups of investors who want to invest in downtown housing – we are asking what the barriers to development are. The prices were escalating, so this was an issue. CDD would keep the dialogue going. When people were ready CDD would be ready to help them. It was a financial equation and people were bidding for property for housing in the downtown area.

Mayor Sanford referred to his memo regarding the housing matrix, which he would send to those who participated in the Ad Hoc Housing Committee meetings. The memo outlined tasks that were completed. CBJ completed the flood map adoption, but was not done with the issues.
Ms. Crane asked about the flood plain map issues. Mr. Steedle said that CDD was working with individual property owners and on the whole with LIDAR mapping.

Mr. Kiehl said HRC would be looking at the social service based housing issues and supportive housing for those with substance abuse.

Mr. Jones said that senior housing would be part of that type of housing.

Mayor Sanford – one of the goals was to better define the need for affordable housing – the types of housing such as types and numbers of units needed. The breakdown in the Housing Needs Assessment was not defined sufficiently.

Mr. Wanamaker said there was a citizen task force working with JEDC regarding assisted living which was working on a proposal to bring to the Assembly and conduct a market survey. They were within a week of bringing that to the Assembly for information and potential assistance from CBJ.

Ms. Becker said the COW was scheduled to provide an update from Sioux Douglas on this assisted living project and that would be on November 18.

Ms. Troll said that some of the statements in the housing matrix conflicted and asked how that would be addressed. Mayor Sanford said that all ideas brought forth from the Ad Hoc Housing Committee were listed on the matrix and it was not an Assembly adopted list, but a guide for Assembly consideration and review. Ms. Becker said that no ideas would be discarded but would be considered at the appropriate time.

Mr. Smith asked the next logical time frame to check progress. Mayor Sanford said about 3-4 months out – this was a multi-year effort and the Assembly needed to be aware of the work load of staff.

D. 2013-14 Assembly Goal Setting

Mayor Sanford said any goals on the list were still there and being worked on. He had received some preliminary goals from Assemblymembers.

The Assemblymembers took turns sharing their goals and priorities. The Assembly scored the 16 ideas put forth on the board. The scores were shared with the Assembly and the public.

Following the scoring of the ideas, the following ranked list was distributed:

1. Address bio solid and waste issues
2. Address housing issues / work with public/private on new models for housing
3. Finish Economic Development Plan
4. Resolve issue with parking vendor and implement park and ride system
5. Long term plan for deferred maintenance/ asset management
6. Implement recommendations from transit development plan
7. West Douglas Road project
8. Become active with JEDC / DBA on downtown revitalization project
9. Identify an area for future industrial use specifically on West Douglas
10. Lobby legislature for increase in base student allocation or increase to education funding
11. Planning for Lemon Creek Area – residential/industrial mix
12. Identify partners for Housing First project
13. Continue with AJ Mine Review
14. Review tax structure and recommendations of tax policy subcommittee
15. Take a leadership role in increasing informed voter participation / turnout
16. Relocate federal fisheries positions and research vessels to Juneau

VI. ASSEMBLYMEMBER COMMENTS AND QUESTIONS

Ms. Troll talked about the idea of appointing a student Mayor from each school. The Assembly discussed ideas to support to getting student involvement in local government.

The Assembly discussed the economic development plan RFP.

Ms. Troll said the Juneau Empire contacted her to request she continue to write columns and she said she would no longer write on local government matters or issues that concerned the Assembly.

Ms. Crane said an interim CEO was hired for BRH and had started working, the Board would continue to work with HR to hire a permanent CEO by June.

VII. ADJOURNMENT – 11:40 a.m.

Submitted by Laurie Sica, Municipal Clerk