

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
DRAFT Meeting Minutes – June 13, 2022

MEETING NO. 2022-13: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom Webinar and called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

Assemblymember Greg Smith led the Assembly in the flag salute.

II. LAND ACKNOWLEDGMENT

Assemblymember Christine Woll provided the following land acknowledgment: 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 a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

III. ROLL CALL

Assemblymembers Present: Mayor Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, ‘Wáahlaal Gíidaak, Greg Smith, Carole Triem, Alicia Hughes-Skandijs, Christine Woll, Wade Bryson

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Assistant City Attorney Sherri Layne, Finance Director Jeff Rogers, Port Director Carl Uchtyl, Engineering/Public Works Director Katie Koester

IV. SPECIAL ORDER OF BUSINESS

A. Proclamation Juneau Pride Month (see Res. 2988 under Consent Agenda)

Mayor Weldon read a proclamation to honor June as Juneau Pride Month and presented it to members of SEAGLA (Southeast Alaska LGBTQ+ Association).

B. Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform.

V. APPROVAL OF MINUTES

A. January 10, 2022 Special Assembly Meeting #2022-01 DRAFT Minutes

C. May 4, 2022 Special Assembly Meeting #2022-11 DRAFT Minutes

MOTION by Ms. Hale to approve the minutes of the Jan 10, 2022 Special Assembly meetings, with

corrections, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

MOTION by Ms. Woll to approve the minutes of the May 4, 2022 Special Assembly meetings, with corrections, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Kirby Day, a Juneau resident, provided an update on the Tourism Best Management Program. He said that through the month of May, the hotline has received 37 calls from 29 different callers. He said that for comparison purposes, in the 2019 tourist season, they had received 24 calls during the same period. He said this year's calls are a mix between issues related to vehicles and parking, whale watching or wake caused by boats, emissions, aircraft noise, and the sight of large screen TVs. He said they have gotten the ships to turn those TVs off completely now while in port. He said that the additional calls are not a surprise since we have gone through two years without tourism. TBMP and CBJ has reached out to the community to encourage use of the hotline and he thinks that is part of why they are seeing a higher call rate. The concerns are typically addressed within 3-4 after receiving a hotline call. He said the only challenge there is that the administrator is also an EMT so she may be called away for EMT service. He said the other concerns they've seen is due to the low staffing of the crossing guards and other tourism employers following the worker shortage nationwide. He said that TBMP will continue to address community concerns.

Ms. Gladziszewski asked Mr. Day to provide the hotline number. Mr. Day said the hotline number is 907-586-6774 and the email is hotline@traveljuneau.com and they are encouraging reports via email as it is easier to forward those to the operators.

Mr. Smith asked Mr. Day if he could share any information he had on how full the ships may be that are coming into port. Mr. Day said that he doesn't have all the data but it does vary from 40% capacity to 90% capacity for those numbers that he is aware of. He said there is a lot of fluidity with COVID protocols/requirements and his guess is that they may end up around 1 million overall visitors by the end of the summer but that is truly just a guess at this point.

Mayor Weldon thanked Mr. Day for his testimony and called for a brief at ease to ascertain the topic(s) of those who have signed up to testify.

Upon coming back from the Mayor's recess, there were technical difficulties causing the sound from those wishing to testify via Zoom to be inaudible by those in the Assembly Chambers. Mayor Weldon determined that since those on Zoom could still hear what was happening in the Chambers, she would continue with the meeting.

Ms. Kim Metcalfe, who had signed up in advance to testify via Zoom, indicated that she will try to testify at a future meeting since the technical difficulties prevented her from speaking at this time.

Mr. Albert Shaw, a Juneau resident and former City Council member, was present in the Assembly Chambers testified about the Eaglecrest Gondola. He said he was in favor of gondola but that the problem was that while it is right idea, it is being proposed for the wrong mountain. He said that in December 1958 they discussed the Eaglecrest plan and they not only had one but two mountains to develop. He said that where gondola needs to go is Mt. Troy. He said the Assembly needs to stop and ask the critical question: “Is it in the right place?”

Assemblymember Hale thanked Mr. Shaw for his testimony and asked if he has spoken with Mr. Scanlan and the Eaglecrest Board about this. Mr. Shaw answered that he has not spoken with them and had been out of the country and just now found out about the proposed location but that he would be more than happy to discuss this issue with them.

Assemblymember Smith asked Mr. Shaw to explain why he felt the gondola should it be on Mt. Troy as opposed to the proposed alignment? Mr. Shaw said that the area they want to place it is already being served by the Black Bear chair. He said that he has a long list of things for why it should be on Mt. Troy and he’d be more than happy to meet with Mr. Smith to explain it all.

Mayor Weldon noted that while there were some others who had initially signed up to testify, they have since crossed their names off the list. She again apologized to those via Zoom for the inability to have testimony via Zoom.

VIII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes.

None.

C. Assembly Action

MOTION by Ms. Gladziszewski to approve the Consent Agenda with removal of Resolution 2989 and asked for unanimous consent. *Hearing no objections, the Consent Agenda, as amended, was adopted by unanimous consent.*

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

a. Ordinance 2021-36 An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.

In 2017, the Assembly established an interim Alternative Development Overlay District for downtown Juneau. Since then, the Community Development Department and the Planning Commission have worked on drafting permanent regulations. This ordinance would establish the permanent regulations for downtown residential properties, which would modify existing lot size, lot width, vegetative cover, structure heights, and setbacks. These proposed regulations would create options for residential development that are more consistent with the current neighborhoods.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Lands, Housing, and Economic Development Committee.

b. Ordinance 2022-28 An Ordinance Authorizing the Manager to Lease Office Space at the Juneau Police Department Headquarters to the U.S. Drug Enforcement Administration.

Juneau, like other communities, uses multiple approaches to help people avoid abusing illicit drugs. One of the approaches is partnering with other law enforcement agencies to decrease the transportation and distribution of illicit drugs into Southeast Alaska. The federal government is interested in expanding the partnerships with the Juneau Police Department by assigning two U.S. Drug Enforcement Administration officers to work out of the JPD Headquarters. This ordinance would allow JPD to lease the necessary space.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

c. Ordinance 2022-06(b)(A) An Ordinance Appropriating \$333,402 to the Manager for a Grant to Aiding Women in Abuse and Rape Emergencies (AWARE) for Construction of a Retaining Wall; Grant Funding Provided by the Alaska Department of Commerce, Community and Economic Development.

This ordinance would appropriate \$333,402 in grant funding to Aiding Women in Abuse and Rape Emergencies (AWARE) to construct a retaining wall to protect the existing emergency shelter supporting low to moderate income individuals, especially domestic violence survivors. This funding is awarded through the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community, and Economic Development. Funds will be passed through the CBJ to AWARE, who will be responsible for construction and project management. CBJ will provide in-kind match for administrative costs that are already appropriated in the FY23 budget.

The Assembly Human Resources Committee reviewed five proposals for the CDBG grant during the September 13, 2021 meeting and recommended the Assembly support the AWARE application.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

2. Resolutions

a. Resolution 2987 A Resolution Supporting the Operational Needs of the Alaska Department of Fish and Game at the Downtown NOAA Dock.

The Alaska Congressional delegation, led by Senator Sullivan, is proposing legislation for NOAA to convey federal property near the bridge to CBJ at fair market value. Docks & Harbors has long viewed this facility as integral to contiguously link the Juneau waterfront from the bridge to the AJ Dock. Although many steps are still required, that legislation would initiate a process of transferring federal property to local municipal control. Docks & Harbors has produced planning documents that could repurpose this area to support small cruise ship infrastructure and to encourage the federal government to homeport future NOAA vessels to Juneau.

The existing 2.4 acre federal facility also contains an ADFG warehouse building, which supports the ADFG R/V MEDEIA. This 110 foot vessel moors in Harris Harbor on US Fish & Wildlife floats. In 2004, ADFG and NOAA established a 30-year use agreement which allows ADFG access to the warehouse and the NOAA Dock. This resolution would signal the CBJ's intent to ensure the ADFG operational need will be honored should a property conveyance occur.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2988 A Resolution Proclaiming June as JUNEAU PRIDE MONTH 2022 and Encouraging the People of Juneau to Celebrate the Diversity of Our Community.

This resolution would recognize June 2022 as Juneau Pride Month and encourage the community to join in celebrating Alaska's diversity. Juneau Pride Month is sponsored each year by Southeast Alaska Gay and Lesbian Alliance, the organization that provides social and support services to the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community in Juneau and Southeast Alaska. Juneau Pride Month celebrates the diversity of Juneau, and of the LGBTQ community's tremendous contributions to our community, state, nation, and world. Juneau Pride Month will be celebrated by inviting the entire Juneau community to participate in a week of cultural events, beginning Saturday June 17 and highlighted by the annual Pride Picnic, held at Sandy Beach on Sunday, June 26 from 12:00 p.m. to 4:00 p.m..

The City Manager recommends the Assembly adopt this resolution.

c. Resolution 2989 A Resolution Encouraging the Prompt and Full Closure and Cleanup of the Tulsequah Chief Mine and Urging the B.C. Government to Oppose any Extension of the Receivership Process.

The Tulsequah Chief Mine is located approximately 10 miles from the Alaska border and upstream from the Taku River. The Tulsequah Chief Mine closed in 1957 and acid rock drainage has been leaching since. The Taku River is usually Southeast Alaska's largest overall salmon producer, with Southeast's

largest run of coho and king salmon. The Taku River basin is of tremendous and unique ecological, customary and traditional use, cultural, commercial and recreational fisheries value. As a community with substantial cultural, economic, and recreational connections to the vitality of the Taku River basin, this resolution would join the City & Borough of Juneau Assembly into calling for the prompt closure and cleanup of the Tulsequah Chief Mine.

The Mayor and the Deputy Mayor requested that this resolution be placed on the agenda.

The City Manager recommends the Assembly adopt this resolution.

This resolution was removed from the consent agenda at the request of Deputy Mayor Maria Gladziszewski.

3. Bid Award

a. Bid Award: Marine Park Deckover, BE21-203

This project would deckover the location of the removed Marine Park lightering float. It would demolish a portion of the existing Alaska Steamship Wharf dock, drive piles and install a new wooden ADA ramp on the seawalk. It would install a section of concrete deck, new lawn space, install an electrical capstan winch on dolphin #1 and handrails along with other related work. The proposed reconfiguration of the Marine Park Deckover results from modifications necessary to safely accommodate ADA access on the seawalk and improve access to Marine Park as well as providing necessary safety improvements to dolphin #1 for cruise ship moorage.

Funding for this project is part of the Waterfront Seawalk Fund CIP H51-113.

Bids were opened on June 8, 2022. One responsive bid was received. The bid protest period expires at 4:30 p.m. on June 15, 2022.

Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Trucano Construction Co., Inc.	\$2,504,284.00
<i>Engineer's Estimate</i>	<i>\$1,800,000.00</i>

The Docks and Harbors Board recommended this bid award at a special public meeting held on June 8, 2022.

The City Manager recommends award of this project to Trucano Construction Company, Inc. in the total bid amount, for a total award of \$2,504,284.00.

b. RFB 23-007 Term Contract for Processing and Disposal of Abandoned Vehicles

This is a term contract for processing and disposal of abandoned vehicles. Bids on this project were opened on June 1, 2022. The following bids were received:

BIDDER	TOTAL BID
Channel Construction, Inc.	\$146,150.00

The City Manager recommends award of this project to Channel Construction, Inc. on the basis of having the lowest responsive and responsible bid price in the amount of \$146,150.00 based on total bid.

c. Bid Award: Harris Street Reconstruction, BE22-195

This project includes reconstruction of Harris Street and Seventh Street from the intersection of Harris and Fourth Street to the intersection of Seventh and Gold Street. Bids on this project were opened on May 18, 2022. The bid protest period expired on May 23, 2022. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Coogan Construction Co.	\$1,727,081.00
Admiralty Construction, Inc.	\$1,771,715.00
North40 Construction Corp.	\$1,816,645.00
<i>Engineer's Estimate</i>	<i>\$1,686,615.00</i>

The City Manager recommends award of this project to Coogan Construction Co. for the total amount bid of \$1,727,081.00.

4. Liquor Licenses

a. 13 Liquor License Renewals

These liquor license actions are before the Assembly to either protest or waive its right to protest the license actions.

Liquor License Renewals

License Type: Beverage Dispensary, License #673

Licensee: Juneau's Waterfront Restaurants LLC d/b/a Pier 49 Seafood Station

Location: 406 S. Franklin St. Suite Retail B & Adjoining Pier, Juneau

License Type: Beverage Dispensary, License #4842

Licensee: Up The Creek, Inc., d/b/a Twisted Fish Company

Location: 550 S. Franklin St., Juneau

License Type: Restaurant/Eating Place, License #1416

Licensee: Taku Glacier Lodge Inc., d/b/a Taku Glacier Flightseeing/Salmon Bake

Location: Taku Valley Lot 75, Juneau

License Type: Beverage Dispensary, License #4788

Licensee: Tailwind Inc., d/b/a Roma Bistro

Location: #2 Marine Way, Suite 106, Juneau

License Type: Beverage Dispensary, License #3755

Licensee: Tailwind Inc., d/b/a Hangar on the Wharf
Location: #2 Marine Way, Juneau

License Type: Beverage Dispensary, License #4797
Licensee: Tailwind Inc., d/b/a Hangar on the Wharf Ballroom
Location: #2 Marine Way Suite 105, Juneau

License Type: Beverage Dispensary-Tourism, License #5649
Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions (outside security @ JIA)
Location: 1873 Shell Simmons Dr. Suite 220, Juneau

License Type: Beverage Dispensary-Tourism, License #5631
Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions (inside security @ JIA)
Location: 1873 Shell Simmons Dr. Suite 220, Juneau

License Type: Package Store, License #2066
Licensee: Fred Meyer Stores Inc., d/b/a Fred Meyer #158
Location: 8181 Glacier Hwy., Juneau

License Type: Restaurant/Eating Place, License #3733
Licensee: Catapult Inc., d/b/a Flight Deck
Location: 2 Marine Way, Suite 128, Juneau

License Type: Distillery, License #5905
Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.
Location: 5429 Shaune Dr., Juneau

License Type: Distillery, License #5901
Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.
Location: 5366 Commercial Blvd., Juneau

License Type: Brewery, License #2534
Licensee: Alaskan Brewing LLC, d/b/a Alaskan Brewing Co.
Location: 5429 Shaune Dr., Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development Departments have reviewed the above licenses and recommended the Assembly waive its right to protest the renewal applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals.

IX. PUBLIC HEARING

A. Ordinance 2021-08(b)(am)(AG) An Ordinance Appropriating \$1,500,000 to the Manager for the Information Technology Infrastructure Upgrades Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$1,500,000 of general funds for information technology needs at CBJ, including cyber security and system modernization upgrades that do not fit in the traditional operating budget framework.

The Assembly Finance Committee reviewed this request at the March 12, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the April 11, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the April 5, 2022 meeting and forwarded it to the full Assembly for public hearing. The Assembly held public hearing on this ordinance on April 25, 2022, and moved to postpone a decision on this ordinance until June 13, 2022.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2021-08(b)(am)(AG) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

B. Ordinance 2021-08(b)(am)(AJ) An Ordinance Appropriating \$6,300,000 to the Manager for the New City Hall Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$6,300,000 of general funds as initial funding for the New City Hall capital improvement project. Although the Assembly has not made final decisions on replacing or renovating the current city hall, appropriating these funds now will ensure funding is available to move the project forward once final decisions have been made. This project is ranked #4 on CBJ's FY23 Legislative Priority List.

Appropriating these funds now will also give the Assembly more flexibility in its decision-making on the 1% sales tax project list, potentially freeing up capacity for other worthy expenditures. In accordance with direction from the June 6 Committee of the Whole, an ordinance placing a general obligation debt question on the fall ballot to fund the New City Hall project will be introduced at the regularly scheduled Assembly meeting on July 11, 2022. This appropriation would also reduce the cost of that proposed debt issuance.

The Assembly Finance Committee reviewed this request at the March 12, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the April 11, 2022 meeting. The Systemic

Racism Review Committee reviewed this request at the April 5, 2022 meeting and forwarded it to the full Assembly for public hearing. The Assembly held public hearing on this ordinance on April 25, 2022, and moved to postpone a decision on this ordinance until June 13, 2022.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2021-08(b)(am)(AJ) and asked for unanimous consent.

Objection was noted by Assemblymember Smith for purposes of a question. He asked Manager Watt about the timelines involved with this ordinance given that the Assembly has not made final decisions on how to proceed about putting a question on the ballot or if there needs to be an answer on this before the coming months prior to the election.

Mr. Watt explained that the Assembly needs to know the answer on appropriating this before the Assembly could move forward on placing a question on the ballot. That would help them know the appropriate amount to go on the ballot. He said that the voters would have to approve that if it did go to the ballot. If the Assembly did not put a question on the ballot or the voters did not approve a ballot question, this funding would be available for use in renovations of the current City Hall.

Mr. Smith said that did answer his questions but he will continue to maintain his objection as his main concerns have to do with timing as it relates to other ballot topics as well as the uncertainties with the Governor's decisions related to past school bond debt reimbursements and concerns with the amounts in reserve.

Deputy Mayor Gladziszewski also noted her objection and is also concerned about the planned reserved as well as the potential vetoes by the governor.

Mr. Bryson spoke in favor of the passage of this ordinance and all the reasons to build a new city hall and encouraged other members to also vote in favor of this ordinance. Mayor Weldon also spoke in support of passing the ordinance.

Roll Call Vote on Adoption of Ordinance 2021-08(b)(am)(AJ)

Yeas: Bryson, Hale, Hughes-Skandijs, Triem, Woll, 'Wáahlaal Gíidaak, and Weldon

Nays: Smith, Gladziszewski

Motion passed 7:2

C. Ordinance 2022-06(b) An Ordinance Appropriating Funds from the Treasury for FY23 City and Borough Operations.

This ordinance appropriates \$439,606,200 in expenditure authority for the City and Borough of Juneau's FY23 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$426,388,500 of forecast revenue and transfers-in and decreases fund balances, across all funds, by \$13,217,700. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures.

The original ordinance was introduced at the April 4, 2022 Regular Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at the Regular Assembly meeting on April 25, 2022. The AFC referred the amended budget ordinance to the full Assembly for adoption at the May 18, 2022 meeting. The Charter requires adoption of the FY23 operating budget by June 15.

The Systemic Racism Review Committee reviewed this request during April and May.

The City Manager recommends the Assembly adopt this ordinance, as amended by the Assembly Finance Committee.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-06(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

Mayor Weldon said that the Assembly did what they said they would be doing when they met at the Assembly retreat. They instructed the Manager to increase the budget somewhat to take some pressure off. She noted they were left with a healthy fund balance by previous Assemblies and this Assembly decided to spend down some of that fund balance and they have done that and tried to be careful with their expenditures. She said that while she understands that those expenditures weren't favored by all the public but they did what they set out to do with respect to their Assembly goals. She commented that now that they have spent some of those reserves, they do need to be careful and prudent on spending going forward. She shared the following quote from a former Assemblymember, "We can not spend and not tax, we can spend and tax, but we can't spend and not tax." She said they can now look forward to some more excitement next year.

D. Ordinance 2022-08(b) An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2022 Based Upon the Proposed Budget for Fiscal Year 2023.

This ordinance will establish the mill rates for property taxes for 2022, which funds a significant portion of the City and Borough of Juneau's FY23 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY23 Proposed Budget as amended by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies. For FY23, the AFC recommends no change in mill rate from the FY22 Adopted Budget, resulting in a total mill levy of 10.56 mills, the components of which are:

Operating Mill Rate by Service Area	Millage	Change from FY22 Adopted
Roaded Service Area	2.45	-0-
Fire Service Area	0.31	-0-
Areawide	6.60	-0-
Operating Total	9.36	-0-
 Debt Service	 1.20	 -0-
Total	10.56	

An opportunity for public comment was provided at a Regular Assembly meeting on April 25, 2022. The AFC reviewed the mill rate ordinance at its meetings on April 6 and May 18, 2022, referring the amended ordinance to the full Assembly for adoption.

The Systemic Racism Review Committee reviewed this request during April and May and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance as amended by the Assembly Finance Committee.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2022-08(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

E. Resolution 2975(b) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2023 through 2028, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2023.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2023 through 2028, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY23.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 7, 2022 meeting and forwarded the plan to the Assembly. The Planning Commission reviewed the preliminary CIP at its April 12, 2022 meeting. The Systemic Racism Review Committee reviewed this request during April and May.

The CIP resolution was introduced at the April 4, 2022 Regular Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at the Regular Assembly meeting on April 25, 2022. The AFC referred the amended resolution to the full Assembly for adoption at the May 18, 2022 meeting. The Charter requires adoption of the FY23 CIP by June 15.

The City Manager recommends the Assembly adopt this resolution, as amended by the Assembly Finance Committee.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Resolution 2975(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

F. Ordinance 2022-24 An Ordinance Amending the Elections Code for the City and Borough of Juneau Municipal Elections.

This ordinance would amend the election code (1) by aligning code with procedures and practices necessary to conduct an election using our new ballot processing center, and (2) by clarifying language of election procedures. The Assembly Committee of the Whole reviewed this ordinance on May 2, 2022. Given discussion at that meeting, there are proposed amendments included in the packet.

The Systemic Racism Review Committee reviewed this request on May 17, 2022.

The City Manager recommends the Assembly consider the amendments and then adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2022-24 as amended by the amendments on pages 99 and 100 and also to make a correction on page 100 of the packet on line 42 where it says “qualified voters” to read “qualified voter” and asked for unanimous consent.

Ms. Woll objected for purposes of a question. On packet page 100, line 52, it states “all petition booklets and copies of booklets must be surrendered to the Election Official within 60 days of issuance.” She said that she went back and checked the amendments as it was introduced at the last meeting and this sentence was followed by “for destruction.” and she was curious if that was removed intentionally or if that was a mistake.

Mr. Palmer said that was an intentional removal of the language to make it clear that what is clear is that the books are returned to the Clerk and that the Clerk would destroy them in the time required by the CBJ records retention schedule and not for immediate destruction. The records retention schedule currently provides for that information to be retained for five years.

Mr. Smith said that they had heard concerns and asked if staff could speak to the concerns about the names and information on the petition being used for retaliation purposes if they are turned into the Clerk. Mr. Palmer said that the fundamental starting point is that this Assembly body of nine members passes legislation regularly and that the public has the right, through the initiative process, to also bring legislation forward for consideration. He noted that when legislation is initiated by a petitioners committee, that petitioners committee basically stands in place of the Assembly. He said that functionally, when those petition books are provided to the petitioners committee to be taken around for signing, those are public records that belong to the city and are open for public inspection. When those records get returned to the city, whether they have a sufficient number of signatures or not, they are turned into the Clerk’s office and the Clerk’s office holds onto those records for a five year period and then they get destroyed. If someone wants to file a request for public records to obtain the information from those books, the bulk of that information is disclosable to the public. There is some information that voters submit that is redacted because it is considered confidential.

Additional discussion took place with Mr. Smith asking how this compares with the process used by the State Division of Elections. Mr. Palmer said he couldn’t speak to how the Division of Elections process is handled but he did note that there is state law specific to non-home rule municipalities that requires that all petition books shall be returned and filed with the Clerk. He said that our Charter is ambivalent specifically on the filing part. This amendment would remedy that and make it consistent with state law as it applies to non-home rule municipalities. Mr. Smith and Mr. Palmer then addressed the fact that this leads to the fact that the public has, through the petition process, the power to enact legislation but it also has great responsibility associated with that process.

Ms. Woll said that her questions had to also do about some of the same concerns raised regarding the security of the information contained in the booklets. She noted that when this was initially discussed, the proposed language was an attempt at keeping the information more secure and said that maybe they are more secure in our hands but that because it is subject to public records requests, it may be more open. She asked for those petitions that may not have been successful in obtaining the requisite number of signatures, what the reason is to have those books returned to the city. Ms. McEwen explained that when a voter signs a petition book, they are required to provide one of the following personal identifiers: the last four digits of their social security number SSN, their Voter ID number, their year of birth, or their driver’s license number. She explained that if/when a public records request may be received for

the petition books, those identifiers would be redacted from the records before being provided to the requestor. Ms. McEwen noted that by having the books in our custody, we can control the release of that confidential information whereas we cannot do that if the booklets are not filed with the Clerk. Ms. Woll thanked the Clerk for that explanation and said that cleared up her confusion and concerns.

Ms. Hale said that she was originally concerned about these same concerns and she was originally going to offer an amendment. She said she has given this a lot of thought and had a lot of conversations about it and what this boils down to is that the right to petition the government comes with responsibilities. She said that just as someone who wishes to testify on a matter before the Assembly, they are required to identify themselves and do it publicly. So too, if someone is petitioning the government, that means that they are offering themselves and their names to petition the government. She said that she too places a lot of value on the concern about people's privacy but that responsibility of the citizenry take precedence in this case.

Ms. Gladziszewski said that it is her understanding that people who are petitioning are going to be making copies of the booklets and that would mean that the confidential information may still be out there if only the originals are filed with the Clerk. Ms. McEwen pointed to the language in the amendment on packet page 100, lines 50-51 which states that "all petition booklets and copies of booklets must be surrendered to the Election official..." and was included to address that concern specifically.

Mayor Weldon asked if there were any remaining or additional objections Ms. Hale's motion for adoption with the amendments as noted from packet page 99 and 100. Mr. Smith pointed to page 99 line 12 and that the word "a" should be inserted between the word "at" and "time" so that line 12 read: "...election day and closed at **a** time designated for the close of the polls on..." Mayor Weldon asked Ms. Hale to include that change to her amendment as well which she did.

Hearing no objection, Ordinance 2022-24 was adopted as amended.

G. Ordinance 2021-08(b)(am)(AS) An Ordinance Appropriating \$2,300,000 to the Manager for the Hospital CT/MRI Replacement Capital Improvement Project; Funding Provided by Hospital Funds.

This ordinance would appropriate \$2,300,000 of hospital funds for the replacement and installation of one MRI and two CT scanners at Bartlett Regional Hospital. The existing apparatus has reached end of useful life and upgrades to the HVAC, electrical, and magnetic shielding are required for installation of the new equipment.

The Public Works and Facilities Committee reviewed this request at the May 2, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the May 17, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2021-08(b)(am)(AS) and asked for unanimous consent.

Hearing no objection, the motion passed.

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

A. Hardship and Senior Citizen/Disabled Veteran Late-Filed Real Property Tax Exemption Applications

There are two property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

Assembly Action

MOTION by Ms. Gladziszewski that the Assembly has considered the two applications from Mr. Larry Hooton and William T. Kramer and for the Assessor to accept these applications for consideration and asked for unanimous consent. *Hearing no objection, the motion passed.*

B. LEED Exemption Request for Bartlett Regional Hospital Emergency Department Addition

Mr. Watt noted that this request is for a LEED exemption request. He noted that the packet had three memos in the packets, one from CBJ Architect Jeanne Rynne, one from the Juneau Commission on Sustainability Chair Gretchen Kaiser, and one from Engineering/Public Works Director Katie Koester, all recommending the Assembly grant a LEED exemption request for the Bartlett Regional Hospital Emergency Department addition project.

MOTION by Ms. Gladziszewski for the Assembly to exempt the BRH Emergency Department Addition project from the LEED certification requirements because it is a non-separated portion of the hospital and therefore not eligible for LEED certification. *Hearing no objection, that motion passed.*

XII. STAFF REPORTS

None.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon wished everyone Happy Pride Month. She said that she saw many Assemblymembers at Celebration and that 'Wáahlaal Gíidaak had the best seat in the house during the toddler regalia review. Mayor Weldon said that she also attended the symphony on Saturday night with the "Night at the Oscars." She said that the Assembly has seen many emails and she has been working on an ordinance she will be bringing forward with a proposed bond package for Adair-Kennedy for possibly \$5 million towards a Turf Field and to resurface the track.

B. Committee Reports

Committee of the Whole (COW) Chair Gladziszewski reported that the COW met on June 6 at which they discussed many items including short term rentals and housing action plan updates and the 1% Sales Tax project proposals and the new City Hall. She said the next meeting is scheduled for June 27.

Assembly Finance Committee (AFC) Chair Triem reported that the Assembly passed the results of their months of budget discussions earlier during this meeting. Ms. Triem said that although she has said numerous times that they would not be having a July AFC meeting, she has changed that decision and they will be holding an AFC meeting on July 6 to discuss all things housing that are finance related.

Lands, Housing and Economic Development Committee (LHEDC) Chair Hale reported that they met on June 6. They received a first quarter tourism update from Ms. Alix Pierce and she is doing a great job. Ms. Hale reported that the Travel Juneau MOA (memorandum of agreement) was approved by the committee with some minor changes. Staff is moving forward with signing that MOA. She said that CBJ's internal gravel pricing will be going up by about double. This is for capital projects that CBJ does.

Public Works & Facilities Committee (AFC) Chair Bryson reported that their committee met on June 6 and discussed the BRH LEED Exemption request and alternative procurement for BRH. He said they received an update on a circulator study. They also received an update from Jim Denton from Alaska Waste to let them know that there will be more odor coming because they will be drilling more wells into the dump, likely in July, but that is to help release some of those built up methane gases so it may be stinkier for a while.

Human Resources Committee (HRC) Chair Hughes-Skandijs reported that the regular HRC meeting scheduled for 6/13 was cancelled since the Full Assembly sitting as the HRC will be meeting on Tuesday, 6/14 and Wednesday, 6/15 to interview applicants for the Airport Board, BRH Board, Planning Commission, and Eaglecrest Boards. Both meetings will be held virtually via Zoom starting at 5:30p.m.

C. Liaison Reports, Assembly Comments and Questions

Ms. Gladziszewski said she had no report.

Mr. Smith said that there was no meeting of the Juneau Housing and Homelessness group since the last meeting, their next meeting is scheduled for Thursday, 6/16. He said that due to personal reasons, he

was not able to attend the Eaglecrest Board meeting earlier in June and there has not been a UAS Community Council Meeting. He said that, like the Mayor, he also attended Celebration which was a great event. He saw the grand opening of the Sealaska Heritage Institute Arts Campus where the Mayor gave a great speech. He attended the Trail Mix open house and he dropped in at the Filipino Consul General Fly In. He wished a Happy Father's Day to all dads and those who serve in the place of dads. He also wished everyone a Happy Juneteenth.

Ms. Woll reported that Docks & Harbors met since the last Assembly meeting and spent the bulk of their time discussing the proposed 1% sales tax projects which they sent the Assembly a letter about. They discussed the proposed federal legislation that would potentially convey the NOAA property near the bridge to CBJ. She reported that the Systemic Racism Review Committee met on the Tuesday following the last Assembly meeting and reviewed the legislation that was on this agenda under Public Hearing. She said the SRRC also discussed several ordinances that did not make it on tonight's Assembly agenda and they had a lively discussion about how to possibly replace revenues if sales tax was exempted from food sales. Similar to the Assembly, they were unable to get five votes to send any recommendations on to the Assembly but it was an interesting conversation, nonetheless.

Ms. Hale reported that the Chamber of Commerce Board met on June 8 and talked about a lot of things and she reported that with respect to the Iron Man coming to Juneau, all athletes have housing at this point. She said that recent Chamber meetings included a legislative wrap up by Senator Kiehl, and that Admiralty Environmental gave a report on cruise ship discharges. She also stated that the BRH Board is finalizing candidates for the CEO position and there will soon be meet and greets for those applicants.

‘Wáahlaal Gíidaak reported that she did get to Celebration over the last few days and it has been a whirlwind of family and activities which has been wonderful. She said that she hasn't been to a recent school board meeting due to many other things happening in her life this past spring including getting married, and then getting COVID. She reported that the School Board will be meeting again tomorrow and one of their agenda items is to rename Riverbend Elementary School to Ka̋digoowu Héen. She said they will also be talking about the regalia wearing at graduation during tomorrow's meeting as well.

Ms. Triem reported that the Aquatics Board has not met since the last regular Assembly meeting but they are working on scheduling an open house for candidates for the Manager's Position and to look out for invitations to that open house. She said that JCOS will be having a staff liaison change and it is shifting staffing duties from the CDD Department to Engineering/Public Works instead and she gave a big thanks to Beth McKibben who has been serving as the staff support to JCOS for many years. Ms. Triem noted that she attended Celebration as much as she could and she gave a huge thank you to staff at SHI and everyone who volunteered to help bring that about.

Ms. Hughes-Skandijs attended a PRAC meeting on June 7 where they discussed the proposed disc golf course at Treadwell Historic Park. She said there was a lot of public engagement at the meeting both pro and against with people testifying to the PRAC. In the end, the PRAC approved the Disc Golf course at least for this summer. She also reported that at the Planning Commission meeting, they heard the appeal from the Glory Hall and decided to remand the case back to the CDD Director. She said the Planning

Commission made another interesting finding regarding the definition of density but that will be something that may eventually come back to the Assembly with larger implications.

Ms. Hughes-Skandijs also reported that she attending the Juneau Commission on Aging (JCOA) meeting. They found out that they did not get the AARP grant for senior playground. They also had a lively discussion on Airbnb's, tiny homes, and the JCOA is ready to fix the world if they are allowed to. She wished everyone Happy Pride Month and thanked all those who were involved in putting on Celebration.

Mr. Bryson reported that the Airport Board met on June 9 at which time they said farewell to Deputy Manager Scott Rinkenberger who will be moving out of Juneau. He said the airport will hold its annual emergency simulation drill on July 23. He also noted that the special insurance policy premiums have doubled over last year. Mr. Bryson said that the baggage belt that carries the luggage from the back of the luggage area out to the plane area is ancient and they are having a difficult time but it will be more than 1 year out before it will be resolved.

Mr. Bryson reported that the LEPC met and also discussed the airport drill scheduled for July 23. The testing and vaccines will be ending on June 15. He said that yesterday, he rowed river rafts for Alaska Travel Adventures down the river for three boatloads of tourists and it was quite exciting.

‘Wáahlaal Gíidaak said that she forgot to add that each year at Celebration, they designate a different community to lead Celebration. This year, they have chosen a group from Whitehorse to lead the next Celebration and she thought it might be a good idea, if Sister Cities Committee can help coordinate it, to reach out and partner with Whitehorse to bring over a good contingency of delegates.

Ms. Gladziszewski asked for an update on the status of the referendum petition process. Mayor Weldon said she saw the Clerks working through the weekend on that task and she asked Ms. McEwen to report on that status. Ms. McEwen said they have been doing signature review and it will likely be close to see whether or not the petitions have a sufficient number of signatures. If they do not have a sufficient number of signatures, additional booklets can be printed up and they would have an additional 10 days to go out and collect signatures from registered voters who had not yet had their signatures approved.

D. Presiding Officer Reports

None.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. EXECUTIVE SESSION

A. Collective Bargaining Update

MOTION by Ms. Triem for the Assembly to recess into Executive Session, to discuss matters which may impact the finances of the City and Borough, specifically for the purposes of discussing collective bargaining, and asked for unanimous consent.

Ms. Woll disclosed that she has a conflict of interest as it relates to the IAFF union and she will recuse herself from all discussion which specifically addresses that union's negotiations.

Hearing no objection, the motion to go into Executive Session passed by unanimous consent

The Assembly recessed into Executive Session at 8:39p.m. and then reconvened the meeting at 10:17p.m. following Executive Session.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 10:18 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor