

THE CITY AND BOROUGH OF JUNEAU, ALASKA

AUGUST 5 & 8, 1985

Meeting No. 85-31: The Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and was called to order at 7:00 p.m. by Mayor Ulmer.

I. FLAG SALUTE AND INVOCATION:

The Flag Salute was led by Assemblywoman Diebels. The Invocation was given by Pastor Joseph Filancia from the Evangel Assembly.

II. ROLL CALL:

Assembly Present: Botelho, Diebels, Freer,
Walker, Davidson, Parsons,
Baxter, Ulmer

Assembly Excused: Poor

Staff Present: Pat Teague, City Manager;
John Corso, Acting City
Attorney; Patty Ann Polley,
City Clerk; Kevin Ritchie,
Assistant City Manager; Jim
Hall, Parks and Recreation
Director; Tom Peterson,
Planning Director; Cindy
Johnson, Land and Resources
Department; Chuck Williams,
Risk Manager

III. APPROVAL OF MINUTES:

MOTION - by Diebels to approve the minutes from the Special Meeting of July 8, 1985, and asked unanimous consent. There being no objection, it was so ordered.

MOTION - by Diebels to approve the minutes from the Regular Meeting of July 15, 1985, for purposes of amendments.

AMENDMENT - by Diebels to clarify Mr. Roust's response to her on page 13 regarding the cost allocation of the fire hall and library. Ms. Diebels moved deletion of the word "estimate" replacing with the following phrase: "allocation between Service Area 2 for the fire station and areawide for the library." Ms. Diebels asked unanimous consent. There being no objection, it was so ordered.

AMENDMENT - by Diebels to add on page 15, fifth paragraph, last sentence after the word "funds" the words "with school bonds being a large percentage of the total borough debt." Ms. Diebels asked unanimous consent. There being no objection, it was so ordered.

AMENDMENT - by Diebels to correct the spelling of Mr. Grochow's name and asked unanimous consent. There being no objection, it was so ordered.

There being no objection to approval of the minutes as amended, it was so ordered.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES:

There were no changes.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS:

Keil Rieger submitted information on the restoration plan for the Carillon Bells and a letter outlining the intentions of the community. He requested a \$14,000 appropriation from the City's Art in Public Places monies to match funds as outlined in the proposal. Further, the Carillon Bells could be turned over to the City and Borough of Juneau or retained by the Arts Council or the Downtown Association. The system will be located on top of the Sealaska Building.

In response to Mr. Botelho, Mr. Rieger hoped the restoration would be completed in time for Christmas and advised the bells would be used year-round.

Mayor Ulmer thanked Mr. Rieger for his efforts in this project. Mr. Rieger announced interested supporters could contact him at 586-1770 or Ms. Adams at 586-4054 or donations could be sent through the City and Borough of Juneau Bell Project.

Belle Blue requested that Ms. Diebels correct her Conflict of Interest statement containing property listed as Block 8, lot 11. Ms. Blue indicated the City Assessor had informed her there are only 8 lots in Block 8. Ms. Blue commented she was investigating a rumor about the sale of property to the City while Ms. Diebels was on the Planning Commission or Assembly.

Ms. Blue questioned Mayor Ulmer's trip to Seward to attend the DPW Convention, commenting the cost was not the responsibility of the taxpayer. She further commented, City funds should not be spent on liquor. Ms. Blue requested a list of names of the Juneauites who were invited to a reception for Senator Stevens to

present their views and commented the reception should have been open to the public.

Ms. Blue pointed out a discrepancy in Mr. Ritchie's travel file for a trip to Seattle.

Ms. Blue submitted a letter to the Assembly offering her services as Ombudsman. Ms. Blue also submitted a letter regarding safety problems with the parking garage and asked that Mr. Davidson address the issue.

MOTION - by Botelho to suspend the rules to allow Ms. Diebels to respond to Ms. Blue's comments.

Ms. Diebels advised the description of the lot questioned reflects the legal description when purchased and further noted tax bills on the property were received and paid. The property was sold to someone who in turn sold it to the City.

MOTION - by Botelho to suspend the rules to allow Mayor Ulmer to respond to Ms. Blue's comments.

In reference to the Seward trip, Mayor Ulmer stated her travels included a trip to Kenai and Seward to speak to the Chambers of Commerce and an extra day to attend the DPW Conference, advising no per diem was collected for that day.

Dan Amundson, representing the Southeast Alaska International Travel Fair, requested financial support from the City and Borough to effectively advertise and promote the travel fair scheduled in October. It is an effort to promote tourism in Juneau and educate southeast Alaska on outside travel.

Jeannette Seale, unofficially representing the passengers and crew of tour ships, requested the City provide paper towels in the women's restroom in the Municipal Building. Ms. Seale suggested lighting the ramp to the lighterage float in Marine Park for the safety of those using it, noting the ramp, after ten o'clock, is extremely dangerous and the City and Borough would be liable for any accident. Ms. Seale requested the plexiglass windows on the south side of the ramp be reinstalled.

Bruce Gammon requested the Assembly not approve rezone of the parcel for the proposed trailer park. He stated rezone would violate all land owners of Juneau.

Ivan Widom complained about the smoke generated from the East Valley Reservoir and the smoke in Blueberry subdivision in West Juneau.

Mr. Widom advised there may be a potential Conflict of Interest for Ms. Diebels regarding the rezoning of 8542 Steep Place.

MOTION - by Botelho to suspend the rules to allow for response by Ms. Diebels.

For clarification, Ms. Diebels advised the property is owned by her son who lists his parents' address as his mailing address because of his extended absence from Juneau.

Bud Hartwick, representing the Juneau Youth Football League, advised Parks and Recreation has requested the League secure liability insurance to protect the City from damages. There are no lines of insurance through Shattuck and Grummett. In the past nine years, the City has waived the insurance requirement and he asked they do so again.

Ms. Walker asked if the insurance could be added to the City's insurance policy and the League pay the premium. Mr. Teague advised that was possible and a more detailed overview would be provided later in the meeting.

VI. CONSENT AGENDA:

MOTION - by Botelho to adopt the Consent Agenda for purposes of amendments.

AMENDMENT - by Botelho to remove items B-1 and B-6. There being no objection, it was so ordered.

AMENDMENT - by Diebels to remove items B-3 and B-4. There being no objection, it was so ordered.

There being no objection to adoption of the Consent Agenda as amended, it was so ordered.

A. Ordinances for Introduction:

1. Ordinance No. 84-86
AN ORDINANCE AMENDING THE OFF-STREET PARKING STANDARDS OF THE CITY AND BOROUGH ZONING CODE.

Administrative Report: Attached. The Manager recommended the ordinance be re-introduced and set for public hearing at the next regular meeting.

2. Ordinance No. 85-30(c)

AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$765,000 FOR THE DOUGLAS FIRE STATION/EQUIPMENT ACQUISITION/AND LIBRARY CONSTRUCTION, SUCH FUNDS BEING PROVIDED FROM THE FY 1985-86 SENATE BILL 27.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

3. Ordinance No. 85-30(d)
AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$800,000 FOR THE PRELIMINARY DESIGN AND ENGINEERING OF THE JUNEAU REGIONAL LIBRARY, SUCH FUNDS BEING PROVIDED FROM THE 1985-86 SENATE BILL 27.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

4. Ordinance No. 85-30(e)
AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$500,000 FOR THE MENDENHALL VALLEY TREATMENT PLANT EXPANSION, SUCH FUNDS BEING PROVIDED FROM THE 1985-86 SENATE BILL 27.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

5. Ordinance No. 85-30(f)
AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$1,320,000 FOR THE CONSTRUCTION OF COMMUNITY WIDE WATER SYSTEM, SUCH FUNDS BEING PROVIDED FROM THE 1985-86 SENATE BILL 27.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

6. Ordinance No. 85-61
AN ORDINANCE AMENDING CBJ 49.25 BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING OF APPROXIMATELY 7.5 ACRES ON THE UPLAND SIDE OF SOUTH FRANKLIN STREET FROM INDUSTRIAL TO C-2 CENTRAL COMMERCIAL.

Administrative Report: Attached. The Manager recommended the ordinance be

introduced and set for public hearing at the next regular meeting.

7. Ordinance No. 85-62
AN ORDINANCE AUTHORIZING THE MANAGER TO LEASE APPROXIMATELY 90,000 SQUARE FEET OF AIRPORT PROPERTY TO THE ALASKA DEPARTMENT OF MILITARY AND VETERANS AFFAIRS FOR THE PURPOSE OF CONSTRUCTING AND MANAGING A HANGAR AND AN ADMINISTRATIVE/SUPPORT FACILITY ON A SITE 75 FEET EAST OF THE FIRE STATION SITE BOUNDARY.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

8. Ordinance No. 85-63
AN ORDINANCE EXEMPTING THE HURLOCK SUBDIVISION FROM THE SUBDIVISION COMPLETING DEADLINE IMPOSED BY ORDINANCE SERIAL NO. 85-07.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

9. Ordinance No. 85-64
AN ORDINANCE AUTHORIZING THE MANAGER TO ENTER INTO A CONTRACT IN LIEU OF SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING SANITARY SEWERS TO LOTS 1, 2, 3 AND 4, BLOCK C, CAPITAL VIEW SUBDIVISION NO. 1.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

10. Ordinance No. 85-65
AN ORDINANCE ASSIGNING VARIOUS PARKS AND RECREATION SUBCLASSIFICATIONS TO MUNICIPAL PROPERTY PRESENTED CLASSIFIED AS "PUBLIC USE."

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting, contingent upon a recommendation from the Planning Commission.

11. Ordinance No. 85-66
AN ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, AUTHORIZING THE CITY AND BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF SEVEN MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$7,800,000) TO ACQUIRE PROPERTY, CONSTRUCT AND EQUIP A REGIONAL LIBRARY, AND PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY AND BOROUGH AT THE REGULAR ELECTION TO BE HELD THEREIN ON OCTOBER 1, 1985, OF A PROPOSITION AS TO WHETHER OR NOT THE CITY AND BOROUGH SHOULD INCUR SUCH INDEBTEDNESS AND ISSUE SUCH BONDS FOR SUCH PURPOSES.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

12. Ordinance No. 85-67
AN ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, AUTHORIZING THE CITY AND BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$1,750,000) TO ACQUIRE PROPERTY, CONSTRUCT, EXPAND AND EQUIP MARINE PARK FACILITIES, AND PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY AND BOROUGH AT THE REGULAR ELECTION TO BE HELD THEREIN ON OCTOBER 1, 1985, OF A PROPOSITION AS TO WHETHER OR NOT THE CITY AND BOROUGH SHOULD INCUR SUCH INDEBTEDNESS AND ISSUE SUCH BOND FOR SUCH PURPOSES.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

13. Ordinance No. 85-68
AN ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, AUTHORIZING THE CITY AND BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVEN HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$795,000) TO ACQUIRE PROPERTY, CONSTRUCT, IMPROVE AND EQUIP SCHOOL FACILITIES, AND PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY AND BOROUGH AT THE REGULAR ELECTION TO BE HELD THEREIN ON OCTOBER 1, 1985, OF A PROPOSITION AS TO WHETHER OR NOT THE CITY AND BOROUGH SHOULD INCUR SUCH

INDEBTEDNESS AND ISSUE SUCH BONDS FOR SUCH PURPOSES.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

14. Ordinance No. 85-69
AN ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, AUTHORIZING THE CITY AND BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION DOLLARS (\$9,000,000) TO ACQUIRE PROPERTY, CONSTRUCT, REMODEL AND EQUIP HOSPITAL FACILITIES, AND PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY AND BOROUGH AT THE REGULAR ELECTION TO BE HELD THEREIN ON OCTOBER 1, 1985, OF A PROPOSITION AS TO WHETHER OR NOT THE CITY AND BOROUGH SHOULD INCUR SUCH INDEBTEDNESS AND ISSUE SUCH BONDS FOR SUCH PURPOSES.

Administrative Report: Attached. The Manager recommended the ordinance be introduced and set for public hearing at the next regular meeting.

B. Resolutions:

2. Resolution No. 1123
A RESOLUTION APPROVING THE ESTABLISHMENT OF A YOUTH CRIME PREVENTION PROGRAM BY THE CITY AND BOROUGH OF JUNEAU BOARD OF EDUCATION AND THE JUNEAU POLICE DEPARTMENT.

Administrative Report: Attached. The Manager recommended the resolution be adopted.

5. Resolution No. 1126
A RESOLUTION CREATING AN AD HOC VIOLENCE PREVENTION ADVISORY COMMITTEE.

Administrative Report: Attached. The Manager recommended the resolution be adopted.

C. Transfer Requests:

T-113 - Transfer \$3,391 from CIP P-52 Swimming Pool Roof Rehabilitation to CIP S-74 Augustus Brown Swimming Pool Repairs.

Administrative Report: Attached. The Manager recommended approval of the the transfer.

D. Bid Awards:

1. Bid No. 85-290 - Industrial Boulevard Paving

Administrative Report: Attached. The Manager recommended the bid be awarded to Gastineau Contractors, Inc., for \$293,085.

2. Bid No. 85-338 - 3-Yard Loader

Administrative Report: Attached. The Manager recommended the bid be awarded to NC Machinery for \$64,278.

3. Bid No. 85-356 - Street Sweeping Services for Service Area 3

Administrative Report: Attached. The Manager recommended the bid be awarded to Sweeper Services for \$73,128.

- E. Application for Certificate of Public Convenience and Necessity to Operate For-Hire Vehicles - Carefree Highways, Gary McBeth, Owner.

Administrative Report: Attached. The Manager recommended the application be denied.

F. Liquor License Transfers:

1. Transfer Liquor License from Commercial Liquor to Alaska Cache Liquor

Administrative Report: Attached. The Manager recommended the Assembly waive their right to protest.

2. Transfer Liquor License from the Thirsty Korner to Aerodrome Liquor

Administrative Report: Attached. The Manager recommended the Assembly waive their right to protest.

3. Transfer of Ownership of Liquor License - Thane Ore House

Administrative Report: Attached. The Manager recommended the Assembly protest the transfer until the minimum life safety standards are met.

B-1. Resolution No. 1121

A RESOLUTION DISESTABLISHING THE SENIOR CITIZENS' ADVISORY COMMITTEE AND ESTABLISHING AN ADVISORY COMMISSION ON AGING.

Administrative Report: Attached. The Manager recommended the resolution be adopted.

Public Hearing:

Joe Alter advised the resolution before the Assembly does not address concerns expressed previously and suggested the resolution may be in error. This resolution fails to provide for complete coordination of senior activities.

Mr. Botelho circulated a proposed substitute. Mr. Alter stated the substitute adequately addresses concerns expressed by certain groups.

In response to Ms. Diebels, Mr. Alter advised the attorney chose a 7-member committee to make provision for minority representation. There was no magic in the 7 versus a 9-member committee.

Assembly Action:

MOTION - by Botelho to adopt a substitute to Resolution No. 1121 entitled:

A RESOLUTION PROVIDING FOR ESTABLISHMENT OF COMMISSION ON AGING; GREATER OPPORTUNITIES FOR CITIZEN PARTICIPATION IN PLANNING, DEVELOPMENT, OPERATION AND MAINTENANCE OF PROGRAMS AND SERVICES FOR SENIOR CITIZENS; CLARIFICATION OF RESPONSIBILITY AND REPEAL OF CONFLICTING PROVISIONS.

Mr. Botelho advised the substitute resolution does not reference disestablishment of the Mountain View Senior Citizen Advisory group and allows the Commission to make recommendations to a variety of organizations. If the Assembly has concerns about the substitute, adoption could be postponed.

Mr. Alter advised Resolution No. 876 created the Mountain View Senior Citizen Advisory group. This advisory group was established in accordance with the legal requirements of the housing organization who contributed to the construction costs of Mountain View Senior Center.

There being no objection to adoption of Resolution No. 1121 as amended, it was so ordered.

B-3. Resolution 1124

A RESOLUTION AMENDING RESOLUTION 1051 AM. TO AUTHORIZE OVERHEAD PLACEMENT OF UTILITY LINES ON AN EASEMENT ACROSS LOT 4, U.S. SURVEY 3559, OFF OF SUNDOWN DRIVE NEAR THE BAYVIEW SUBDIVISION ON NORTH DOUGLAS ISLAND.

Administrative Report: Attached. The Manager recommended the resolution be adopted.

Public Hearing:

Andrew Pekovich, on behalf of the Department of Natural Resources, recommended the resolution be adopted. He further commented the Department of Fish and Game support the overhead utilities because it least disturbs the Mendenhall Wetlands refuge.

Assembly Action:

MOTION - by Botelho to adopt Resolution No. 1124 and asked unanimous consent.

Objection was noted.

Mr. Davidson advised he was on the Planning Commission when the issue was before them and recalled the Commission supported the overhead line with restrictions requiring the line be removed when and if road access was provided.

Mr. Parsons asked Ms. Conheady why the power could not be assessed from Douglas Highway. Ms. Conheady responded it would be extremely expensive and require a primary line. Ms. Conheady advised Sundown Drive already contains overhead lines.

Ms. Diebels commented buyers should be aware of the amenities when purchasing property and noted property without access or electricity dictates the value or lack of value of the property. She expressed her disapproval of allowing the overhead lines from Sundown Drive because it would set a precedent.

Objection was noted.

ROLL CALL:

Yeas: Botelho, Freer, Walker,
Davidson, Ulmer

Nays: Diebels, Parsons, Baxter

The motion carried, 5-3.

B-4. Resolution No. 1125
A RESOLUTION PROVIDING FOR THE ACQUISITION OF TWO
GIFTS OF LAND CONSISTING OF LOTS 7 AND 14, BLOCK
A, WHITE SUBDIVISION, JUNEAU, ALASKA.

Administrative Report: Attached. The Manager
recommended adoption of the Resolution.

Assembly Action:

MOTION - by Diebels to adopt Resolution No. 1125
for the purpose of amendment.

Ms. Diebels suggested adding stipulations on
the property after City acquisition given the
hazards of the location.

AMENDMENT - by Diebels to add a subsection 3 to
read as follows:

These lots will not be resold and no
building will be allowed on them.

Ms. Diebels asked unanimous consent.

Mr. Botelho objected. He stated that amendment
would unduly restrict the possible use of the
land, noting the land may serve some public
service. Mr. Corso advised the resolution does
not identify the property as being located in a
geographical high hazard area. When avalanche
zones were first proposed to the Assembly several
years ago, the Assembly declined to adopt the
designation as a land designation because of
possible liability.

ROLL CALL:

Yeas: Diebels, Parsons, Baxter,
Ulmer

Nays: Botelho, Freer, Walker,
Davidson

The amendment failed, 4-4.

Mr. Botelho asked unanimous consent to the main motion. There being no objection, it was so ordered.

B-6. Resolution No. 1127

A RESOLUTION ESTABLISHING A SCHOOL BUDGET ADVISORY COMMITTEE.

Administrative Report: Attached. The Manager recommended adoption of the resolution.

Assembly Action:

MOTION - by Botelho to adopt Resolution No. 1127 for purposes of discussion. Mr. Botelho referred to his memorandum on the resolution, summarizing before action is taken, the Assembly should designate two or more Assembly members to meet with School Board representatives to discuss the resolution and develop a compromise if necessary.

Ms. Walker did not think it necessary to meet with representatives of the School Board. Mr. Davidson stated he originally opposed the advisory committee but supported the Resolution with the concept Mr. Botelho suggested.

MOTION - by Botelho to defer Resolution No. 1127 until the next regular meeting and with the intent the Assembly representatives would meet with School Board representatives.

AMENDMENT - by Diebels to change deferral until the first meeting in September. There being no objection, it was so ordered.

There being no objection to deferral of Resolution No. 1127 as amended, it was so ordered.

A recess was called at 8:10 p.m. The meeting reconvened at 8:15 p.m.

VII. ORDINANCES FOR PUBLIC HEARING:

A. Ordinance No. 85-30(a)

AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$796,875 TO FUND ACQUISITION OF ALLISON HANGAR AT THE JUNEAU INTERNATIONAL AIRPORT, SUCH FUNDS BEING AVAILABLE FROM A FEDERAL AVIATION ADMINISTRATION GRANT.

Administrative Report: Attached. The Manager recommended the ordinance be adopted.

Public Hearing: No one appeared.

Assembly Action:

MOTION - by Freer to adopt Ordinance No. 85-30(a) and asked unanimous consent. There being no objection, it was so ordered.

- B. Ordinance No. 85-30(b)
AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$140,625 TO FUND AIRPORT ENVIRONMENTAL IMPACT STATEMENT, SUCH FUNDS BEING AVAILABLE FROM A FEDERAL AVIATION ADMINISTRATION GRANT.

Administrative Report: Attached.

MOTION - by Botelho to waive the Manager's Report. Ms. Diebels objected because the radio public does not get the benefit. Mr. Botelho responded, the title of the ordinance, at times, can be self-explanatory.

Mr. Teague recommended an amendment be adopted to indicate the funding includes the update of the Airport Master Plan. The Manager recommended the ordinance be adopted.

Public Hearing: No one appeared.

Assembly Action:

MOTION - by Diebels to adopt Ordinance No. 85-30(b) for the purpose of amendment.

AMENDMENT - by Diebels to add the words "and Master Plan" after environmental impact statement in the title and section 2 and asked unanimous consent. There being no objection, it was so ordered.

There being no objection to adoption of Ordinance No. 85-30(b) as amended, it was so ordered.

- C. Ordinance No. 85-60
AN ORDINANCE AMENDING CBJ 49.25 BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING OF LOTS 9, 10 AND 12, BLOCK E, AIRPORT ACRES SUBDIVISION FROM R-7, RESIDENTIAL TO C-1, NEIGHBORHOOD COMMERCIAL.

Administrative Report: The Manager recommended the ordinance be adopted.

Public Hearing: No one appeared.

Assembly Action:

MOTION - by Botelho to adopt Ordinance No. 85-60 and asked unanimous consent.

Ms. Diebels stated there should be some guarantee the property rezoned would be used only for professional offices.

AMENDMENT - by Botelho to add the following sentence to Section 3:

This restriction shall be recorded in the Juneau Recording District.

There being no objection, it was so ordered.

There being no objection to adoption of Ordinance No. 85-60 as amended, it was so ordered.

MOTION - by Diebels to reconsider direction to staff to prepare an ordinance for the ballot in the amount of \$625,000 for the Valley Community Park, Phase I. There being no objection, it was so ordered.

Ms. Diebels summarized, the \$20 million ceiling for bonded indebtedness was recommended by the bonding counsel as a safe ceiling. Apparently, some of the City's financial advisors indicated another \$2 million would not make that much difference.

AMENDMENT - by Diebels to direct staff to prepare an ordinance for the ballot in the amount of \$2.7 million for Valley Community Park, Phase I.

Mr. Corso advised he had contacted the bond counsel and the City's financial advisors at SeaFirst. He indicated he asked them if the City and Borough of Juneau would enjoy any advantages in interest rate by increasing the amount of the bonds from \$20 million to \$22 million. Both bond counsel and the financial advisors stated no and they advised, before any advantages would be realized, an increase of \$100 million would be necessary. Mr. Corso did note, however, the bond counsel referred to the \$20 million as a self-imposed limit.

Mr. Parsons supported the amendment. He commented a better facility could be constructed with initial funds and provide a facility to support sponsorship of activities from around the state.

Mr. Botelho suggested consultation with the financial advisors instead of the bond counsel. He supported the Assembly's original ceiling of \$20 million. Ms. Walker concurred.

ROLL CALL:

Yeas: Diebels, Davidson, Parsons,
Ulmer

Nays: Botelho, Freer, Walker,
Baxter

The amendment failed, 4-4.

ROLL CALL: (Main Motion)

Yeas: Freer, Walker, Ulmer

Nays: Botelho, Diebels, Davidson,
Parsons, Baxter

The motion failed, 3-5.

IX. NEW BUSINESS:

1. Request by the Gastineau Humane Society for \$162,000 to Complete Construction of New Animal Shelter.

Administrative Report: Attached.

Public Participation:

Jim Slocum, treasurer of the Humane Society, requested an appropriation from the Assembly for \$162,000 to cover shortfalls in the construction of the animal shelter. The shortfalls resulted from unanticipated problems; i.e., higher foundation costs and higher bids. The amount would complete the entire structure, including inside fixtures, bringing the total cost of the structure to \$540,000. The building has been designed to meet the needs of the community for the next 20 years.

In response to Ms. Walker, Mr. Slocum advised the structure is designed to specifically accommodate the entire animal control function for the City if they wished to enter into a contractual agreement.

Howard Gile, Manager of the Humane Society, advised the facility is not phaseable because the building is basically a large empty structure.

Mr. Slocum advised the Humane Society raised approximately \$55,000 in private donations to go towards the new building. In response to Mr. Freer, Mr. Slocum commented volunteer labor has not been used to date because of the liability involved but they expect to utilize volunteers for projects such as painting. Mr. Botelho asked Mr. Slocum if the Humane Society would be supportive of a challenge grant approach. Mr. Slocum responded, they would be happy to receive any amount of money to help reach the goal of a functioning facility by December 1st.

Mr. Baxter expressed concern about the \$100,000 for the mechanical system. In response, Mr. Gile stated the system was designed to meet building codes and sanitation necessities which are essential. Mr. Baxter objected to the request for additional funds after construction had begun.

Assembly Action:

MOTION - by Botelho to direct staff to prepare an ordinance appropriating up to \$100,000 to the Gastineau Humane Society for completion of the animal shelter, monies to be paid on a matching 2 to 1 basis, two City dollars for each non-public dollar raised by the society, from the effective date of the ordinance.

In support, Mr. Botelho recognized there is substantial support for the project since \$55,000 has been collected from the public. He advised, based on this formula, the society could receive around \$150,000.

Mr. Davidson pointed out, if the City granted the Gastineau Human Society \$162,000, the City would have contributed approximately 60 percent of the total project cost. He would support the additional appropriation if the CIP Committee would review the plans before funding was approved. In response, Ms. Diebels stated the CIP Committee could not review the plans before September.

In response to Ms. Walker, Mr. Teague advised the income the animal shelter would receive by handling animal control would offset their cost with little profit.

ROLL CALL:

Yeas: Botelho, Diebels, Freer,
Walker, Ulmer

Nays: Davidson, Parsons, Baxter

The motion carried, 5-3.

A recess was called at 9:10 p.m. The meeting reconvened at 9:20 p.m.

2. Resolution No. 1128
A RESOLUTION CALLING FOR AN ADVISORY PROPOSITION ON WHETHER THE ASSEMBLY SHOULD PROPOSE CHARTER AMENDMENTS ESTABLISHING A "STRONG MAYOR" FORM OF GOVERNMENT.

Administrative Report: Attached. The Manager advised there was no recommendation from staff since it is a policy issue.

Public Hearing:

Ivan Widom testified changing the form of government would create a great deal of stress and strain and add to the political atmosphere. Mr. Widom recommended continuation of the manager concept, noting the concept is international in scope. Mr. Widom read several articles supporting the manager concept which appeared in the magazine "Public Management" published by the International City Management Association. Mr. Widom concluded problems with Juneau's government involve a combination of items, some are administrative and some are legislative issues, alluding to issues which have consumed numerous hours of the Assembly's time and detract from the ability of the administration to manage the City on a day-to-day basis.

Mayor Ulmer stated it would be beneficial to see the comparisons Mr. Widom read written by a mayor or former mayor because of the obvious bias.

Belle Blue testified against changing the form of government at this time. She commented the public tends to vote in favor of issues that are not totally understood and there is not enough time before the election to adequately address the issue and study alternatives. Ms. Blue felt the strong mayor would be more accountable and have more authority. Ms. Blue indicated the mayor should receive more monetary compensation, thus opening the field up to a larger selection of candidates.

Bob Garrison opposed the strong mayor form of government and suggested the manager be given the opportunity to perform his job.

Assembly Action:

Mayor Ulmer surrendered the gavel to Deputy Mayor Parsons in order to comment.

Mayor Ulmer pointed out the advisory vote is not the charter amendment which would be required before the form of government could be changed and she agreed further research was essential before implementing a change. The issues regarding the change in mayor are full-time versus part-time and strong versus the weak mayor. Mayor Ulmer advised mayorial demands require a full-time commitment and the salary is not enough to survive on for individuals who have no other source of income. A full-time mayor with an increased salary would expand the pool of applicants for the job and could be done without a charter amendment because the Assembly sets the compensation and can assign the mayor's responsibilities. The strong mayor concept would give the person who is responsible the authority to actually sustain that responsibility. The mayor would be totally accountable, as pointed out by Ms. Blue. Mayor Ulmer commented the City and Borough of Juneau as the capital city has a very complicated set of responsibilities and has taken on a lot of responsibilities that other communities do not have.

Mayor Ulmer encouraged the Assembly to support the advisory vote to get the discussion going, but if there is reluctance, establishing a commission to review the strong mayor concept would be acceptable.

Ms. Diebels stated the advisory vote, if passed, would create a mandate for the strong mayor concept to be on the following ballot. She objected to giving the issue that momentum until further review but supported formation of a committee to investigate the strong mayor concept after the October election and reporting back to the Assembly around April 1986. This would allow plenty of time to place the issue on the ballot for 1986. Ms. Walker concurred with Ms. Diebels. Ms. Walker expressed concern that the Assembly did not think Juneau was big enough for an Ombudsman but could support a strong mayor.

Mayor Ulmer announced, if the strong mayor form of government was adopted, she would not run for mayor. The only way to promote this concept was to make it clear that it was not for selfish motivation.

MOTION - by Diebels to table Resolution No. 1128. There being no objection, it was so ordered.

MOTION - by Botelho to direct staff to prepare a resolution establishing a full-time mayor providing for appropriate compensation. That compensation to begin after the October election. Mr. Botelho stated compensation may procedurally require an ordinance. A decision regarding the full-time mayor may affect who will run for office. Mr. Corso advised the Assembly could adopt an ordinance increasing compensation but it would not take affect until after the October election.

Mayor Ulmer requested approval to abstain from voting on the grounds someone may view it as a Conflict of Interest. Mr. Botelho objected. Mr. Corso advised there were no grounds for the Mayor to abstain from voting. Deputy Mayor Parsons ruled Mayor Ulmer would vote.

Mr. Botelho restated his motion since compensation would require an ordinance.

MOTION - by Botelho to direct staff to prepare appropriate drafts establishing a full-time mayor and providing for appropriate compensation to begin after the October election. There being no objection, it was so ordered.

MOTION - by Diebels to set the mayor's salary at \$20,000 per year.

AMENDMENT - by Botelho to set the mayor's salary at \$40,000 per year.

Mr. Baxter stated \$40,000 per year was too much for a ceremonial mayor with no more power than an Assembly person. He further commented people run for office because they have pride in the community and more money will not open the field up for more qualified candidates. Mayor Ulmer stated the job requires a full-time commitment to do it right and many people may be interested in running for the position but are precluded because of the need for a sufficient income. Mayor Ulmer advised, since she has not been

allowed to abstain from voting, she will vote no because of her awkward position.

ROLL CALL:

Yeas: Botelho, Freer, Parsons

Nays: Diebels, Walker, Davidson,
Ulmer, Baxter

The amendment failed, 3-5.

AMENDMENT - by Botelho to set the salary at \$30,000 per year.

Mr. Botelho commented, given the gravity of issues that Juneau will face including the capital move, it is important to have a visible mayor to speak out on the City's behalf. It is important to provide an income that is going to make it meritorious to run for office and, in comparison, \$30,000 is equivalent to a clerk typist for the state. The mayor would deserve at least the equivalent of a clerk typist.

Ms. Walker suggested the amount of compensation be left blank in order to review the matter further. Ms. Diebels responded, setting an amount is for the benefit of those who may wish to run for office.

ROLL CALL:

Yeas: Botelho, Diebels, Freer,
Parsons

Nays: Walker, Davidson, Ulmer,
Baxter

The motion failed, 4-4.

ROLL CALL: (Main Motion - \$20,000 salary)

Yeas: Botelho, Diebels, Freer

Nays: Walker, Davidson, Ulmer,
Baxter, Parsons

The motion failed, 5-3.

MOTION - by Botelho to direct staff to prepare a resolution creating an advisory body to review the initial charter commission's report and other appropriate reports and provide a study setting forth arguments pro and con on alternative forms

of management. There being no objection, it was so ordered.

Mayor Ulmer commented she was very uncomfortable about the compensation of the mayor's position short of a charter amendment. She stated she felt comfortable saying she would not run for the full-time charter amended strong mayor concept but the action this evening puts her in a bind.

A recess was called at 10:30 p.m. The meeting reconvened at 10:35 p.m.

NOTICE OF RECONSIDERATION - by Diebels on Resolution No. 1126, A RESOLUTION CREATING AN AD HOC VIOLENCE PREVENTION ADVISORY COMMITTEE, to be considered this evening. Ms. Diebels suggested altering some language which is very prejudicial. Mr. Botelho asked unanimous consent. There being no objection, it was so ordered.

AMENDMENT - by Diebels to change the fourth WHEREAS to read as follows:

WHEREAS, films, television, magazines and other materials featuring violence and available in the community contribute to the violence, and

There being no objection, it was so ordered.

AMENDMENT - by Diebels to change the third WHEREAS to read as follows:

WHEREAS, violence is a generational cycle and youth who grow up in violent families tend to become violent themselves, and

There being no objection, it was so ordered.

Mr. Freer directed the committee to advertise their meetings to the public to encourage attendance, maintain a record-keeping function with a transcript of the meeting and make an effort to keep associated agencies, City staff and other groups dealing with similar issues informed to provide open communication between the groups.

There being no objection to Resolution No. 1126 as amended, it was so ordered.

NOTICE OF RECONSIDERATION - by Baxter of the Application for Certificate of Public Convenience and Necessity to Operate For-Hire Vehicles - Carefree Highways, Gary McBeth, Owner. Mr. Botelho asked unanimous consent. There being no objection, it was so

ordered. The Manager had recommended denial.

Mr. Baxter advised the denial was based on the color combination and it was appropriate for the City to involve themselves. The other reason for denial was the fact the company would operate for 12 hours a day. Mr. Corso advised that an ordinance requires 24-hour service applicable only to taxi cabs as a condition to grant a Certificate of Convenience and Necessity.

Ms. Diebels suggested updating the ordinance but noted, at this time, the application is clearly deniable based on the ordinance.

Public Participation:

Gary McBeth, the applicant, advised the taxi service will operate 12 hours a day, six days a week, with other 24-hour service companies picking up the business during his off-hours. Mr. McBeth advised his vehicle will be painted with Alaskan graphics making it distinguishable from other taxis.

Mr. Davidson recollected two denials for Certificates, one based on color and the other on hours of operation; therefore, Mr. McBeth should not feel as though he was singled out.

Assembly Action:

Mr. Botelho indicated a request had been made to review the taxi cab ordinance about a year ago because of anti-trust issues and the degree to which cities could regulate entry into the market. In the meantime, given the fact there is a specific ordinance, the Certificate should be denied. Mr. Corso thought the legislature had taken care of the anti-trust problems this session by providing specific authority for localities to regulate taxi cabs.

On a roll call vote, the motion to approve the Manager's recommendation and deny the application carried unanimously.

NOTICE OF RECONSIDERATION - by Freer on Ordinance 85-65, AN ORDINANCE ASSIGNING VARIOUS PARKS AND RECREATION SUBCLASSIFICATIONS TO MUNICIPAL PROPERTY PRESENTED CLASSIFIED AS "PUBLIC USE." Mr. Freer suggested that the ordinance be reviewed by Parks and Recreation and legal staff for some amendments. There being no objection, it was so ordered.

MOTION - by Freer to refer Ordinance No. 85-65 to staff and reintroduce it at the next regular meeting. Mr.

Freer asked unanimous consent. There being no objection, it was so ordered.

X. ADMINISTRATIVE REPORTS ON NON-AGENDA ITEMS:

A. Manager's Report

Mr. Teague advised this evening's agenda contained four ordinances with respect to bonding which would have to be heard at a special meeting if there would not be a quorum at the Regular Meeting on August 19th. It was determined a quorum would be present.

Mr. Teague advised the request for an ordinance, as approved at the last meeting, containing redirection of \$1.687 million from a previously authorized bond issue for the Upper River Mendenhall School, is not appropriate according to bond counsel. Mr. Corso advised the benefit of redirection would have been 90 percent reimbursement by the state versus 80 percent because the bonds were authorized before a certain date. The counsel for the School Board would like to discuss the issue with bond counsel. Mr. Teague further advised, bond counsel indicated the \$1.6 million could be placed in escrow for the purpose of calling the bonds as they come due and new bonds authorized for the purposes would be reimbursed at 80 percent.

Ms. Diebels stated, in her review of the charter, the redirection of the \$1.687 million could appear on the ballot and suggested an ordinance be introduced with no action until consultation with bond counsel.

MOTION - by Botelho to extend the meeting until 11:30 p.m. There being no objection, it was so ordered.

A Special Assembly meeting at noon, Thursday, August 8th was scheduled to introduce the ordinance contingent upon bond counsel's recommendation.

Mr. Teague advised the Parkshore Condominiums project requires an easement from the association to continue the wall in the northerly direction without a jog in the wall. The easement can be negotiated through the manager's office if there is no objection from the Assembly. He noted the association concurred. There was no objection.

The following were items under the Manager's Report

as information items but were discussed by the Assembly.

1. Purchasing Compliance and Performance Review

Mr. Davidson was surprised to find the contract was given to Price Waterhouse and work had begun. Since the Assembly had expressed concern about issuance of this contract, a meeting should have been scheduled to make sure the Assembly's concerns were adhered to. Along the same line, Mr. Davidson had requested an ordinance be drafted on certain restrictions regarding procurement that was issued to the attorney's office on May 7th. He advised, if the restrictions were not going to be in ordinance form, he would like the consultants to comment on the suggestions submitted to the attorney. Mr. Teague advised staff considered the request for proposal as an administrative function. Mr. Davidson stated the Assembly took action with the intention of hiring the firm themselves and were advised they did not have the authority to do so.

2. Airport Manager Selection

Mr. Davidson expressed concern that the assistant Ketchikan airport manager was assisting in selection of the Juneau airport manager. It surprised him the professional consulting firm doing the airport master plan studies was helping select the airport manager. Further, this would appear to be conflict especially if the firm is interested in doing the new master plan. Mr. Davidson suggested that people like Jerry Kvasnikoff would have been more appropriate to assist in the selection process. Mr. Teague advised there will be a meeting with the tenant group of the airport to determine where their concerns lie. It was a concern, that the tenant group not hirer the landlord management.

5. Parking Garage Management

Mr. Davidson commented the Manager's Report implies the City is considering issuance of a contract to run the parking garage such as the airport. First, the Assembly was to draft a management plan for the parking garage operation and, until the policy

decisions are made, there is no need for a parking garage manager.

Mr. Teague recalled providing the draft management plan and suggested it be reviewed soon.

C. Attorney's Report

Mr. Corso announced the Law Department has been operating at 50 percent for the past month and apologized for any inconvenience which may have occurred as a result.

XI. MAYOR'S REPORT ON NON-AGENDA ITEMS:

1. Revised Pending Items

Mayor Ulmer scheduled a Committee of the Whole on Monday or Wednesday the week of August 12th to discuss management policy for the parking garage.

Mayor Ulmer added to the Committee of the Whole list a meeting with the Harbors Board to discuss the Assembly's expectations. Mayor Ulmer will draft a schedule of Committee of the Whole meetings and subject matters for Assembly review.

2. Report on Trip to Fairbanks for Fairbanks Golden Days and Juneau Recognition Day

3. Formation of a Juneau Committee to Bring the 1992 Olympic Winter Games to Anchorage

Mayor Ulmer stated, with the Assembly's concurrence, she would solicit members of the public to form a Juneau committee to support that effort. There was no objection.

Mayor Ulmer asked Mr. Botelho to represent Juneau at the Haines Fair.

Mayor Ulmer stated she would send regrets to the Resources Development Council that no member can attend the meeting in Soldotna on Friday, August 9th.

Mayor Ulmer requested action be taken this evening regarding the Carillon Bells.

XII. COMMITTEE REPORTS ON NON-AGENDA ITEMS:

Ms. Diebels announced a CIP meeting on August 6th regarding Cohen Drive.

Mr. Freer announced a Lands Committee meeting for August 13th at noon.

Mr. Botelho advised the attorney vacancy was not submitted nationwide as previously requested. He recommended the selection committee work with the current applications if those not filed timely could be considered. Mr. Botelho scheduled an Attorney Selection Committee on Thursday, August 8th at 11:45 a.m.

XIII. MISCELLANEOUS:

The Assembly agreed to hear comments from Chuck Williams regarding liability insurance for the Juneau Football League.

Chuck Williams, Risk Manager, advised with the condition of the insurance market and the erosion of the sovereign immunity laws, the City would be hurt by any third-party suit for such activity. Statistically, tackle football has a higher injury rate than any sport in the nation. If the League is allowed to operate without insurance, the City is looking for a lawsuit. Mr. Williams advised there are national organizations that have group liability insurance; however, there are requirements to join the organizations. There are three options available; not allow the program, accept the risk or encourage joining a national organization. In response to Ms. Walker, Mr. Williams advised Little League is covered under a national organization. He also stated other sports have been analyzed to determine what risks are involved and are determined on a case-to-case basis whether the City can take a risk. In response to Mr. Parsons, Mr. Williams advised Eaglecrest retains a special ski area policy and there is a disclaimer posted. If the City ran the tackle football league, safety aspects could be regulated and the league would be under the umbrella of the City and Borough policy. Mr. Grummett advised the football coverage could be absorbed in the current CBJ policy. Mr. Williams advised the City is paying twice as much as last year for insurance and for half the coverage. The more risks the City assumes, the higher the chance of not getting insurance. The new policies have not been entirely evaluated by the risk consultant.

Mayor Ulmer asked staff to research the options and report back at the Special Meeting scheduled for Thursday, August 8th. There was no objection.

MOTION - by Botelho to extend the meeting until 12:00 a.m. There being no objection, it was so ordered.

XIV. ASSEMBLY COMMENTS AND QUESTIONS:

MOTION - by Botelho to appropriate \$14,000 from Arts in Public Places for the Carillon Bells and asked unanimous consent. There being no objection, it was so ordered.

MOTION - by Botelho to appropriate \$5,000 from the Assembly's Contingency Fund for the Southeast Alaska International Travel Fair. There being no objection, it was so ordered.

Mr. Botelho asked that the Barrick report be provided at the next regular meeting; asked staff to look into the lighting at the lighterage dock in Marine Park; asked legal staff to review the taxi cab ordinance; requested a status report of the sales tax ordinance particularly the appeal procedures; and suggested development of a municipal housing plan.

Mr. Davidson referenced a letter from Belle Blue regarding possible structural problems with the parking garage. The type of problems she referenced could be serious. Because of the visibility of the project, Mr. Davidson recommended staff hire an independent structural engineer of national reputation to review the structural problems identified by the description reports, corrections taken by the contract engineer and a report provided to the Assembly. Mr. Freer announced a presentation on Thursday at 3 p.m. by a representative from Kiewit Construction Company and suggested Mr. Davidson's recommendation be made contingent upon attendance at that meeting. Mr. Davidson encouraged review by another engineer.

MOTION - by Davidson to direct staff to hire an independent structural engineer of national reputation to review development of the parking garage.

Mr. Botelho asked if the dollar amount for the review would be between \$25,000 and \$50,000. Mr. Davidson responded, as a first review, it should be considerably less. It would be a review of the inspector's report, meeting with the architect, determination of action to be taken and providing a report. There may be additional costs, if further review is necessary. Mr. Davidson asked staff to provide an estimated cost for the review. There was concern that the review process could not be done by the occupancy deadline.

Mr. Botelho asked unanimous consent. Objection was noted.

ROLL CALL:

Yeas: Botelho, Diebels, Freer,
Walker, Davidson, Parsons,
Baxter

Nays: Ulmer

The motion carried, 7-1.

Mr. Davidson expressed concern about combining the towing of cars with disposal of other metals in the same bid and encouraged the items be split but, if there was not support, it could be left as proposed. Ms. Diebels concurred.

Mr. Davidson asked staff to look at the retaining wall on Distin Avenue more closely, noting after personal inspection, the wall is worse than reported.

Ms. Walker requested approval to attend the National League of Cities Conference in Seattle, December 7-11. There was no objection.

Ms. Walker asked the status of the funds received from the legislature for mobile home relocation. Mr. Teague reported the legislative intent letter indicated the money be used to encourage private development of a mobile home park for people displaced by the closure of the mobile home parks. Mr. Teague advised, at this moment there are no alternatives. Mr. Teague provided a status report regarding the park closures.

Ms. Walker asked what would happen to the money. Mr. Teague advised it would not be used and indicated a request could be made to change the legislative intent.

MOTION - by Parsons to recess at 12:05 p.m. and continue the meeting on Thursday, August 8th. Ms. Blue requested two minutes to address the Assembly. There was no objection.

Belle Blue thanked Mr. Davidson for bringing up the structural problems of the parking garage. Ms. Blue complained about difficulties in getting copies of public records which could be grounds for another court suit.

There being no objection to the recess at 12:10 a.m., it was so ordered.

AUGUST 8, 1985

The meeting reconvened at 12:36 p.m., September 8, 1985.

II. ROLL CALL:

Assembly Present: Botelho, Parsons, Baxter,
Diebels, Freer, Davidson,
Walker, Ulmer

Assembly Excused: Poor

Staff Present: John Corso, Acting City
Attorney; Kevin Ritchie,
Assistant City Manager; Patty
Ann Polley, City Clerk; Jim
Hall, Parks and Recreation
Director

XIV. ASSEMBLY COMMENTS AND QUESTIONS:

Ms. Walker advised a neighbor had initiated installing the waterline as proposed for North Douglas in 1987 since a ditch had been dug, but the City required he pay the \$750 even though he cannot hook up to the system yet. Mr. Ritchie advised he would research the matter and provide any written back-up.

Mr. Freer suggested the Borough contract with someone to act as a permit coordinator to plan public projects at an early stage and track the permit process throughout the project's life. Mr. Freer requested concurrence from the Assembly to direct staff to prepare an RFP for the coordinator on a part-time basis. Mr. Parsons stated he would support the suggestion, if the Planning Department salaries were decreased according to the coordinator's salary. Mr. Baxter concurred. Mr. Ritchie advised staff would report back at the next meeting about their course of action.

MOTION - by Freer to request a report from staff regarding problems and possible solutions to the permit process. There was no objection.

Mr. Freer suggested hanging the Cold Storage building sculpture on the parking garage. Mr. Freer requested staff to contact Sealaska Corporation and inquire if that would be possible. Mr. Ritchie indicated he would do so.

Mr. Botelho requested status of Glacier Avenue between 9th and 10th, noting the condition of the road is getting

worse. Mr. Ritchie reported the Engineering Department is working on an overlay this summer with the understanding next year a more extensive repair will be necessary. Several Assembly members expressed concern and it was noted, Mr. Baxter has brought the issue to staff's attention many times. Mr. Davidson pointed out the City has the equipment to do the job themselves and is a matter of priorities. He suggested the Assembly consider freezing funds on staff's priority projects until Assembly's priorities are met. Mr. Ritchie advised staff had been working on the project since concerns were first expressed. Mr. Davidson pointed out replacing the road would come from capital funds and repairs should be done without direction from the Assembly.

NOTICE OF RECONSIDERATION - by Parsons to request an ordinance for the ballot for \$2.7 million for the Community Valley Park, Phase I.

Objection was noted.

ROLL CALL:

Yeas: Diebels, Freer, Davidson,
Parsons, Botelho, Ulmer

Nays: Walker, Baxter

The motion carried, 6-1.

MOTION - by Parsons to direct staff to prepare an ordinance for the ballot for \$2.7 million for the Valley Community Park, Phase I. Mr. Parsons asked that the attorney check with bond counsel and financial advisors for the pros and cons for the bonding, noting this motion is only for introduction.

Mr. Baxter objected. He commented Parks and Recreation receives enough funds and felt money should be spent on the essentials. Ms. Walker concurred and objected to the manipulation which has occurred.

Mr. Davidson stated he did not object to the project but objects to the total bond indebtedness. He favored a total \$15 million indebtedness.

Mr. Baxter asked, if the bonds pass and the City is up to the maximum, how soon can another bond issue be floated. In response, Mr. Freer stated treasury staff advised, if bonding were at \$20 million, there would be between \$4 to \$5 million for next year given the combination of debt retirement and a slight increase in taxable assessed value. Mr. Baxter objected to

increasing property taxes.

Mr. Corso advised introduction of the Ordinance on August 19th would require a special meeting for adoption prior to the end of August.

ROLL CALL:

Yeas: Diebels, Freer, Davidson,
Parsons, Ulmer

Nays: Walker, Baxter, Botelho

The motion carried, 5-3.

NOTICE OF RECONSIDERATION - by Mayor Ulmer on the RFP for the engineering project pending the discussion by staff this afternoon to determine whether it is necessary.

Ms. Diebels suggested holding staff direction for the structural engineer until the Assembly reviews the reports and has discussed the problems with Mr. Gray from Kiewit. She suggested a decision be made at the next meeting. There was no objection.

Mayor Ulmer withdrew her notice of reconsideration.

Mr. Baxter announced his absence from the City until September 11.

MOTION - by Diebels to direct staff to compile a detailed accounting of those within the mobile home parks to be closed that need assistance from the City and what type of assistance. There being no objection, it was so ordered. She stated, unless the \$300,000 from the state can be redirected, there may only be \$300,000 in federal funds.

Mayor Ulmer requested permission to attend the joint meeting of the executive board and advisory board of the U.S. Conference of Mayors in Boston in September to make two presentations; i.e., the Alaska export oil issue and adoption of the new constitution.

MOTION - by Botelho to approve the Mayor's travel. There being no objection, it was so ordered.

Mr. Parsons suggested providing the Humane Society a low-interest loan of \$150,000 to be paid back over a certain period of time instead of the \$100,000 match grant. It was noted, the issue will be before the Assembly in ordinance form and can be handled at that time.

Mr. Botelho left the meeting at 1:10 p.m.

Ms. Diebels mentioned the minutes of July 15, 1985 did not have the Manager's Report attached.

Ms. Diebels asked about the status of the Nagoon Street ditch problem. Mr. Ritchie advised the problem has been solved.

Ms. Diebels advised Randall Road needs the same work done as Cohen Drive.

Ms. Diebels recommended transferring up to \$5,000 from the street fund for design of Randall Road improvements. It was noted, Randall Road is shorter than Cohen Drive. Mr. Ritchie stated staff would report back with a cost.

XVII. ADJOURNMENT:

Mayor Ulmer declared the meeting adjourned at 1:12 p.m.

Signed: _____

Fran Ulmer
Mayor

Countersigned: _____

Patty Ann Polley
Clerk

MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

TO: Mayor and Assembly

DATE: August 5, 1985

FILE NO.

SUBJECT: Manager's Report

FROM: N. L. Teague, Manager

VI. CONSENT AGENDA

A. Ordinances for Introduction:

1. Ordinance No. 84-86

The draft ordinance was introduced for public hearing by the Assembly and subsequently, deferred to the Assembly CIP/Transportation Committee for further review. The joint committee reviewed the proposed changes to the parking ordinance and requested that the Planning Department provide additional information on four specific areas: boat moorages, libraries/museums, elementary and middle schools, and multi-family residential developments.

The table in your packet provides a comparison of parking requirements for specific land uses based on regulations of other municipalities in the Northwest and staff recommendations. The graduated scale recommended for multi-family use is an attempt to address unique situations of certain land uses in various areas of the CBJ. The purpose of the graduated scale parking requirements is to enable greater flexibility in assessing renovation proposals. To enable the public to have knowledge of this ordinance and have an opportunity to provide input, I recommend it be re-introduced and set for public hearing at your next regular meeting.

2. Ordinance No. 85-30 (c)

This ordinance appropriates the state's 60% match (excluding land acquisition) for the library portion of the Douglas joint library/fire hall. The effect of this ordinance will be to directly reduce the \$3.7 million bond approved by the voters for the project. I recommend this ordinance be introduced at this time and set for public hearing at the next regular meeting.

3. Ordinance No. 85-30 (d)

This ordinance appropriates funds from a legislative grant to begin design of the proposed downtown regional library. These funds will be used largely after the proposed October bond election. Prior to the election, some work may be done to develop general schematic designs or renderings of the project based on

the proposed architectural program. This work may be made available for voter information. I recommend this ordinance be introduced and set for public hearing at the next regular meeting.

4. Ordinance No. 85-30 (e)

This ordinance appropriates funds from a legislative grant to match federal and local funds to expand the Mendenhall Valley Treatment Plant. The total project cost of the first phase of the expansion is approximately \$12,000,000. I recommend this ordinance be introduced and set for public hearing at the next regular meeting.

5. Ordinance No. 85-30 (f)

This ordinance appropriates funds from a legislative grant to match the local special sales tax to construct the community-wide water system. Although the Assembly adopted the water system construction as its number one funding priority, the legislature appropriated only a small percent of the needed funds. If the legislature provides only a similar amount next year instead of a 50 percent match, the water project will not be completed on schedule. I recommend this ordinance be introduced and set for public hearing at your next regular meeting.

6. Ordinance No. 85-61

At its regular meeting of April 9, 1985, the Planning Commission approved a zone change for approximately 7.5 acres on the upland side of South Franklin Street from Industrial to C-2 Central Commercial. This action followed upon the commission's previously expressed interest in a zone change to bring this area into conformity with the comprehensive plan and hence, encourage new development compatible with existing development trends. I recommend this ordinance be introduced and set for public hearing at your next regular meeting.

7. Ordinance No. 85-62

The Alaska Department of Transportation and Public Facilities has submitted a lease application on behalf of the Alaska Department of Military and Veterans Affairs for a National Guard hangar and related facilities at the airport. The National Guard requests a 50-year lease with no cancellation clause for approximately 90,000 square feet of unimproved land 75 feet east of the Glacier Valley Fire Station site. The improvement to the 300' by 300' lease site would include a fill pad for construction of the hangar and administrative/support facility. The National Guard proposes to extend the frontage road and construct a taxiway to provide access to its lease site. The proposed taxiway requires crossing Jordan Creek.

The proposal has been determined consistent with the Airport Master Plan. FAA approval has been granted. The Planning Commission is recommending approval of the lease, subject to the conditions noted in your packet. I recommend this ordinance be set for public hearing at your next regular Assembly meeting.

8. Ordinance No. 85-63

Hurlock Subdivision received preliminary plat approval in July of 1982. Since that time, an Army Corps of Engineer's permit has been acquired and improvements completed and accepted June 28, 1985.

During the period prior to acceptance of the improvements by the CBJ, the applicant pursued in good faith the task of completing the conditions of the preliminary plat and upon completion, filed for final plat approval. The preliminary plat had lapsed during this period.

Prior to final plat approval, the lapsed preliminary plat must be renewed and Assembly approval sought for allowing acceptance of the subdivision improvements standards in effect at the time of the original preliminary plat approval.

The Planning Commission/Platting Board, at their July 23, 1985 regular public meeting, approved the application for a preliminary plat and found it appropriate to recommend to the Assembly to adopt a non-code ordinance to allow the accepted improvements to suffice for approval of the final plat for Hurlock Subdivision.

I recommend this ordinance be introduced at this time and set for public hearing at the next regular meeting.

9. Ordinance No. 85-64

This ordinance authorizes the Manager to negotiate a contract with three property owners in the Capital View Subdivision to have the City and Borough construct a sanitary sewer. One hundred percent of the project costs will be borne by the property owners.

A contract is essentially the same as an L.I.D. (Local Improvement District) used when 100% of the benefiting property owners agree.

The project is necessitated by the failure of the on-site sewage treatment systems of the residences.

I recommend this ordinance be introduced and set for public hearing at the next regular meeting.

10. Ordinance No. 85-65

This ordinance will classify as recreation lands all current facilities and parks as well as those open space areas that are under CBJ ownership. The properties proposed for recreational designation have been reviewed by the Assembly Lands Committee, however not by the Planning Commission. The Commission will review the material during its August 13, 1985 meeting.

I recommend this ordinance be introduced and set for public hearing at the next regular meeting, contingent upon a recommendation from the Planning Commission.

- 11. Ordinance No. 85-66
- 12. Ordinance No. 85-67
- 13. Ordinance No. 85-68
- 14. Ordinance No. 85-69

These ordinances set before the voters various capital improvement bond issues for the October election. The projects are explained in their titles. The proposed projects are intended to improve the local quality of life and improve tourism facilities. If these ordinances are approved, I recommend that staff be directed to work with the interested parties and develop a voter information pamphlet similar to the water system pamphlet.

I recommend these ordinances be introduced at this time and set for public hearing at the next regular meeting.

B. Resolutions:

1. Resolution No. 1121

This resolution establishes an Advisory Commission on Aging to advise the Assembly and act as a local counterpart to the state-wide Older Alaskans Commission. I recommend that this resolution be adopted.

2. Resolution No. 1123

The School District has recommended the creation of a Youth Crime Prevention Program in coordination with the Juneau Police Department. Essentially, the program would provide one full-time officer to work directly with the schools to coordinate and implement crime prevention and enforcement programs.

The funding is recommended to be 50% federal, 25% Police Department and 25% School District. The School Board has passed a resolution supporting the program and funding not to exceed \$30,000 (25% of the original proposed budget).

The proposed resolution would express assembly support for the program and tentatively commit up to \$30,000 for the program over two years.

Federal grant funds up to \$60,000 are available from the state under the Federal Criminal Justice Block Grant.

I recommend that this resolution be adopted.

3. Resolution No. 1124

Resolution No. 1124 will amend Resolution No. 1051 am. to authorize overhead placement of utility lines on an easement across municipal property off of Sundown Drive near the Bayview Subdivision on North Douglas Island. Ms. Conheady received approval from the Assembly in September, 1984 to gain an easement across municipal property for the placement of an underground utility line. Ms. Conheady seeks an amendment to the earlier resolution to allow her to place the utility line overhead rather than underground. The underground placement would impose significant private costs without providing public benefits.

I recommend the Assembly approve this resolution.

4. Resolution No. 1125

Ms. Sue Burnstin and the First National Bank of Anchorage each own a lot in White Subdivision. The lots are located in what has been identified as a geophysical high hazard area. As a result, the owners do not want to build on this property or to sell the property so that others might build. Thus, the owners request the Assembly's approval to donate the property to the municipality. The Planning Commission has reviewed these donations and recommends approval.

I recommend you approve the resolution to accept the land donations from Ms. Burnstin and the First National Bank of Anchorage.

5. Resolution No. 1126

This resolution is the result of a recent meeting between the Mayor and interested citizens and community agencies involved in violence prevention and treatment. The resolution would establish a one-year committee with a mandate to produce a report on the causes and prevention of violence in our community. I recommend adoption of this resolution.

6. Resolution No. 1127

This resolution is presented at the request of Assemblyman Botelho. As members of the Assembly are aware, recent school budget discussions revealed significant policy differences between the Board and the Assembly. The proposed committees could help deal with such differences in a more congenial forum than is presently available. I recommend adoption of this resolution.

C. Transfer Requests:

T-113

This transfer closes out the swimming pool roof rehabilitation and transfers the excess funds (\$3,391) to general pool repairs. I recommend the approval of this transfer.

C. Bid Awards:

1. Bid No. 85-290 - Industrial Boulevard Paving

Bids were opened on the subject project on July 24, 1985. Results of that bid opening are as follows:

<u>RESPONSIVE</u>	<u>BID TOTAL</u>
Coogan Const. Co.	\$391,684.00
Red Sann Const. Co.	346,330.00
C-M Associates	337,191.00
Frank Coluccio Const. Co.	333,834.00
M P & M, Inc.	332,768.80
Associated Sand and Gravel	319,490.00
Gastineau Contractors, Inc.	293,085.00
Engineer's Estimate	\$406,000.00

This project is currently funded from CIP R-119, L.I.D. No. 32, Industrial Boulevard Paving and areawide general revenues, all of which combine to form CIP R-125. The construction budget for this project is \$406,000 and is available in Fund No. 410-61-5-01-06-690. Staff recommends award to Gastineau Contractors, Inc. in the amount bid.

2. Bid No. 85-338 - 3-Yard Loader

Bid 85-338 for two 3-yard loaders was opened July 8, 1985, with the following results:

	<u>NC MACH.</u>	<u>CONMACO</u>	<u>WEB</u>	<u>COASTAL</u>	<u>YUKON</u>	<u>CRAIG TAYLOR</u>
Total Price	207,250	179,868	230,981	183,112	213,970	186,542
Less Trade-In	23,500	22,000	22,500	Consign	No Bid	9,000
Less Repurchase	130,000	50,000	78,720	No Bid	No Bid	No Bid
<u>Plus Maint./</u>						
<u>Repair</u>	10,528	22,800	23,900	No Bid	No Bid	No Bid
Total Cost 5 Yrs /5,000 hrs.	64,278	130,668	153,661	No Bid	No Bid	No Bid
Connectors	3,950	4,450	No Bid	1,092.50	No Bid	4,130
<u>Bond Price</u>	<u>N/C</u>	<u>1,500</u>	<u>N/A</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>
Grand Total Cost	68,228	136,618	N/A	N/A	N/A	N/A

Staff recommends award to NC Machinery based on the lowest total cost over five years/5,000 miles.

3. Bid No. 85-356 - Street Sweeping Services for Service Area 3

Bid 85-356 for street sweeping services for Service Area 3 was opened July 17, 1985 with the following results:

<u>Bidder</u>	<u>Bid Price</u>
Sweeper Services	\$73,128.00

Staff recommends award to Sweeper Service at \$73,128 based on the lowest responsive bid.

D. Application for Certificate of Public Convenience and Necessity to Operate For-Hire Vehicles - Carefree Highways, Gary McBeth, Owner

Application has been received from Gary McBeth, doing business as Carefree Highways, for a Certificate of Public Convenience and Necessity to Operate For-Hire Vehicles.

Regarding the subject of color schemes, CBJ 20.40.120 holds that: no vehicle's color scheme can be in conflict with or imitate any other color scheme...used on a vehicle already operating, in such a manner as to be misleading. There are, at this time, two cab companies whose major color scheme is red. This applicant presently works for Taku Taxi and his vehicle would be easily associated with Taku Taxi. I would advise that any new taxi businesses vary their color scheme from the already predominant red.

This applicant proposes to operate 12 hours per day, six days per week. CBJ 20.40.280 requires that "holders of certificates of public

convenience and necessity shall maintain a central place of business and in the case of taxi cabs, the same shall be kept open 24 hours a day for the purpose of receiving calls and dispatching cabs."

I recommend this application, as it stands, be denied.

E. Liquor License Transfers:

Note: The Health, Education and Social Services Committee of the Assembly will meet on July 31 to make additional recommendations regarding the below listed liquor licenses.

1. Transfer Liquor License from Commercial Liquor to Alaska Cache Liquor

Commercial Liquor Store seeks a transfer of ownership of liquor license to Alaska Cache Liquor. No objections were raised by CBJ departments in their review of the application. I recommend that the Assembly waive their right to protest this application.

2. Transfer Liquor License from The Thirsty Korner to Aerodrome Liquor

Thirsty Korner Liquor Store seeks a transfer of ownership of liquor license to Aerodrome Liquor. The Finance Department reports that this license is involved in a Title 11 reorganization of the Breeze-In Corporation. I recommend that the Assembly protest the transfer of the Thirsty Korner Liquor Store license.

3. Transfer of Ownership of Liquor License - Thane Ore House

Thane Ore House seeks a transfer of ownership of liquor license to George A. Jefferson dba Thane Ore House Salmon Bake. As the Thane Ore House does not presently meet life safety standards, the Building Department objects to the transfer. I recommend that the Assembly protest the transfer of the liquor license for the Thane Ore House until the minimum life safety standards are met.

VII. ORDINANCES FOR PUBLIC HEARING:

A. Ordinance No. 85-30 (a)

On April 1, 1985, the Assembly approved Resolution No. 1100, which authorizes the Manager to apply for a grant from the Federal Aviation Administration for acquisition of the Allison Hangar Building and property at the airport. The FAA has approved a grant in the amount of \$796,875 for this acquisition. Previously, the Assembly appropriated \$75,000 of local matching funds through CIP A-53. An agreement has been reached with the property owner for the purchase at appraised value. It is recommended that this ordinance be adopted.

B. Ordinance No. 85-30 (b)

This ordinance appropriates \$140,625 from the Federal Aviation Administration to update the Juneau International Airport Master Plan and environmental assessment. A number of land use controversies have arisen in recent years at the airport which need to be planned for, ranging from terminal operations to access to the Mendenhall State Game Refuge. The current master plan is quite obsolete.

Local match funds have been previously appropriated and the plan will be complete in one year according to the Planning Director. The plan update is part of the Planning Department's regular work program. I recommend that the ordinance be adopted.

C. Ordinance No. 85-60

The Planning Commission recommended that the Assembly rezone Lots 9, 10 and 12, Block E, Airport Acres Subdivision from R-7 Residential, to C-1 Neighborhood Commercial. The Commission further recommended that the use of the property be restricted to professional offices. A stipulation has been incorporated in the ordinance to reflect the Commission's concerns. The change is consistent with the Comprehensive Plan.

I recommend that this ordinance be adopted.

IX. NEW BUSINESS

1. Request by the Gastineau Humane Society for \$162,000 to Complete Construction of New Animal Shelter

Contained in your packet is a request from the Gastineau Humane Society for \$162,000 to complete the funding necessary to finish construction of the new animal shelter. They state that bids received were much higher than expected and the high costs of foundation work resulted in this funding shortfall. A more comprehensive explanation is attached to their request.

2. Resolution No. 1128

This resolution is presented by Mayor Ulmer and Assemblymen Parsons and Botelho. This is a policy issue, and therefore staff has no recommendation.

X. ADMINISTRATIVE REPORTS ON NON-AGENDA ITEMS

B. Manager's Report - Information Items

1. Purchasing Compliance and Performance Review

The firm of Price Waterhouse was selected through a competitive Request for Proposal process to perform the work. Price Waterhouse recently completed similar work for the Municipality of Anchorage and was given an excellent reference.

The work began last week and is expected to be completed in draft form by the end of August. The work is being monitored by a staff team consisting of the Assistant Manager, the Finance Director and the Budget Director.

Incidentally, the new Request for Proposal Standards have been finalized and are now being tested. The final standards have incorporated most of the comments from local architects and engineers and City and Borough user departments. The new standards should significantly reduce confusion and problems associated with professional services selection.

2. Airport Manager Selection

The application period for the Airport Manager position closed on July 31. A selection committee has been chosen consisting of the Assistant City/Borough Manager, the Public Works Director, the Planning Director, the Assistant Airport Manager from Ketchikan and the professional airport consultant that assisted in the development of the current airport master plan and leases. Airport tenants and users will be invited to suggest interview questions and professional standards for the selection process.

Due to the importance of the airport to Juneau's economy and quality of life and the resulting high volume of issues, consideration is being given to transferring the airport to the Administration Department or the creation of a separate Airport Department apart from the Public Works Department.

3. Franklin Street Renovation

Professional services proposals for the design and management of the project were received July 29. Staff feels that the Franklin Street renovation project can be bid earlier than the Front Street project and completed earlier. There are also indications that the location and nature of the utilities will allow the contractor to begin work in the Front and Franklin intersection and be substantially complete in that area before the tourist season, with a substantial completion of the entire project by late May.

On Front Street, the electric, telephone and cable companies are now undergrounding their service lines. Their work and final project completion is expected by September 7. There should be no further street closures. Staff is now working with merchants to develop final parking and loading regulations for Front Street.

4. Marine Park

The City and Borough was successful in working with the main contractor to delay other work to complete the Marine Park. Currently, a very deep sewer outfall is being installed at low tide periods. The earth work should be complete by August 7, and the final reconstruction completed by September 1. A special effort was made to substantially complete the lightering dock and Steamship Dock accesses to meet the needs of the tourist industry.

5. Parking Garage Management

A Request for Proposals to operate the parking garage has been drafted for comment. To make sure that the City and Borough has the right to change the parking use to meet the public need, a fixed fee management contract has been proposed.

THE CITY AND BOROUGH OF JUNEAU, ALASKA

AUGUST 8, 1985

Meeting No. 85-32: The Special Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and was called to order at 12:05 p.m. by Deputy Mayor Parsons.

A. FLAG SALUTE was led by Assemblyman Botelho.

B. ROLL CALL:

Assembly Present: Botelho, Baxter, Freer, Davidson,
Diebels, Walker, Parsons,
Ulmer (arrived 12:10 p.m.)

Assembly Excused: Poor

Staff Present: Kevin Ritchie, Assistant City Manager;
Patty Ann Polley, City Clerk; John
Corso, Acting City Attorney; Jim Hall,
Parks & Recreation Director; Chuck
Williams, Safety & Risk Management
Officer

C. CONSENT AGENDA:

1. T-122 - Transfer \$5,000 from Areawide Street Improvements to Cohen Drive Design.

Administrative Report: Attached. Mr. Ritchie recommended the transfer be approved.

MOTION - by Botelho to adopt the Consent Agenda and asked unanimous consent. There being no objection, it was so ordered.

D. SPECIAL ORDER OF BUSINESS:

1. Juneau Football League Insurance

Administrative Report: Attached. Mr. Ritchie recommended approval of options 1 and 2 and to consider option 3 at a later date.

Public Participation:

Paul Troeh, Deputy Director of the State Division of Insurance, stated liability insurance for group

programs is a crisis being faced by many other programs similar to the Juneau Football League. He suggested the Assembly look at a long-term solution for this program and added there will be a crisis in the municipal insurance also. Mr. Troeh noted the City will always get sued when connected with a program like the football league. Suits cannot be avoided if they are playing on City fields. He suggested the City's risk manager coordinate insurance for this league very closely with the City's own insurance to make sure there are no gaps or overlaps. Mr. Troeh expressed support for the football program, which he termed extremely widespread, noting the degree of participation is sixteen teams.

Mr. Davidson asked what the liability would be if the league played on leased property. Mr. Troeh stated agreements between groups to hold the lessor harmless are highly technical and may or may not insulate the private property owner. Mr. Davidson asked if a shelter for the City could be developed by leasing the fields for the season. Mr. Troeh deferred to Mr. Corso but stated the City would be sued anyway.

In response to Mr. Parsons, Mr. Troeh stated affiliation with Pop Warner would change the present program very little. He was uncertain why the program had not affiliated with Pop Warner before now.

Assembly Action:

Jim Hall, Director of Parks & Recreation, stated he had a telephone conversation with Mr. James Taft, who is the league representative of Pop Warner Football, and who does the indoctrination for new league affiliates. He advised the criteria for a new league are: Participant ages limited from seven to sixteen years of age; specific age and weight league breakdowns; a minimum of four teams per league; Pop Warner entry fees of \$17 per team per league; and liability coverage of \$30 per team. In addition, the league would have to submit a complete membership application, their constitution, bylaws, and league rules. Most of the requirements are directly related to safety and liability to protect the participant in the program. Mr. Hall further advised Pop Warner is unwilling to make exceptions to the league rules because they feel this would jeopardize the safety of the participant. Mr. Hall noted the Juneau Youth

Football program does not follow the age requirements and national weight league breakdowns as required by Pop Warner.

Ms. Walker stated, if only a few people would be excluded by going with the Pop Warner requirements, the larger group should be the one considered.

Mr. Hall advised he contacted parks and recreation departments in Kent and Spokane, Washington, who both have facilities that allow participation by outside youth tackle-football organizations. Both departments require liability insurance to protect the City. Kent's policy minimum is \$1 million and the football league there carries \$5 million worth of insurance. The City of Spokane requires a minimum of \$500,000 and plans to go to \$1 million within the next year. Both departments maintain a policy of "no insurance - no use of the facilities."

Mr. Ritchie stated it would be possible to segregate the football programs for the people who would be excluded by the age requirement of Pop Warner.

In response to Mr. Parsons, Mr. Troeh stated the fewest number of youth participating in the football program are in the seventeen to nineteen age category.

Mike Grummett, local insurance agent, stated he contacted an agency in San Jose that writes general liability insurance all over the country for football leagues. Their premium is \$40 per team, which he pointed out is very reasonable. Mr. Grummett explained the medical coverage would have to be written through this same general agency because they won't write the general liability without the medical. Further, they will only insure ages eleven to sixteen.

In response to Mr. Baxter, Mr. Grummett stated the agency is representing a financially-stable carrier and they are able to quote a low premium because they write nationwide.

Mr. Davidson asked if the City's regular liability insurance would protect the City in this case or whether a special policy would have to be taken out. Mr. Grummett advised the City's insurance, as it stands now, will protect only the City against any suits. If a policy is written to cover the league, there would be a

primary limit of liability for the users and then the City would have its own coverage to apply to if they are sued.

In response to Mr. Freer, Mr. Grummett stated the refusal to insure above age sixteen was unconditional. Mr. Hall advised Pop Warner doesn't cover 17, 18 and 19 year olds because of the increased risk involved with older players. The speed and velocity in tackling and running involved with those age groups increases the amount of risk and injuries.

MOTION - by Botelho to adopt the Manager's recommendation set forth in the memo dated August 8, 1985.

In response to Mr. Freer, Mr. Botelho stated the league could be accepted for affiliation with Pop Warner this season on a temporary letter of entry. Mr. Ritchie clarified options 1 and 2 would exclude ages 17 through 19 from the program.

There being no objection to the motion, it was so ordered.

E. COMMITTEE REPORT

1. Attorney Selection Report

Mr. Botelho stated the Committee was informed that to advertise through NIMLO will mean an additional delay until early November. He stated the Committee still recommends the Assembly direct staff to place the notification on the municipal docket in the publication and, further, that staff be directed to notify current applicants of the status of the search and ask them to reaffirm their interest in the position.

In response to Mr. Davidson, Mr. Botelho stated a total of nine applications were received, three of which were determined not qualified. The Committee has not screened the remaining applicants, as they first wanted to see how many applicants responded from a national pool.

Ms. Diebels believes the delay outweighs the disadvantage of having to select from a smaller number of applicants.

Mr. Davidson stated the reason for going nationwide was to assure qualified applicants and not to try to get someone from out of state. He suggested, if the six applications tend to be weak, the nationwide ad should be placed; however, if someone is qualified, then the selection should be made.

MOTION - by Freer to accept the Committee's report. There being no objection, it was so ordered.

MOTION - by Davidson to direct the Committee to proceed with evaluating the six applicants and report back to the Assembly if they have an eminently qualified candidate for the position. There being no objection, it was so ordered.

F. ADJOURNMENT:

Deputy Mayor Parsons declared the meeting adjourned at 12:35 p.m.

Signed:



Mayor

Countersigned:



Clerk

MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

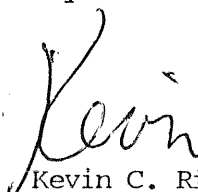
155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

TO: Mayor and Assembly

DATE: August 8, 1985

FILE NO.

SUBJECT: Manager's Report

FROM: 
Kevin C. Ritchie
Acting Manager

C. CONSENT AGENDA

T-122

This transfer is a recommendation from the Assembly Capital Improvement Project Committee. These funds would be used to develop construction costs for the committee's recommended improvements to Cohen Drive. I recommend that the transfer be approved.

D. SPECIAL ORDER OF BUSINESS:

Juneau Football League Insurance:

Jim Hall, Parks and Recreation Director; Chuck Williams, Safety and Risk Management Manager; and Michael Grummett, insurance broker, have explored the available options.

If the Assembly desires to continue allowing the football program to use CBJ facilities, the following are acceptable alternatives in order of appropriateness:

1. Request that the football program affiliate with the Pop Warner program to increase safety and obtain reasonably inexpensive liability insurance. If this is not possible, then;
2. Require the program to obtain its own insurance, or;
3. If the cost of insurance for the football program is too high to be reasonably paid by participants, then the CBJ may consider providing a grant to the program to defray part of the cost of insurance.

I recommend approval of options 1 and 2. Option 3 should be considered at a later date. Mr. Hall and Mr. Williams are available to answer your questions.

KCR/bvh