

DRAFT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

April 25, 2005

MEETING NO. 2005-12: The Regular meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Bruce Botelho.

I. FLAG SALUTE was led by Mayor Bruce Botelho.

II. ROLL CALL

Assembly Present: Jeff Bush, Johan Dybdahl, Dan Peterson, Stan Ridgeway, Merrill Sanford, David Stone, Randy Wanamaker, Marc Wheeler, Mayor Botelho

Assembly Absent: None.

Staff Present: Rod Swope, City Manager; John Hartle, City Attorney; Laurie Sica, Municipal Clerk; Roger Healy, Engineering Director; Allan Heese, Airport Manager; John Stone, Port Director; Kim Kiefer, Parks and Recreation Director; Mike Kriebler, Port Engineer; Dale Pernula, Community Development Director; Craig Duncan, Finance Director.

III. SPECIAL ORDER OF BUSINESS

A. Juneau Douglas High School Girls Basketball 4A Champions

Mayor Botelho congratulated and presented certificates to the players and coaching staff, including: Talisa Rhea, Lexi Garvey, Jordan Harvey, Kerstin Kimlinger, Sophia Smith, Mary Rehfeld, Kate Potter, Veronica Lietz, Maddie Swofford, Ashley Larson, Nicole Fenumiai, Andrea Doerflinger, and Coach Lesslie Knight, Assistant Coaches Kerry Lindley, Sue Beckerman, Hilary Porter and Dee Swavely. The Assembly shook the players' hands and all present gave them a standing ovation.

IV. APPROVAL OF MINUTES

A. April 11, 2005 - Regular Meeting 2005-09

MOTION, by Bush, to approve the minutes of the April 11, 2005, Regular meeting 2005-09, and noted changes on pages 6, 10 & 11. Hearing no objection, the minutes were approved as corrected.

B. April 14, 2005 - Special Meeting 2005-10

MOTION, by Bush, to approve the minutes of the April 14, 2005, Special meeting 2005-10, and asked for unanimous consent. Hearing no objection, the minutes were approved.

C. April 20, 2005 - Special Meeting 2005-11

MOTION, by Bush, to approve the minutes of the April 20, 2005, Special meeting 2005-11, and asked for unanimous consent. Hearing no objection, the minutes were approved.

DRAFT

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Swope requested the addition of Ordinance 2005-15, An Ordinance Amending The Conditions Required To Transition The Zoning Of A Fraction Of Lot 26, RSH III, And USS 2557, To RR (T) D-10, Multi-Family Residential, to the consent agenda for introduction. He also requested to add two staff reports: one from Roger Healy regarding the new high school site preparation and project labor agreement, the other from Dale Pernula on a recent housing survey regarding vacancy.

Hearing no objection, the agenda was amended as requested.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

Alec Carson, 8401 Steep Point Blvd, spoke about Eaglecrest. Skiing is a major part of his life, as a customer, as an employee and as reflected by his students. As a ski instructor, he enjoys seeing students achieve and become new participants in the ski area. He asked the Assembly to support Eaglecrest, as it is a great outlet for youth activities.

Sierra Kaden, 1835 Nugget Place, works for SAIL. ORCA provides an adaptive ski school. There were 25-30 people with disabilities on the mountain each weekend. There are all types of disabilities represented. Participants also come with an assistant, so the number is doubled. These activities are so important to people with disabilities, and the ski area program is inclusive.

VII. 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 Wheeler to adopt the consent agenda as amended with the inclusion of Ordinance 2005-15 for introduction, and he asked for unanimous consent. Hearing no objection, it was so ordered.

1. Ordinances

a. Ordinance 2005-13

Ordinance Amending The Official Zoning Map of the City and Borough to Change the Zoning of Tract CH1, Emerald Subdivision, Currently Zoned D-5, Single Family Residential, to D-18, Multi-Family Residential.

Administrative Report: Attached. The manager recommended Ordinance 2005-13 be introduced and scheduled for public hearing at the next regular Assembly meeting.

b. Ordinance 2005-15

An Ordinance Amending The Conditions Required To Transition The Zoning Of A Fraction Of Lot 26, RSH III, And USS 2557, To RR (T) D-10, Multi-Family Residential

Administrative Report: Attached. The manager recommended Ordinance 2005-15 be introduced and scheduled for public hearing at the next regular Assembly meeting.

DRAFT

b. Ordinance 2004-14(AL)

An Ordinance Appropriating To The Manager The Sum Of \$26,636 To Acquire A Security Vehicle For The Juneau International Airport, Funding Provided By The Federal Aviation Administration And The Alaska Department Of Transportation And Public Facilities.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(AL) be introduced and scheduled for public hearing at the next regular Assembly meeting.

c. Ordinance 2004-14(AM)

An Ordinance Appropriating To The Manager The Sum Of \$312,646 As Partial Funding To Close The Cancelled New High School At Dimond Park And For The Districtwide Major Maintenance School Capital Improvement Projects, Funding Provided By Bond Interest Income.

Administrative Report: Attached. The manager recommended Ordinance 2005-14(AM) be introduced and scheduled for public hearing at the next regular Assembly meeting.

d. Ordinance 2004-14(AU)

An Ordinance Appropriating To The Manager The Sum Of \$31,510 For Runway Surface Condition Reporting System Equipment, Funding Provided By The Federal Aviation Administration.

Administrative Report: Attached. The manager recommended Ordinance 2005-14(AU) be introduced and scheduled for public hearing at the next regular Assembly meeting.

2. Resolutions

a. Resolution 2309

Resolution Supporting an Application for Funding Through the State of Alaska Fisheries Economic Development Matching Grant Program

Administrative Report: Attached. The manager recommended Resolution 2309 be adopted.

3. Transfers

a. Transfer Request T-810

Transferring \$121,401 In Areawide Sales Tax From Closing Completed Capital Improvement Projects To Provide Funding To Ongoing Projects.

Administrative Report: Attached. The manager recommended Transfer Request T-810 be approved.

VIII. PUBLIC HEARING

A. Ordinance 2005-05(d)

An Ordinance Relating to Dogs and Domesticated Animals in CBJ Parks and Recreation Areas.

Administrative Report: Attached. The manager recommended Ordinance 2005-05(d) be adopted.

Public Comment:

DRAFT

Chava Lee, 17725 Pt. Lena Loop, Executive Director, Gastineau Humane Society, thanked Kim Kiefer, Rod Swope and other CBJ staff for their participation in the task force. The task force wants to begin by addressing those in the community whose dogs are unruly. There are people who do not like dogs, and for the most part, the problem dogs' problems are with owners and lack of training. There will be a place for owners to take animals to train them – on the ball fields. They developed a trail log, noting weather conditions and major problems (feces), and they have developed brochures and signs, which address that issue. Volunteers will go on the trails and talk with people, and they will start an education process about dog behavior. Education was the way to start. Enforcement costs money and could not be everywhere.

Mr. Wheeler asked about the recommendations and if they would be adopted as regulations, as the ordinance is fairly general. Ms. Kiefer said regulations would eventually be adopted.

Assembly Action:

MOTION, by Wanamaker, to adopt the Lands Committee recommendation (with one dissenting vote) to adopt Ordinance 2005-05(d).

Mr. Wanamaker was concerned about the "competent voice control" issue. He often walked and saw dogs going after people while owners yelled at the dogs, not under control. This move decreased public safety.

Roll call:

Aye: Bush, Dybdahl, Peterson, Ridgeway, Sanford, Stone, Wheeler, Botelho

Nay: Wanamaker

Motion passed, 8 aye, 1 nay.

B. Ordinance 2005-07(b)

An Ordinance Amending The Scope Of The Project Funded By Ordinance 2001-20 (AD), North Ferry Dock Wharf Widening Project, To Include ADA Gangway, Such Funds Provided By The Port Fund Unreserved Fund Balance And Marine Passenger Fees.

Administrative Report: Attached. The manager recommended Ordinance 2005-07(b) be adopted.

Public Comment:

Andrew Green, 8183 Thunder St., Port Director, Cruise Line Agencies, distributed a memo. He encouraged the Assembly to pass the ordinance; however, he was not sure it was possible due to the memo from Mr. Hartle. He supported the project for improved passenger access from the dock to the shore. He said some Panamax ships were configured so that they could not use the ferry transfer ramp, and had to use the dock deck - there were limited "holes in the ship" for the gangway. The catwalk was the most direct and primary access for those passengers to access shore.

Don Habeger, 9300 View Drive, agreed with Mr. Green and was concerned about the narrow access of the existing catwalk. He said in the 2005 cruise ship schedule there is a growing trend of ships moving away from city docks to private docks. The improvement outlined in the ordinance was a way to make the city dock more attractive, and better the facility. In 2006 on Mondays, there will be only be three ships at a dock, one at the public dock and two at private docks, and one will anchor out. This is due to the growing size of ships, and action should be taken now to make facility improvements.

DRAFT

Assembly Action:

MOTION, by Wanamaker, to adopt Ordinance 2005-07(b) and he asked for unanimous consent.

Mr. Ridgeway objected. He said he does not have a problem with building a wider, safer walkway, but does have a problem in calling it an ADA gangway – this was not a DOJ requirement to correct this and funds should go to existing ADA required projects.

MOTION, by Ridgeway, to amend the title to remove reference to "ADA Gangway" and substitute "walkway" or "catwalk."

Mr. Sanford said the project was being built to ADA specifications, just as at the other harbors. Mr. Ridgeway said the Docks and Harbors Board had a list of projects that needed to be completed, and this project was not on the list.

Assemblymembers discussed the wording of the motion. Mr. Ridgeway withdrew his motion, without objection.

MOTION, by Ridgeway, to substitute "a walkway" for each reference to "ADA gangway" in Ordinance 2005-07(b). Hearing no objection, Ordinance 2005-07(b) was so amended.

Mr. Wheeler said no problem with merits, just the methodology, and the funding. He asked Mr. Hartle for information on change orders.

Mr. Hartle said the charter required this project be competitively bid. The harbors staff provided more information to him; however, he maintained that opinion.

Hearing no further objection, Ordinance 2005-07(b) was adopted as amended.

C. Ordinance 2005-08(c)

An Ordinance Amending The Purchasing Code Relating To Purchasing Limits.

Administrative Report: Attached. The manager recommended Ordinance 2005-08(c) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Stone, to adopt Ordinance 2005-08(c) and he asked for unanimous consent. Hearing no objection, Ordinance 2005-08(c) was adopted.

D. Ordinance 2005-09

An Ordinance Relating To Assembly Approval Of Bid Awards.

Administrative Report: Attached. The manager recommended Ordinance 2005-09 be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Sanford, to adopt Ordinance 2005-09, and he asked for unanimous consent. Hearing no objection, Ordinance 2005-09 was adopted.

DRAFT

E. Ordinance 2005-10

An Ordinance Amending The Purchasing Code Relating To Purchases By Bartlett Regional Hospital.

Administrative Report: Attached. The manager recommended Ordinance 2005-10 be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Ridgeway, to adopt Ordinance 2005-10, and he asked for unanimous consent. Hearing no objection, Ordinance 2005-10 was adopted.

F. Ordinance 2005-11

An Ordinance Appropriating Money Out Of The Treasury For FY06 City And Borough Operations.

Administrative Report: Attached. The manager recommended Ordinance 2005-11 be opened for public hearing and subsequently referred to the Finance Committee for further review.

Public Comment: None.

Assembly Action:

MOTION, by Wheeler, to refer Ordinance 2005-11 to the Finance Committee, and he asked for unanimous consent. Hearing no objection, Ordinance 2005-11 was referred to the Finance Committee.

G. Ordinance 2005-12

An Ordinance Appropriating Money Out Of The Treasury For FY06 School District Operations.

Administrative Report: Attached. The manager said the FY06 School Budget is supported with a combination of funding sources that includes local funding support requests of \$19,792,000 for general operations, which is a change from what was presented previously, \$123,000 for community schools and \$190,000 for youth activities. He recommended that the Assembly, by motion, set the amount of funding for FY06 School District operations at \$19,792,000. This amount in the adjusted request by the school district to accommodate the additional students from Montessori School, and is contained in their proposed operating budget. He further recommended that after this hearing, this ordinance be referred to the Finance Committee for further review.

Public Comment:

Edith McHenry, was concerned about the Borealis Montessori charter school. She distributed a letter to the Assembly requesting an appeal hearing regarding of the Board of Education's decision to authorize a charter for the Borealis Montessori Charter School on April 5, 2005. Her group petitioned the Board of Education for reconsideration on April 19, which was not granted. She understood this was the process to go through. As the Assembly approves the school budget, which includes funding for the Montessori school, she felt the Assembly should hear her concerns. Members of the native community were in the audience supporting her. She had a letter from the Tlingit Haida Community Council representing 4000 members and the General Assembly in Ketchikan convened and passed a resolution last week supporting the efforts to stop the Borealis

DRAFT

school until all issues of equity, equality and equal access within the Juneau School District are responded to appropriately. Alaska Native Sisterhood Camp 2 and Camp 70 have both passed resolutions supporting what she was doing.

Ms. McHenry said the foundation funding goes with a child who attends a charter school, causing school budgets to be trimmed so that small splinter groups who want special services for their children fracture the finances of the district. There are many unmet needs - the students fund raise all year to supplement programs within the schools. She said the new charter school would be duplicative of the existing charter school, in which there was currently not equal access for minority and socio-economically disadvantaged students. She said the charter school parent commitment form was a de-facto barrier to poor children, as minority children parents working in service and retail jobs find that as a barrier and cannot take time off to participate. She spoke about her concern the process for developing a lottery system for participation in the school.

Juneau natives have a 60% dropout rate. Between 2000 and 2004, 843 kids dropped out of the school system. The Juneau School District operates Ya Koos Alternative High School, serving a diverse student population. The majority of the student population in that school is not Alaska native. Ya Koos students are those that cannot make it in the large high school environment. Ya Koos receives a disproportionately small and inadequate allocation to serve this underserved, deserving population. Ya Koos is housed in a pitifully undersized room, and those students cannot even attend at one time. Classes are staggered throughout the day, and students are required to have a job so they can minimize the impact of having 100 students in that space. There is no parity in the Ya Koos facility when you compare it to the JHHS students. She asked how could there be this disparity in the services available, but the school district would run right out and charter a school for these privileged children because they have organized parents who can put a charter together.

If the Ya Koos students venture on to the JDHS campus, even though their diplomas read JDHS when they graduate, they are arrested and prosecuted as criminal trespass felons. She said two children had been charged and are now criminally felons who will never be able to serve in the military, receive a permanent dividend check.

Another area of disparity is that the school district does not provide scholarships for children to attend summer school to ensure attainment of credits needed to graduate. Only the students whose parents can afford to pay the \$275 per semester credit are allowed to attend. She wrote to the Board of Education and the District Administration last July about the lack of scholarships and pointed out that many minority parents, especially in service and retail jobs, cannot afford to pay that kind of money and if they do, it means economic loss to their families. Her plea fell on deaf ears. She doubted that scholarships would be in the FY06 budget and she asked Mr. Swope to check.

They were not granted reconsideration so she was asking for a fair hearing of their concerns. There is disparate treatment of natives, minorities and disadvantaged people in this community, and we want our children to receive as good as everyone else in the school. She felt it was their responsibility to speak up for kids who could not speak for themselves and their parents. She asked for the Assembly's consideration, and said "Gunalchéesh."

Mr. Ridgeway thanked Ms. McHenry for her comments and asked what she wanted the Assembly to do. She said she wanted a hearing. The brief notice on KINY may not have been sufficient enough to get people to come testify. The Assembly needs to know there are over 15,000 Tlingits in Southeast, and over 4,000 living in Juneau. She did not know how many other minority and disadvantaged people feel they are affected. The consciousness of the community needs to be raised so this can get a fair airing. If this is denied, it is just another step in the administrative process. We are moving towards litigation. She was advised by the ACLU, they told her she

DRAFT

needed to go through all the administrative steps prior to litigation. This is just another step. She appealed to the Assembly's sense of fairness and egalitarianism. The issue needs a fair hearing so that all needs of children who cannot speak for themselves are heard. There are educators in the system that support her work, but cannot come forward as they feel they will be retaliated against by the administration, as the administration has worked so hard to put the charter school application together. She thought that work was inappropriate, it should have been put together, brought before that body, and then voted up or down, but they worked very hard and now they have aligned themselves against us and marked me as a troublemaker. She said she was not a troublemaker. Mr. Ridgeway said the normal course for this was to refer the Ordinance to the Finance Committee and there would be a hearing in the Finance Committee. The Assembly's role is to approve the school district's budget. The Assembly does not have the authority, and the school board is elected to run the school. The Assembly does not tell the school board what programs they can operate. Even with the budget, it is restricted what the Assembly can do with the budget. The Assembly can be referred back to the School District with a request for them to work on it, but the Assembly does not have the authority to line item a new program that the district has added.

Ms. McHenry said the CBJ Attorney should have to seriously evaluate the liability to the city and school district of the disparate treatment and the eventual possible loss. She requested the Department of Justice Civil Rights Section of Educational Opportunities to do an investigation of Juneau. She was prepared to litigate and she was seeking the ACLU to represent them. She did not want to go that route. If they could not accomplish parity for the children at Ya Koos, and other areas within the district in which cuts are funneled down to them because they are funding this new program, that was not right. There had to be an answer to the conundrum, so she would put it on the Finance Committee to do this. She wanted to be notified when they would meet and know if there would be an opportunity for her participation along with others, they would welcome it.

Mr. Sanford said regarding the Ya Koos situation, the goal is to build a second school to have more room to fit Ya Koos program into the school. That was he understood, and he hoped that was the understanding of others. Ms. McHenry said that merging the Ya Koos with either building would be conducive to the children, because the children could not make it in the high school and there were too many bad memories. Ya Koos needed a facility that could be stand alone, but they should not be continued to be treated as pariahs by the district. She hoped she had raised the Assembly's concern about these children who have been prosecuted, as it was a terrible miscarriage of justice and if she could, she will seek clemency for them, if she has to appeal to the Governor to get their records expunged. No child should, for just visiting a girlfriend or going to eat lunch at the high school and being apprehended is not a good use of authority.

Mr. Sanford asked if the school would have to develop an equal access policy for all students. Ms. McHenry asked why then, would they developing a lottery in secret? Bernie Sorenson used the word "secret" when she discussed this at the April 19 meeting. That is a particular concern - you can't do something like that and get a buy in from affected parties.

Assembly Action:

MOTION, by Ridgeway, to refer Ordinance 2005-12 to the Finance Committee. Hearing no objection, it was so ordered.

R E C E S S
8:12 - 8:18 p.m.

Mayor Botelho said the Assembly still had a matter related to the school budget Ordinance 2005-12, which was a request by the manager that the Assembly, by motion, set the amount of funding for the FY06 local contribution, at \$19,792,000.

DRAFT

MOTION, by Stone, to set the amount of funding for FY06 local school district operations at \$19,792,000.

Mr. Dybdahl asked what was the relevance, as it was still a moving target, why the need to specify the amount now. Mr. Swope explained that the charter required the Assembly set the minimum funding level available to school, refer it to Finance, and it could be amended from there. Mr. Wheeler said the level could be set at the absolute minimum now allowed by state law, but traditionally we have set it at the "maximum minimum." Mr. Swope said yes, and if the Assembly did not specify an amount now, it would mean the Assembly would automatically accept the School District's request. Mr. Bush clarified that the School District's request was \$19,792,000. Mr. Swope said yes.

Hearing no objection, the funding level for FY06 local school district operations was set at \$19,792,000.

H. Ordinance 2004-14 (Z)

An Ordinance Appropriating To The Manager The Sum Of \$26,250 To The Lena Access Road Capital Improvement Project, Funding Provided By Proceeds From The Sale Of Construction By-Product Gravel.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(Z) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Ridgeway, to adopt Ordinance 2004-14(Z), and he asked for unanimous consent. Hearing no objection, Ordinance 2004-14(Z) was adopted.

I. Ordinance 2004-14(AN)

An Ordinance Transferring \$52,352 To The Marine Passenger Fee Fund, The Source Being Unexpended FY04 Marine Passenger Fees Budgeted To The General, Docks And Roaded Service Area Funds.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(AN) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Ridgeway, to adopt Ordinance 2004-14(AN), and he asked for unanimous consent. Hearing no objection, Ordinance 2004-14(AN) was adopted.

J. Ordinance 2004-14(AO)

An Ordinance Appropriating To The Manager The Sum Of \$270,790 As Partial Funding For The Open Space Waterfront Land Acquisition And The Remodel Of The Capital Transit Facility Capital Improvement Projects, Funding Provided By The Marine Passenger Fees.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(AO) be adopted.

Public Comment: None.

DRAFT

Assembly Action:

Mr. Wheeler asked if there was any urgency in adopting this ordinance, as the Waterfront Development Committee was working now on several projects and a discussion could be held on whether to use the funds for open space, or seawalk, or other projects. Mr. Swope said the issue was not urgent.

MOTION, by Wheeler, to refer Ordinance 2004-14(AO), to the Waterfront Development Committee.

Roll call:

Aye: Bush, Peterson, Ridgeway, Wheeler

Nay: Dybdahl, Sanford, Stone, Wanamaker, Botelho

Motion failed, 4 aye, 5 nay.

Hearing no objection, Ordinance 2004-14(AO) was adopted.

K. Ordinance 2004-14(AP)

An Ordinance Appropriating To The Manager The Sum Of \$87,400 As Partial Funding For Harbor Fund Fiscal Year 2005 Operating Budget, Funding Provided From Harbor Fund Retained Earnings.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(AP) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Wheeler, to adopt Ordinance 2004-14(AP), and he asked for unanimous consent. Hearing no objection, Ordinance 2004-14(AP) was adopted.

L. Ordinance 2004-14(AR)

An Ordinance Appropriating To The Manager The Sum Of \$122,365 As Partial Funding For The Bond Funded Capital Improvement Projects, Funding Provided By Bond Interest Income.

Administrative Report: Attached. The manager recommended Ordinance 2004-14(AR) be adopted.

Public Comment: None.

Assembly Action:

MOTION, by Sanford, to adopt Ordinance 2004-14(AR), and he asked for unanimous consent. Hearing no objection, Ordinance 2004-14(AR) was adopted.

IX. UNFINISHED BUSINESS

A. Docks and Harbors Proposed Regulations - Electricity Access Fees

Administrative Report: Attached. As a policy matter, the manager had no recommendation.

DRAFT

Public Comment: None.

Assembly Action:

MOTION, by Sanford, to move to orders of the day. Hearing no objection, the regulations were accepted.

A. Airport Proposed Rates and Fees Regulation Title 7, Chapter 10

Administrative Report: Attached. As a policy matter, the manager had no recommendation.

Public Comment: None.

Assembly Action:

MOTION, by Sanford, to move to orders of the day. Hearing no objection, the regulations were accepted.

X. NEW BUSINESS

A. Liquor License Renewals 2005/2006

Glacier Restaurant & Lounge - Beverage Dispensary License

Owner: Statewide Services Inc.

Location: 1873 Shell Simmons Dr

Agent: Durrell Law Group PC

Loyal Order of Moose #700 - Club License

Owner: Juneau Moose Lodge #700

Location: 8335 Airport Blvd

Agent: CT Corp

MOTION, by Peterson, to accept the HRC recommendation, to waive the Assembly's right to protest both license renewals. Hearing no objection, it was so ordered.

XI. STAFF REPORTS

A. Law Department Report - Charter Bid Requirements

Mr. Hartle referred to his memo in the packet. CBJ Charter 9.14(b) says that contracts for public improvements shall be by competitive bid. The "Whenever practicable" language does not apply for public improvement projects. There is no other way other than a competitive bid process. The manager has made a recommendation for a small charter amendment, which will set a maximum size for such projects, and would set out a scoring system for the city's interest. The memo from Mr. Krieber gave an example of the walkway, which was approved tonight, will cost more because it will have to be bid independently rather than if it could have been bid along with the project at Harris Harbor. Coming before assembly soon will be discussion of charter amendment.

B. New High School - Construction Contracts, Project Labor Agreements

Mr. Healy said high school design work is proceeding, and there are two projects that will build the high school - the site work contract is currently out to bid, and the building contract work should go out to bid by January 2006, with occupancy by August 2008. For this large bonded public

DRAFT

improvements projects we would like to continue the bonded labor contract, which has been the done for 6 recent projects, including the Bartlett Hospital and the JDHS renovation. This is somewhat routine, but the Project Team asked that the Assembly review this and approve this.

MOTION, by Wheeler, to authorize project labor agreements on both on both the site work and building contracts for the new high school projects. Hearing no objection, it was so ordered.

C. Community Development Department Vacancy Survey

CDD Director Dale Pernula said the CDD historically tried to keep a close tab on the population of Juneau for revenue sharing purposes, however the survey has not been done for the past few years. The survey was done to get a handle on the vacancy rate for housing purposes and the results are very preliminary at this time, as all the data has not been totaled. The aggregate rates for single family dwellings or owner occupied housing, which includes single family dwellings with apartments, condos and townhouses is extremely low at 1.41% For multi-family housing and mobile homes it is 4.21% He will provide complete data when done, along with new dwelling unit construction information.

XII. ASSEMBLY REPORTS

A. Committee Reports

Committee of the Whole: Chair Wheeler said the COW met on April 14th with the Airport Board and the FAA regarding a presentation on the airport terminal renovation project, the EIS and EMAS. The COW also met April 18th with local design officials regarding the energy life cycle cost issue, and referred the issue back to the Public Works and Facilities Committee. Mr. Wheeler proposed canceling the May 2 meeting and there was no objection. The next meeting would be May 16, and would include a presentation from Collaboration Juneau.

Waterfront Development Committee: Chair Ridgeway said the next meeting would be May 2 at noon.

Human Resources Committee: Chair Peterson said the committee met prior to this meeting and considered Resolution 2279 regarding the Commission on Aging. The resolution was referred to the Assembly. HRC reviewed draft Ordinance 2005-03 regarding vacancies on enterprise boards. The HRC asked for Assembly input on teleconferencing interviewees for advisory board positions and the need for all nine members of the Assembly to be present at the full Assembly sitting as the HRC when interviewing and selecting enterprise board candidates.

There was no objection to discontinuing the practice of allowing candidates to be interviewed by phone, and from this point on, interviews will be conducted only in person.

Regarding attendance of Assembly, Mayor Botelho clarified that the Assembly Rules of Procedure call for all Assemblymembers to make up the Human Resources Committee when making appointments to the enterprise boards. He suggested that all members continue to sit, and continue to work with clerk to identify dates that apparently all members can attend, and if a member's attendance was prohibited, that would not prevent the meeting from happening.

There was no objection to setting the meeting of the full Assembly sitting as the Human Resources Committee to interview enterprise board positions for May 24.

DRAFT

Public Works and Facilities Committee: Chair Sanford said the meeting scheduled for April 25 was rescheduled to Wednesday, April 27, at noon.

Finance Committee: Chair Stone said at the last meeting the committee heard from school district and the city assessor. The committee discussed the option for a mill levy decrease and determined the timing was premature and it would complete the budget review prior to making this decision. The next meeting would be Wednesday, August 27, to review Assembly grants. No date is set to take up school district's budget.

Lands Committee: Chair Wanamaker said the Juneau Gastineau Rotary would like to adopt a park and support it with funds and maintenance.

MOTION, by Wanamaker, to rename the West Juneau park the West Juneau Rotary Park. Hearing no objection, it was so ordered.

Mr. Wanamaker said the Lands Committee also reviewed the dog , information about purchase of a tidelands lot by the Docks and Harbors department and heard and update from staff on the final action items prior to the South Lena subdivision land sale.

C. Liaison Reports

Manager's Compensation Ad Hoc Subcommittee: Mr. Wheeler said he, Mr. Stone and Mr. Wanamaker met and reviewed prevailing salaries for city managers in the Northwest area for communities of similar size.

MOTION, by Wheeler, to accept the subcommittee's recommendation, that Mr. Swope receive a salary of \$114,000 annually. Hearing no objection, it was so ordered.

Emergency Planning Committee: Chair Dybdahl noted that the COW made a recommendation to disband the Emergency Planning Committee, that any action needed would be presented to the Public Works and Facilities Committee. There was no objection to this.

B. Presiding Officer Reports

Williams v. Planning Commission: Presiding Officer Bush said the appeal hearing was scheduled for Thursday, April 28, 5 p.m. in Chambers.

Bartlett Regional Hospital Notice of Impasse: Mayor Botelho noted receipt of a letter from the BRH Administrator Bob Valliant, which states that parties involved in labor negotiations there have reached impasse, and have requested the assembly to make a final determination. Mr. Hartle said CBJ Code 44.10.100 calls for a hearing before the Assembly upon issuance of at least 7 days notice to the parties. There is no formal procedure outlined for such a hearing. Mayor Botelho noted that the current contract expired January 30, and he requested the clerk poll the Assembly for dates when a majority of members could be present, at which time he anticipated a two-hour hearing.

XIII. ASSEMBLY COMMENTS AND QUESTIONS

MOTION, by Sanford, to direct staff to evaluate the permitting process, to see if there is a way to facilitate the process to make it smoother, faster and more efficient. Hearing no objection, it was so ordered.

DRAFT

Mr. Wheeler said he participated in National Youth Service Day, and received a "check" in the value of \$15,000 of volunteer time that was given to the city that day.

Mr. Wheeler noted the ceremony on May 18 for Juneau Police Department fallen officers, and urged the public to attend at the State Museum grounds.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None.

XV. EXECUTIVE SESSION - None.

XVI. ADJOURNMENT - 9:06 p.m.

Signed: _____
Laurie Sica, CMC, Municipal Clerk

Signed: _____
Bruce Botelho, Mayor