

**ASSEMBLY HUMAN RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

May 16, 2022 6:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/95241164899> or 1-253-215-8782 Webinar ID: 952 4116 4899

AGENDA

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

A. Land Acknowledgement

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

III. ROLL CALL

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

VI. AGENDA TOPICS

A. Utilities Advisory Board Annual Report and Appointment

Per Resolution 2299 the seven member Utility Advisory Board is established. To the extent possible, appointments shall be made with the following considerations: one engineer registered with the State of Alaska with experience in utility system design and operation, one accountant with utility financial management, one general contractor with experience in water/wastewater utility systems, two commercial customers of the CBJ water/wastewater utility, one residential customer of the CBJ and one member of the general public.

There are two seats up for appointment with terms beginning June 1, 2022 and ending May 31, 2025. One incumbent, Elizabeth Pederson, has applied for reappointment, no other applications have been received.

B. Board of Equalization Annual Report & Appointments

The Board of Equalization (BOE) has completed hearing 2021 property appeals and is preparing to hear 2022 property appeals beginning with its annual training on Thursday, June 2, 2022 at 5:30pm. The BOE 2021 annual report is included in this

packet. There are four vacant seats on the BOE; in addition to the four vacant seats there is one incumbent with a term due who has applied for reappointment.

Incumbent Emily Haynes has applied for reappointment for a term beginning immediately (January 1 2022) and ending December 31, 2024. No other applications have been received, the Clerk's Office continues to actively recruit for the vacant seats.

C. Picking Dates to Hold Interviews/Appointments for Empowered Boards

Annual interviews and appointments for the Airport Board, Docks & Harbors Board and the Eaglecrest Board need to be scheduled with the full Assembly sitting as the Human Resources Committee (HRC). In addition to those boards, there are unexpected vacancies, and upcoming vacancies, on the Hospital Board and Planning Commission and the full Assembly as HRC will need to schedule dates to hold those interviews and appointments.

Lastly, the Systemic Racism Review Committee (SRRC) will see the resignation of Chair Worl in June. This will leave one vacant seat as well as the two seats with terms coming due June 30, 2022. At this time, the Clerk's Office has not heard if either incumbent is applying for reappointment. If its the will of the HRC, the Clerk's Office could actively recruit for the SRRC seats now through June and the full Assembly as HRC would hold interviews and appointments in July.

The Clerk's Office requests the committee pick three June dates as placeholders to recommend to the full Assembly and two dates in July for SRRC. Depending on the number of applicants to be interviewed for the five Empowered Boards, Chair Hughes-Skandijs could release one of those dates and hold all Empowered Board interviews and appointments on two evenings in June.

Potential Meeting Dates

June: 14, 15, 28, 29, 30 (the week of 6/20 is currently an Assembly meeting free week, a small break)

July: 12, 13, 14, 19, 20, 21

VII. LIQUOR LICENSES

A. Recommended Protest of Liquor License #4349 Renewal for N.Y.T. Inc./Fishbone LLC d/b/a Rockwell

This liquor license renewal is before the Assembly Human Resources Committee for review and to forward a recommendation to the full Assembly on whether to let the recommended protest stand or to waive the right to protest. If the HRC recommends the protest stand, this license will come before the full Assembly at its Regular Assembly Meeting on May 16, 2022 for final action. The AMCO 60-day comment period from the local governing body ends May 29, 2022.

VIII COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

IX. NEXT MEETING DATE

A. June 13, 2022 @ 6:00pm

X. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**Engineering & Public Works Department**

155 South Seward Street

Juneau, Alaska 99801

Phone: 907-586-0393 | Fax: 907-463-2606

MEMORANDUM

DATE: DRAFT 04/25/2022
TO: City and Borough of Juneau Assembly and Manager
FROM: Utility Advisory Board
SUBJECT: Annual Report for the period May 2021 through April 2022

INTRODUCTION

This memorandum is the annual report of the CBJ Utilities Advisory Board (UAB) for the period May 2021 through April 2022. The UAB considers infrastructure, operations, and funding needs of the water and wastewater utilities; annual reports are meant to advise the Mayor, Manager, and Assembly on utility issues, in accordance with the enabling CBJ Resolution 2299 (February 2005).

Financially and physically healthy water and wastewater utilities are necessary for a community to be resilient and to thrive. The infrastructures of CBJ water and wastewater utilities are aging, and increased capital investments will be required for timely maintenance and upgrades to maintain services that meet community and visitor needs. A brief history of user rates is included as Appendix A.

2021-2022 UAB ACTIVITY

During the reporting period, CBJ staff and the UAB shared information and discussed topics of special interest to the Board, including:

- **Budget Monitoring:** Revenue projections for water and wastewater were reviewed, and revenue losses related to the reduced cruise ship and tourist season were discussed. The UAB was briefed on Capital Improvement Projects (CIPs) planned for the coming fiscal year.
- **Effects of the COVID-19 Pandemic:** The UAB received updates from CBJ staff describing the financial and operational effects of the COVID-19 pandemic, particularly those related to the loss of cruise ship discharge and water usage fees, and to a downturn in tourism in general.
- **Biosolids:** The UAB was updated several times on the end-use of the dried biosolids. The presence of polyfluoroalkyl substances (PFAS) present in the dried biosolids at levels that exceed state standards currently restricts the ability to land apply Juneau's biosolids in Alaska. Presently, the dried biosolids are being transported south for disposal in a lined landfill. Before the national and local awareness of PFAS and its presence in the biosolids, Juneau's biosolids were intended to be used as a compost additive or soil enhancement. Staff updated the Board on the following options:
 - Renegotiating local biosolids disposal, which has been dubbed a 'nonstarter' due to strains on the local landfill.

- Maximizing bulk density, finding ways to increase how much is in each container that is currently shipped by crushing or pelletizing biosolids.
- Investigating closer landfills, which did not yield a significant cost difference.
- Reuse or land application in Washington or Oregon, transport would still be a significant cost.
- A PFAS incinerator, an option currently used in Valdez.
- Pyrolysis, which offers additional end use options.

Federal regulations are being developed that will govern the handling of PFAS containing wastes. Staff will continue to investigate options for biosolids disposal and update the UAB.

- **CBJ Initiatives:** The CBJ also updated the Board on several initiatives, including a Source Control Program, designed to identify and ultimately limit undesirable waste in the sewer system, as well as an effort to separate storm and sewer flows to avoid negative impacts to the sewer system.

ANTICIPATED WORK FOR 2022-2023

The health of the water and wastewater utilities is of utmost importance. Both water and wastewater are comprised of aging infrastructure that will require increasing capital and maintenance improvements. The water and wastewater utilities' philosophy and mission will be evaluated to ensure adequate services are being provided to all who require them while protecting the financial stability of the utilities themselves.

The UAB expects transportation and supply costs to increase during 2022-2023 as a result of inflation and supply chain instability. Consequently, the UAB expects to accomplish the following during the coming year:

- Identify and evaluate funding sources, operational and maintenance expenses, and CIPs
- Evaluate the effects of recent and future rate increases.
- Review the financial and operational impacts of the COVID-19 pandemic on the utilities, particularly those related to the loss of cruise ship discharge and water usage fees, and to the loss of revenue related to diminished tourism and shifts in operational expenses.
- Receive staff updates on initiatives, such as the Source Control Program, that will contribute to the future health of the wastewater utility. The UAB will provide feedback and recommendations where possible.
- Consider environmental disruptions and identify potential risks and appropriate responses. The UAB is interested in long term planning to ensure the water and wastewater utilities are truly sustainable. Changing weather and sea level rise may seem like distant threats, but the risks should be identified and understood as best as possible, so that contingencies may be in place to ensure CBJ will always provide an adequate supply of safe drinking water, water for industry, infrastructure construction, firefighting, and other uses.

BOARD MEMBERSHIP AND TERMS

Seven CBJ residents served on the UAB for the May 2021-April 2022 reporting period. In conformance to the enabling resolution, board members have varying viewpoints sufficient to ensure wide ranging and active debate.

Andrew Campbell	PE Registered engineer; General Contractor
Elizabeth Pederson	Accountant
Bryan Farrell	PE Mechanical engineer, Commercial Customer
Geoffrey Larson	Commercial Customer
Stuart Cohen	Residential Customer
Grant Ritter	Residential Customer
Janet Hall Schempf	General Public

Bryan Farrell served as Chair and Geoffrey Larson as Vice Chair. No vacancies occurred during the reporting period, however the two members will complete their terms May 31, 2022.

BOARD MEETINGS

During the reporting period the board had five regularly scheduled meetings. The table to follow details all meeting dates and member attendance.

<i>Legend: P = Present A = Absent</i>	May	Sep	Jan	Mar	Apr	Totals		Term
	5/13/21	9/9/21	1/13/22	3/10/22	4/14/22	Attended	Absent	Ends
Campbell, Andrew	P	P	P	P	P	5	0	5/31/2024
Cohen, Stuart	P	A	P	P	A	3	2	5/31/2023
Farrell, Bryan	P	P	P	P	P	5	0	5/31/2022
Schempf, Janet	A	P	A	P	P	3	2	5/31/2023
Larson, Geoff	P	P	P	P	A	4	1	5/31/2024
Pederson, Elizabeth	P	A	P	P	A	3	2	5/31/2022
Ritter, Grant	A	A	A	P	P	2	3	5/31/2023
Number of Attendees	5	4	5	7	4			

FURTHER INFORMATION ABOUT THE UTILITIES ADVISORY BOARD

Engineering and Public Works staff for the UAB include:

Katie Koester – Engineering & Public Works Director
 Denise Koch – Deputy Director of Engineering & Public Works
 Brian McGuire – Utilities Superintendent
 Chad Gubala – Utilities Plant & Treatment Manager
 Lori Sowa – Engineer II – Utilities
 Joshua Midgett – Public Works Utilities Administrative Assistant III
 Janet Sanbei – Engineering & Public Works Administrative Officer I

Utilities Advisory Board website: <https://beta.juneau.org/engineering-public-works/utilities-division/utility-advisory-board>

APPENDIX A**BACKGROUND/ RATE HISTORY**

In 2017, the CBJ Assembly proposed a ballot measure for a 1% sales tax that ultimately passed with 77 percent of votes in favor of renewal. The Assembly proposed this ballot measure to “focus on addressing the deferred maintenance needs of the public utilities and facilities” and specifically identified \$15.5 million of need for water and wastewater infrastructure, maintenance, and improvement. In 2019, the Assembly passed ordinance Serial No. 2019-31 and 2019-44 which raised both the water and wastewater utility rates over the course of five years:

4% Effective 1/1/2020
 2% Effective 7/1/2021
 2% Effective 7/1/2022
 2% Effective 7/1/2023
 2% Effective 7/1/2024

The rate increases are supported by the findings of a rate study completed in December, 2013 by FCS. Rates had not been increased since 2011, and FCS proposed three different five-year rate plans to address the system reinvestment, which was in arrears. The three proposed options to address the lack of system reinvestment were labeled “Low” (which would fund system reinvestment 35%), “Middle” (would fund 68%), and “Top” (would fully fund system reinvestment 100%). The assembly chose the “Middle” five-year option for funding 68% of system reinvestment. While this option would not fully fund system reinvestment, it does improve the level of maintenance and replacement costs that had been historically deferred. One reason the Assembly chose this option was that other funding sources were anticipated, including the State of Alaska, which had a history of granting municipalities money for water and wastewater needs. Subsequently, the Assembly passed Ordinance 2014 36(b)(am) which increased water 6.5% and wastewater 8% for each of the next five years.

An older rate study (completed in 2003) recommended an immediate rate increase of 19% for water and 39% for wastewater, and further recommended additional specific rate increases over the next 10 years. Customer rates for the two utilities did not increase during the years 1991 to 2003 (thirteen years), which led to precarious financial positions for both utilities. Infrastructure maintenance was deprioritized, and the utilities did not have the ability to perform necessary repairs and upgrades. In Ordinance 2003-43 on October 2003, the Assembly approved the 19% and 39% increases, and due to “rate shock” to customers, the Mayor empaneled a seven-member Ad Hoc Utility Advisory Board (UAB) in February 2004. This group was tasked with advising the Mayor and Assembly on Water and Wastewater utility issues, including rates, and with making recommendations regarding the advisability of a permanent Advisory Board.

UAB PURPOSE

CBJ Resolution 2299 identifies the UAB’s primary responsibilities concerning the status of water and wastewater utility topics:

- (a) Review and make recommendations to the Assembly and Manager on all matters pertaining to the operation of the water system and the wastewater system, to the end that the consuming public is provided with the best possible service consistent with good utility management and cost containment;

- (b) Review annual budgets and funding plans and make recommendations for the efficient and economical operation of the water system and the wastewater system including bond issues, staffing, fiscal matters, and public relations;
- (c) Make recommendations on long-range planning for system expansion replacement, and priorities to meet future needs of the water and wastewater systems;
- (d) Make recommendations on water and wastewater utility rates to ensure that the rates are equitable and sufficient to pay for operation, maintenance, debt reduction, system replacement, and utility reserves necessary to ensure sustainable public utilities;
- (e) Make recommendations on measures to increase the efficiency and cost effectiveness of the water and wastewater utility operations; and
- (f) Perform such other duties and functions related to the utilities as the Assembly or Manager may request



City and Borough of Juneau, AK
Utility Advisory Board

Board Roster



Elizabeth A Pederson

1st Term Jan 25, 2021 - May 31, 2022

Appointing Authority Assembly

Position Voting Member

Category Public/Accountant

Dais Seat 7



Bryan Farrell Not applying for reappointment, completed 3 terms

3rd Term Jun 01, 2019 - May 31, 2022

Appointing Authority Assembly

Position Voting Member

Category AEL&P Mechanical Engineer

Dais Seat 3



Stuart A Cohen

1st Term Jan 25, 2021 - May 31, 2023

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 1



Grant Ritter

3rd Term Jun 01, 2020 - May 31, 2023

Appointing Authority Assembly

Position Voting Member

Category Public/Residential

Dais Seat 6



Janet Hall Schempf

5th Term Jun 01, 2020 - May 31, 2023

Appointing Authority Assembly

Position Voting Member

Category Retired State Habitat Biologist

Dais Seat 4



Geoffrey Larson

6th Term Jun 01, 2021 - May 31, 2024

Appointing Authority Assembly

Position Voting Member

Office/Role Vice-Chair

Category Large Commercial User

Dais Seat 5



Andrew Campbell

3rd Term Jun 01, 2021 - May 31, 2024

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 2

Application Form

Profile

NOTE: PLEASE BE AWARE THAT ALL INFORMATION YOU PROVIDE ON THIS FORM AND ATTACHMENTS ARE OPEN TO PUBLIC REVIEW AND DISCLOSURE PURSUANT TO THE ALASKA PUBLIC RECORDS ACT.

[When completing the application, please put your "**MAILING**" address in the first address block labeled "**HOME.**" The optional secondary address field is for your "**RESIDENCE**" address.]

Elizabeth

First Name

A

Middle Initial

Pederson

Last Name

Email Address

Home Address

City

Primary Phone

Alternate Phone

Suite or Apt

State

Postal Code

SOA Dept Administration

Employer

Audit & Review Analyst III

Job Title

Residence Address if different from your Mailing "Home" Address listed above

Residence Address Line 2

Residence City

Juneau

Residence State

Alaska

Residence Postal Code

99801

Comments

Secondary Email Address (if any)

Which Boards would you like to apply for?

Utility Advisory Board: Submitted

Are you applying for reappointment to this board?

☒ Yes ☐ No

If you are applying for more than one board, how many total boards are you willing to serve on?

None Selected

Special Needs - please list any special needs below such as need for sign language interpreter, etc...

Interests & Experiences

Please tell us about yourself and why you want to serve. *[Contact the Clerk's Office at 586-5278 or city.clerk@juneau.org if you wish to submit a resume or CV]*

Please explain, with specificity, your reasons for applying to serve on this particular board.

Now that I have obtained my CPA license in February 2021, I wanted to find a volunteer opportunity in Juneau. I see this particular board is looking for an accountant member. Previously I worked at DEC and supported the State Revolving Loan Fund programs for Clean water and Drinking water which includes assisting with reviewing financial statements and analyzing financial capacity of utilities around the State when the Program needs. I also provide financial and compliance assistance to the Village Safe Water program which includes construction projects to build water utilities. This exposure to the importance of both water and wastewater utilities makes me interested in serving the CBJ Utility Advisory Board.

Please select the type of board seat for which you are applying *

☒ General Public Seat

Please list any organizations for which you currently serve as a board member, officer, or employee.

Employee of State of Alaska Department of Administration Division of Finance Volunteer to serve as Chair of True North Credit Union Supervisory Committee Southeast Alaska Food Bank, Board Treasurer

Employment/Volunteer History: Please list any previous work or volunteer experience you have serving on a board.

Volunteered as Treasurer of the Glory Hole, completed the term of one who moved out of Juneau for 1.5 years

Education/Training: Please list both formal and informal education & training experiences:

Bachelor degree University of Alaska Southeast Business Administration emphasis in accounting

Licenses/Certifications etc... Please list any professional licenses, certifications, or registrations that may be considered a qualifying criteria for the board to which you are applying.

CPA license State of Alaska

Demographics

The following *optional* information is requested so appointments to boards and commissions reflect the diversity of individuals within the community. If you are applying for a board with age criteria such as the Juneau Commission on Aging or the Youth Activities Board, please include your D.O.B. in the field below.

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female



Date of Birth

Acknowledgement/Certification

In order to submit this application, please read and agree to the following statement:

I understand that this is a volunteer position appointed by the City and Borough of Juneau Assembly and requires regular attendance at meetings. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media. I agree that if I am appointed to serve on a board or commission, I will follow all the laws, procedures, and practices associated with the service of a CBJ boardmember. I certify that the information in this application is true and accurate.

☒ I Agree

**2021 Annual Report
Board of Equalization
City & Borough of Juneau, Alaska**

The Board of Equalization (BOE), a nine member quasi-judicial board, sitting in panels of four, hear appeals brought before the BOE by an appellant for relief from an alleged error in valuation on properties. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation, the panel may alter an assessment of property only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record, an appeal shall be remanded to the assessor for reconsideration. The BOE conducts a hearing pursuant to an appeal filed by the owner of the property as to the particular property.

In 2021, BOE Members were (with terms):

David Epstein (2012-2023)
Barbara Sheinberg (2016-2021)
Emily Haynes (2019-2021) (reapplied for 2nd term)
Gary Sonnenberg (2021-2023)
Kenny Solomon-Gross (2018-2022)
Emil Mackey (2019-2021)
Raymond 'Thor' Williams (2021-2023)
Barbara Mecum (2021-2022) (resigned 5/2022)
James Collman (2021) (resigned 11/2021)

With the closing of 2021 appeals and many years of service on the board, Barbara Sheinberg has stepped down now that her term has ended; Emil Mackey has also stepped down with the end of his term. The Clerk's Office is actively advertising for those vacant seats to help alleviate the strain on other board members to fill the panels for 2022 hearing appeals.

This year saw an unprecedented amount of appeals and appeal hearings via zoom webinar. The BOE began meeting on July 14, 2021 with a training by the State Assessor's Office and Assistant City Attorney Adam Gottschalk as well as a walk-through from the City Assessor of the assessment process performed by their office showing how they determined the assessments. The BOE finished hearing the last appeal on April 26, 2022 completing one (1) training meeting and 21 appeal hearings between the months of July 2021 – April 2022 and reviewing one (1) late-file appeal and 104 commercial and residential appeals.

Many of the hearing packets were quite large (600-1000 page packets/ over 50MB). In accordance with the CBJ records retention schedule full BOE packets, transcripts (utilizing zoom transcript feature & Glacier Stenographic Reporters Inc.) and audio/video recordings of the hearings are available through the Municipal Clerk's Office.

Following is a breakdown of each hearing noting the presiding officer, panelists and alternate. Agendas for each hearing as well as the signed final determination notices are included in the May 12, 2022 BOE Meeting packet. Noted in parentheses are withdrawn appeals and remanded back to the Assessor's Office appeals.

Thursday, July 29, 2021

BOE Panelists: Kenny Solomon-Gross (Presiding Officer), Emily Haynes, Gary Sonnenberg and Barbara Mecum (alternate)

One (1) late file appeal: parcel 1C0701010032

Three (3) residential appeals: 2021-0218, 2021-0285, 2021-0364

Wednesday, September 8, 2021

BOE Panelists: Emil Mackey (Presiding Officer), Emily Haynes, Gary Sonnenberg and David Epstein (alternate)

One (1) commercial appeal: Robbins-Hattrup Partnership

Tuesday, September 14, 2021

BOE Panelists: Kenny Solomon-Gross (Presiding Officer), Thor Williams, Barbara Sheinberg and Gary Sonnenberg (alternate)

One (1) commercial appeal: RH Rentals LLC

Wednesday, October 20, 2021

BOE Panelists: David Epstein (Presiding Officer), Emil Mackey, Emily Haynes and Gary Sonnenberg (alternate)

Three (3) commercial appeal: 2021-0217, 2021-0206, 2021-0467

Tuesday, October 21, 2021

BOE Panelists: David Epstein (Presiding Officer), Thor Williams, Emily Haynes, and Barbara Mecum (alternate)

Five (5) commercial appeals: Coogan Alaska LLC

Thursday, October 28, 2021

BOE Panelists: David Epstein (Presiding Officer), Gary Sonnenberg, Emily Haynes and Thor Williams (alternate)

Twenty-six (26) commercial appeals: Ken Williamson

Tuesday, November 2, 2021

BOE Panelists: David Epstein (Presiding Officer), Kenny Solomon-Gross, Gary Sonnenberg and James Coleman (alternate)

Eleven (11) commercial appeals: Terry & Patricia Hickok (2), Hospitality Group LLC (1), D&M Rentals LLC (8)

Thursday, November 4, 2021

BOE Panelists: David Epstein (Presiding Officer), Thor Williams, Emil Mackey and Gary Sonnenberg (alternate)

Nine (9) commercial appeals: Grant Rentals LLC (1), Franklin Street Properties (6), Grant Plaza LLC (2)

Tuesday, November 9, 2021

BOE Panelists: David Epstein (Presiding Officer), Gary Sonnenberg, Barbara Sheinberg and Thor Williams (alternate)

Six (6) commercial appeals: Grant Properties LLC (2), Midway Business Center LLC (2), Jeffrey Grant (1), Gastineau Mobile Home Park Inc. (1)

Wednesday, November 10, 2021

BOE Panelists: Emil Mackey (Presiding Officer), Thor Williams, Gary Sonnenberg and David Epstein (alternate)

Six (6) commercial appeals: Senate Properties (1), Goldstein Improvement Company (5)

Thursday, November 18, 2021

BOE Panelists: David Epstein (Presiding Officer), Barbara Sheinberg, Thor Williams and Emily Haynes (alternate)

Sixteen (16) commercial appeals: PDC Holdings LLC (1), JLC Properties (3), Bicknell Inc. (12)(withdrew appeals)

Tuesday, November 30, 2021

BOE Panelists: David Epstein (Presiding Officer), Gary Sonnenberg, Kenny Solomon-Gross and Emily Haynes (alternate)

Six (6) commercial appeals: James & Jo Ann Sidney (6)

Thursday, December 2, 2021

BOE Panelists: Kenny Solomon-Gross (Presiding Officer), Gary Sonnenberg, Emily Haynes and Emil Mackey (alternate)

Five (5) commercial appeals: A&D Bergmann Alaska Community Property (1)(remanded back to Assessors), James & Jo Ann Sidney (4)(one Sidney appeal remanded back to Assessors)

Thursday, January 13, 2022

BOE Panelists: Barbara Sheinberg (Presiding Officer), Thor Williams, Emily Haynes and David Epstein (alternate)

One (1) commercial appeal: Alaska Seafood Co. Inc.

Wednesday, January 19, 2022

BOE Panelists: David Epstein (Presiding Officer), Emil Mackey, Barbara Sheinberg and Thor Williams (alternate)

Six (6) commercial appeals: Gold Creek Properties LLC (2), Krusty Krab Inc. (1), 8525 Holdings LLC (3)

Tuesday, January 25, 2022

BOE Panelists: David Epstein (Presiding Officer), Thor Williams, Gary Sonnenberg and Emily Haynes (alternate)

Three (3) commercial appeals: A&D Bergmann Alaska Community Property (1), DJG Development (1), West Glacier Development (1)

Wednesday, February 9, 2022

BOE Panelists: David Epstein (Presiding Officer), Emil Mackey, Emily Haynes and Gary Sonnenberg (alternate)

Four (4) commercial appeals: Duran Construction Company LLC (1)(withdrew appeal), Akiyama Family Rentals LLC (1), Pacific Investment Group LLC (2)

Tuesday, February 15, 2022

BOE Panelists: Emily Haynes (Presiding Officer), Emil Mackey, Kenny Solomon-Gross and Gary Sonnenberg (alternate)

Six (6) commercial appeals: Bobcat of Juneau LLC (1), Swope Building LLC (1)(remanded back to Assessors), Franklin Dock Enterprises LLC (4)(remanded back to Assessors)

Tuesday, March 1, 2022

BOE Panelists: David Epstein (Presiding Officer), Kenny Solomon-Gross, Thor Williams and Emil Mackey (alternate)

Five (5) commercial appeals: K-Plaza LLC (1)(remanded back to Assessors), Rocovich LLC (1), Alaska Seafood Holding Inc. (3)

Thursday, March 10, 2022

BOE Panelists: Barbara Sheinberg (Presiding Officer), Kenny Solomon-Gross, Thor Williams and Emily Haynes (alternate)

Four (4) commercial appeals: Swope Building LLC (1), Franklin Dock Enterprises LLC (3)

Tuesday, April 26, 2022

BOE Panelists: David Epstein (Presiding Officer), Emily Haynes, Barbara Sheinberg and Gary Sonnenberg (alternate)

One (1) commercial appeal: K-Plaza LLC

Per CBJC 15.05.185(d) below is a summary breakdown of the 2021 assessment year.

- Number of cases appealed: 350
- Number of cases scheduled to be heard by the board: 119
- Number of cases actually heard: 105 (14 withdrew prior to hearing)
- Percentage of cases where an error of valuation was determined to exist: ~2% (2 of 105)
- Number of cases remanded to the assessor for reconsideration: 8
- The number of cases resulting in the board altering a property assessment: 15
- Net change to taxable property caused by board action: - \$2,360,818

Staff to the Board of Equalization for 2021 Appeal Hearings: Assistant City Attorney Adam Gottschalk, Administrative Assistant II Caitlin O'Meally (deputized clerk for BOE Hearings), Deputy Municipal Clerk Di Cathcart and Municipal Clerk Beth McEwen.

Respectfully submitted,

David B. Epstein
Chair, Board of Equalization
City and Borough of Juneau

Presented by: The Manager
Introduced: 12/19/2005
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2005-51(c)(am)

An Ordinance Creating a New Board of Equalization Panel.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough code.

Section 2. Amendment of Section. CBJ 15.05.010 Definitions, is amended as follows:

15.05.010 Definitions.

The following words, terms and phrases when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assessor means the duly appointed City and Borough assessor or his or her authorized representative.

Landed-cost means actual cost to the taxpayer, including costs of shipping and transporting to taxpayers place of business.

Mobile home means house trailers, trailers, trailer coaches, and similar property, designed and equipped for human habitation and capable of being drawn by a motor vehicle, used or intended to be used for residential office, or commercial purposes.

Motor vehicle means any vehicle operated by self-contained power capable of operating on a road or highway and carrying persons or property.

Property means taxable property as defined herein unless otherwise indicated.

Taxable property means all real property within the City and Borough, and all personal property which has a tax situs within the City and Borough, except that which is specifically exempted from levy of taxation by the City and Borough.

Section 3. Amendment of Section. CBJ 15.05.120 Notice of assessment and equalization hearing, is amended to read as follows:

15.05.120 Notice of assessment and equalization hearing.

(a) The assessor shall give to every person named in the assessment roll a notice of assessment, showing the assessed value of his or her property that is subject to ad valorem tax. On the back of each assessment notice shall be printed a brief summary for the information of the taxpayer of the dates when the taxes are payable, delinquent, and subject to interest and penalty, dates when the board of equalization will meet, and any other particulars as appropriate.

(b) The assessment notice shall be directed to the person named in the assessment roll, and is sufficiently given if it is mailed by first class mail, 30 days prior to the hearing, addressed to, or is delivered at, the person's address as last known to the assessor. If the address is not known to the assessor, the notice may be addressed to the person at the post office nearest to the place where the property is situated. The date on which the notice is mailed or is delivered is the date on which the notice is given for purposes of this title.

(c) When all valuation notices have been mailed, the assessor shall have published in a newspaper of general circulation published in the City and Borough, at least once each week for two successive weeks, a notice that the assessment rolls have been completed. The notice shall state when and where the equalization hearings will be held.

Section 4. New Section. CBJ 15.05.185 Board of equalization, is added to read:

15.05.185 Board of equalization.

(a) Membership; duties; term of office; term limits.

(1) Membership. The board of equalization shall comprise a pool of no less than six, and up to nine, members, not assembly members, appointed by the assembly. There shall be up to three panels established each year. Each panel hearing appeals shall consist of three members. The board chair shall assign members to a specific panel and schedule the panels for a calendar of hearing dates. The assignment of members to panels and the establishment of a hearing calendar shall be done in consultation with the individual members. Additionally, members may be asked to take the place of regular assigned panel members in the event an assigned panel member is unable to attend a scheduled meeting.

(2) Qualifications of members. Members shall be appointed on the basis of their general business expertise and their knowledge or experience with quasi-judicial proceedings. General business expertise may include, but is not limited to, real and personal property appraisal, the real estate market, the personal property market, and other similar fields.

(3) **Duties.** The board, acting in panels, shall only hear appeals for relief from an alleged error in valuation on properties brought before the board by an appellant. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation the panel may alter an assessment of property only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record the case shall be remanded to the assessor for reconsideration. A hearing by the board may be conducted only pursuant to an appeal filed by the owner of the property as to the particular property.

(4) **Term of office.** Terms of office shall be for three years and shall be staggered so that approximately one-third of the terms shall expire each year.

(5) **Term limits.** No member of the board of equalization who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly human resources committee.

(b) **Chair.** The board annually shall elect a member to serve as its chair. The chair shall coordinate all board activities with the assessor including assignment of panel members, scheduling of meetings, and other such board activities.

(c) **Presiding officer.** Each panel shall elect its own presiding officer to act as the chair for the panel and shall exercise such control over meetings as to ensure the fair and orderly resolution of appeals. In the absence of the elected presiding officer the panel shall appoint a temporary presiding officer at the beginning of a regular meeting. The presiding officer shall make rulings on the admissibility of evidence and shall conduct the proceedings of the panel in conformity with this chapter and with other applicable federal, state and municipal law.

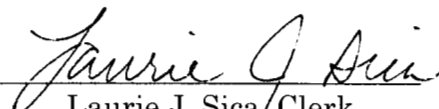
(d) **Report to the assembly.** The board, through its chair, shall submit an independent report to the assembly each year by September 15 identifying, at a minimum, the number of cases appealed, the number of cases scheduled to be heard by the board, the number of cases actually heard, the percentage of cases where an error of valuation was determined to exist, the number of cases remanded to the assessor for reconsideration, the number of cases resulting in the board altering a property assessment, and the net change to taxable property caused by board action. The report shall also include any comments and recommendations the board wishes to offer concerning changes to property assessment and appeals processes.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 30th day of January, 2006.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk



City and Borough of Juneau, AK
Board of Equalization

Board Roster



Emily Haynes

1st Term Jun 24, 2019 - Dec 31, 2021

Position Voting Member

Category Public

Dais Seat 8



Kenneth L Solomon-gross

2nd Term Jan 01, 2020 - Dec 31, 2022

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 5



David B Epstein

4th Term May 24, 2021 - Dec 31, 2023

Appointing Authority Assembly

Position Voting Member

Office/Role Chair

Category Public

Dais Seat 1



Raymond T Williams

1st Term May 24, 2021 - Dec 31, 2023

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 2



Gary L Sonnenberg

1st Term May 24, 2021 - Dec 31, 2023

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 3



Vacancy immediately - December 31, 2022

Position Voting Member

Category Public

Dais Seat 7



Vacancy immediately - December 31, 2022

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 4



Vacancy immediately - December 31, 2024

Position Voting Member

Category Public

Dais Seat 6



Vacancy immediately - December 31, 2024

Appointing Authority Assembly

Position Voting Member

Category Public

Dais Seat 9

Application Form

Profile

NOTE: PLEASE BE AWARE THAT ALL INFORMATION YOU PROVIDE ON THIS FORM AND ATTACHMENTS ARE OPEN TO PUBLIC REVIEW AND DISCLOSURE PURSUANT TO THE ALASKA PUBLIC RECORDS ACT.

[When completing the application, please put your "**MAILING**" address in the first address block labeled "**HOME.**" The optional secondary address field is for your "**RESIDENCE**" address.]

Emily

First Name

Haynes

Middle Initial

Last Name

Email Address

Home Address

City

Primary Phone

Alternate Phone

Suite or Apt

State

Postal Code

State of Alaska - DOT&PF

Employer

NEPA Program Manager

Job Title

Residence Address if different from your Mailing "Home" Address listed above

Residence Address Line 2

Residence City

Juneau

Residence State

AK

Residence Postal Code

99801

Comments

Secondary Email Address (if any)

Which Boards would you like to apply for?

Board of Equalization: Submitted

Wetlands Review Board: Submitted

Are you applying for reappointment to this board?☒ Yes ☐ No**If you are applying for more than one board, how many total boards are you willing to serve on?**☒ 3**Special Needs - please list any special needs below such as need for sign language interpreter, etc...**

n/a

Interests & Experiences

Please tell us about yourself and why you want to serve. [*Contact the Clerk's Office at 586-5278 or city.clerk@juneau.org if you wish to submit a resume or CV*]

Please explain, with specificity, your reasons for applying to serve on this particular board.

Board of Equalization: I have enjoyed serving on the BOE for the past two years in an active role on this quasi-judicial board. My experience and skills in understanding the Board's legal requirements, Juneau and State assessment standards and practices, and property valuation and research in the Juneau area will continue to provide CBJ and the property owner's of Juneau with sound decision making and fair treatment. Wetland Review Board: I have served on the WRB for the past two years. While this board has been inactive since the pandemic started, I eagerly await an opportunity to once again provide helpful input for Planning Commission decisions. I have a background in wetland delineations, functional assessments, and fish and wildlife habitat evaluations.

Please select the type of board seat for which you are applying *☒ General Public Seat**Please list any organizations for which you currently serve as a board member, officer, or employee.**

Employee with the State of Alaska, Department of Transportation & Public Facilities Secretary -
 ASEA/Local 52 DOT Special Issues Committee Member - CBJ Wetland Review Board Member - CBJ
 Board of Equalization Member - CBJ Parks and Recreation Advisory Commission

Employment/Volunteer History: Please list any previous work or volunteer experience you have serving on a board.

Previous Secretary for the Juneau Chapter of the ASEA/AFSCME Local 52

Education/Training: Please list both formal and informal education & training experiences:

Training: Public Involvement and Virtual Public Involvement Environmental Justice and Civil Rights
Transportation Planning and Programming Highway Traffic Noise NEPA Section 4f ANILCA Section 106
USACE Wetland Delineation & Alaska Regional Supplement AK-CESCL Traffic Control Supervisor
Appraisal and Relocation Under the Uniform Act Essentials for the Right of Way Program Management
and Negotiations Access Management, Location, and Design Residential Relocation Assistance
Intermediate GIS Alaska Land Manager Law Enforcement NIMS/Incident Command System Writing for
the Workplace

Licenses/Certifications etc... Please list any professional licenses, certifications, or registrations that may be considered a qualifying criteria for the board to which you are applying.

n/a

Demographics

The following *optional* information is requested so appointments to boards and commissions reflect the diversity of individuals within the community. If you are applying for a board with age criteria such as the Juneau Commission on Aging or the Youth Activities Board, please include your D.O.B. in the field below.

Ethnicity

None Selected

Gender

None Selected



Date of Birth

Acknowledgement/Certification

In order to submit this application, please read and agree to the following statement:

I understand that this is a volunteer position appointed by the City and Borough of Juneau Assembly and requires regular attendance at meetings. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media. I agree that if I am appointed to serve on a board or commission, I will follow all the laws, procedures, and practices associated with the service of a CBJ boardmember. I certify that the information in this application is true and accurate.

☒ I Agree



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

March 30, 2022

Juneau, City and Borough

ViaEmail: beth.mcewen@juneau.org; city.clerk@juneau.org; di.cathcart@juneau.org

Re: Notice of 2022/2023 Liquor License Renewal Application

License Type:	Beverage Dispensary	License	4349
Licensee:	Fishbone LLC		
Doing Business As:	Rockwell		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

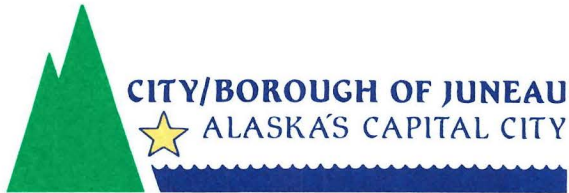
To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



OFFICE OF THE MUNICIPAL CLERK

Ph: (907)586-5278 Fax: (907)586-4552

e-mail: city.clerk@juneau.org

April 29, 2022

Via certified & regular mail

NYT Inc/Fishbone LLC d/b/a Rockwell

Attn.: Deborah Percy & Erik Emert

3980 N. Douglas Hwy.

Juneau, AK 99801

Debpercy907@gmail.com

erikemert@hotmail.com

Re: Beverage Dispensary 2022-2023 Liquor License Renewal Protest

NYT Inc/Fishbone LLC d/b/a Rockwell License #4349

Dear Ms. Percy and Mr. Emert,

City and Borough of Juneau is in receipt of notice of your 2022/2023 liquor license renewal from the Alcoholic Beverage Control Board for local governing body action by the CBJ Assembly.

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development Departments has reviewed your establishment to ensure compliance with city code. **The Finance Department is recommending the Assembly protest this license renewal due to the following past due balances as of April 29, 2022 along with any penalties, interest and legal fees that may be accruing on these accounts until balances are paid:**

2020 & 2021 Property Tax (account: NYT Inc. 1C070K810100) for \$21,155.28

2018 - 2021 Property Tax (account: Fishbone Rentals LLC 1C070A130030) for \$39,820.78

MB (account#0030305) for \$318.00

Utilities (account #00000916) for \$2,077.89

CBJ Code 20.25.025(b) provides you with the right to an informal hearing before the Assembly to address this issue. **This matter will be considered at the Monday, May 16, 2022 Assembly Human Resources Committee (HRC) meeting at 6:00pm in the Assembly Chambers & via zoom webinar** and the HRC will then forward a recommendation to the Assembly. **The Assembly will take up the action regarding the protest at its regular meeting on Monday, May 16, 2022 at 7:00pm in the Assembly Chambers & via zoom webinar.** You have the opportunity to participate in an informal hearing before the HRC and the Assembly during these meetings if you wish to do so. If you plan to attend the meeting via zoom, please notify the Clerk's Office at the above email or phone number so we can be sure to move you over to panelist mode on the zoom platform.

Enclosed for your reference are copies of the CBJ Code and Alaska Statutes pertaining to the protest process. In the meantime, I urge you to work with CBJ Collections staff to ensure all outstanding balances are resolved prior to this appearing before the HRC and Assembly on May 16, 2022. If the

balance due is paid prior to those meetings, protest will be removed and noted as such at the meetings.
Contact Finance Collections staff at 586-5215 x4908.

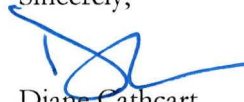
To participate in the HRC meeting via zoom on May 16, 2022 use the following participation information:

<https://juneau.zoom.us/j/95241164899> or call: 1-253-215-8782 Webinar ID: 952 4116 4899

To participate in the Assembly meeting via zoom on May 16, 2022 use the following participation information:

<https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar ID: 915 1542 4903

Sincerely,



Diane Cathcart
Deputy Municipal Clerk

Enclosures

cc via email: Assembly & Liquor License Staff Reviewers

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of [AS 04.11.510](#) (b)(3) requesting a public hearing within 30 days of the posting of notice required under [AS 04.11.310](#) , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under [AS 04.11.510](#) (b)(3) when it considers the application, and the record of a hearing conducted under [AS 04.11.510](#) (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under [AS 04.11.510](#) (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under [AS 44.62.360](#) and conduct proceedings to resolve the matter as described under [AS 04.11.510](#) (c).

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
 - (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;
 - (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:

- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
- (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
- (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
- (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
- (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or
 - (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.

(c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.

(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.