

Presented by: Mayor Botelho  
Introduced: 12/05/2005  
Drafted by: J.W. Hartle

## RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2337

### **A Resolution Authorizing Connection of the Bayview Subdivision Sewer System to the Mendenhall Treatment Plant, Capital Costs to Be Borne by the City and Borough.**

WHEREAS, the Bayview sewer system is a community sewer system that serves Bayview Subdivision in North Douglas; and

WHEREAS, the sewer system was designed and constructed in the early 1980s as a privately owned system; and

WHEREAS, in 1993, the CBJ accepted responsibility for operating and maintaining Bayview's existing subdivision collection and disposal system infrastructure; and

WHEREAS, upon taking the system over, CBJ, as the permittee, became responsible for meeting state and federal water quality requirements; and

WHEREAS, at the time CBJ took over the existing system in 1993, written representations were made to the Bayview Homeowners' Association by the CBJ Public Works Director (at the time) regarding CBJ's above-described responsibilities; and

WHEREAS, these representations apparently led Bayview residents to believe and assert that CBJ would be financially responsible for installing all new sewer infrastructure at CBJ's sole cost should it become necessary; and

WHEREAS, recognizing Bayview's understandings, the Assembly decided on November 14, 2005, that CBJ will connect Bayview to the Mendenhall Wastewater Treatment Plant by installing a new force main across the Mendenhall Wetlands State Game Refuge; and

WHEREAS, the Assembly decided that the new force main will be paid for at CBJ's sole cost, although voting to impose a Local Improvement District assessment was among the options available; and

WHEREAS, Bayview owners are presently, and will continue to be individually responsible for the ownership, maintenance, operations and decommissioning of the portions of the wastewater system that are not in the public right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:


**Section 1.** That CBJ shall install a new buried force main from Bayview Subdivision across to the Mendenhall Treatment Plant at the CBJ's sole cost. The Manager is authorized and directed to proceed with implementing this approach.

**Section 2. Effective Date.** This resolution shall be effective immediately upon adoption.

Adopted this 5<sup>th</sup> day of December, 2005.

  
Bruce Botelho, Mayor

Attest:

  
Laurie J. Sica, Clerk