

ASSEMBLY REORGANIZATION MEETING 2022-24 DRAFT MINUTES

October 24, 2022 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



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

A. CALL TO ORDER

Meeting No. 2022-24: The Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 7:00p.m.

B. FLAG SALUTE

Mr. Greg Smith led the meeting in the flag salute.

C. LAND ACKNOWLEDGEMENT

Ms. Gladziszewski 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 peoples 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!*

D. ROLL CALL

Assemblymembers Present: Maria Gladziszewski, Greg Smith, Christine Woll, 'Wáahlaal Gíidaak (via Zoom), Carole Triem, Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs and Mayor Beth Weldon.

Assemblymembers Absent: *None.*

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Eaglecrest Manager Dave Scanlan, Finance Director Jeff Rogers, Harbormaster Matthew Creswell

D. SPECIAL ORDER OF BUSINESS

City Attorney Robert Palmer performed the swearing in ceremony of Assemblymembers Carole Triem, Greg Smith, and Wade Bryson.

1. Assembly Reorganization - Election of Deputy Mayor

MOTION by Mr. Bryson to nominate Maria Gladziszewski to the position of Deputy Mayor and asked for unanimous consent. **Hearing no objection, Maria Gladziszewski was elected as Deputy Mayor for the 2022-2023 Assembly term.**

Mayor Weldon proceeded to invite Assemblymembers to select their seats at the dais based on seniority order.

Mayor Weldon distributed copies of the committee/liaison appointment lists to the Assembly for consideration and copies were made available to those in the Assembly Chambers.

MOTION by Ms. Gladziszewski to adopt the 2022-2023 Assembly Committee and Liaison appointments as distributed. **Hearing no objection, the motion passed.**

2. Introduction of Exchange Students

Mr. Dune Rothman with American Field Service (AFS) thanked the Assembly for recognizing the exchange students who are with us in Juneau this year in the AFS and Rotary exchange programs. He also recognized and thanked the host families who are hosting these students during their time in Juneau. Each of the following

students were recognized and the Mayor asked them to share where they were from and what surprised them the most so far about Juneau.

Wasiq Malek, from Kashmir, India, shared that he was the most surprised by how early it gets dark in Juneau.

Ana Scopel, from Brazil, shared that she likes and did not expect the bears and the glacier and she is looking forward to the snow when it comes.

Helena Schilling, from Hamburg, Germany, said that she is excited for the snow and watching it coming down the mountainside.

Goce Dimitriev, from North Macedonia, said it is a pleasure to be with the Assembly tonight and he said the nature and beauty is amazing in Juneau.

3. Instruction for Public Participation

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

E. MANAGER'S REQUEST FOR AGENDA CHANGES – *Mr. Watt requested removal of item H.8. Ordinance 2022-57 An Ordinance Temporarily Amending the Planning Commission Meeting Schedule from the Consent Agenda. Hearing no objection, that agenda change was approved.*

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual.)

Albert Shaw, a Juneau resident, urged the Assembly and Administration to draft an ordinance ASAP to start the process to buy out structures that are located in landslide and avalanche hazard areas and he would gladly work with the Administration on this issue. He said that the Gastineau slide was a wake-up call and the next slide could be in 15 minutes or in 15 years. He spoke to the history of mudslides in our town and recounted the mudslide that took lives in an event that took mud from the Mt. Roberts mountainside all the way to the former Cold Storage building (in the Egan Drive location of the current CBJ Downtown Library). He said that predicting slides is an art and not a science.

G. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Mayor Weldon noted that there was a request from a member of the audience to speak to Resolution 3004 so they would remove that item from the Consent Agenda.

Assembly Request for Consent Agenda Changes

Mayor Weldon stated that she needed to recuse herself from voting on Item 12 Bid RFB# DH23-010 as her son worked for Dawson during the summer so when she is voting on the Consent Agenda, she will be voting on all the items remaining on the Consent Agenda with the exception of that item.

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda as amended with the **removal of items 8 and 11** and asked for unanimous consent. **Hearing no objection, the Consent Agenda was approved as amended.**

H. Ordinances for Introduction

4. Ordinance 2022-06(b)(U) An Ordinance Appropriating \$500,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

Docks and Harbors has been awarded a \$2 million matching harbor facility grant from the Alaska Department of Transportation (ADOT), restricted solely to project construction. This ordinance would appropriate \$500,000 of Harbors fund balance to the Aurora Harbor Improvements CIP, increasing the total project balance sufficiently to leverage the full value of the ADOT 50/50 matching grant while ensuring adequate funds are available to award the project bid, estimated to exceed \$4 million. This project was #13 on CBJ's FY23 Legislative Priority List.

The Docks and Harbors Board approved this request at the September 29, 2022 meeting.

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

5. Ordinance 2022-39 An Ordinance Amending Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals.

The Docks & Harbors Board has considered and recommends changes to 85.25.090. The intent is to allow pedestrians, without boat ownership, to walk dogs on CBJ harbor floats, which is currently prohibited. Additionally, there is administrative language addressing the curbing of domestic animals on harbor floats. The proposed changes have been included as publicly noticed agenda items and discussed at Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18th, June 22nd, June 30th, July 20th, and July 28th. The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25th. The Special Board meeting and intent to propose changes to 85.25.090 was noticed via Juneau EMPIRE, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes.

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

6. Ordinance 2022-43 An Ordinance Amending Boat Harbor Regulations Relating to Vessel Identification.

The Docks & Harbors Board has considered and recommends changes to CBJC 85.25.020. The intent of this change is to require all vessels in the CBJ harbors to display name or other state or federal identification.

The proposed change has been included in publicly noticed agenda items and discussed at the Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18th, June 22nd, June 30th, July 20th, and July 28th.

The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25th. The Special Board meeting and intent to propose changes to CBJC 85.25.090 was noticed via the Juneau Empire, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes.

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

7. Ordinance 2022-56 An Ordinance Amending the Land Use Code Regarding Alternative Residential Subdivision Requirements.

The Assembly created the Alternative Residential Subdivision standards in 2019. (Ord. 2018-41(c)). The purpose of the Alternative Residential Subdivision is to create flexibility in the regulation and use of land to promote and encourage different types of housing options. CBJC 49.15.900. A property owner is currently seeking approval from the Planning Commission for 440 units of housing using the Alternative Residential Subdivision code. However, during the application review, staff and the Planning Commission identified a code inconsistency with

the definition of unit-lot. This ordinance would amend the unit-lot definition to be consistent with the other Alternative Residential Subdivision standards.

This ordinance has not been reviewed by the Planning Commission.

Because the Planning Commission is currently considering an Alternative Residential Subdivision application on November 8, the City Manager recommends the Assembly introduce this ordinance and set it for public hearing at a Special Assembly meeting on November 7, 2022, just before the Committee of the Whole meeting.

8. Ordinance 2022-57 An Ordinance Temporarily Amending the Planning Commission Meeting Schedule.

CBJ Code (49.10.130(a)) requires the Planning Commission to hold a regular meeting twice a month. The Community Development Department is experiencing staff shortages and is exploring options to manage public meetings with current staff. This ordinance would temporarily reduce the number of Planning Commission meetings from twice a month to once a month. A temporary reduction from two to one Planning Commission meetings a month would provide time for new staff to be hired and trained.

This ordinance has not been reviewed by the Planning Commission.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Committee of the Whole.

[Item 8, Ordinance 2022-57, was removed from the Consent Agenda at the request of City Manager Rorie Watt.]

I. Resolutions

9. Resolution 2993 A Resolution Amending the Accessory Apartment Grant Incentive Program Criteria Regarding Short Term Rentals.

This resolution would amend the Accessory Apartment Grant Incentive Program to prohibit short-term rental use of apartments funded by this grant program. The Assembly Lands Housing and Economic Development Committee discussed this topic on August 30, 2021. The Assembly Committee of the Whole recommended the Assembly adopt this resolution at its meeting on September 26, 2022.

The City Manager recommends the Assembly adopt this resolution.

10. Resolution 3002 A Resolution Expressing Support for the United States Department of Justice, Office of Justice Program, FY22 Edward Byrne Memorial Justice Assistance Grant (JAG).

The Juneau Police Department has been awarded \$37,362 in grant funding from the U.S. Department of Justice for training and equipment. This grant will provide funding for select staff to attend the Alaska Conference on Child Maltreatment and International Association of Chiefs of Police Technology Conference. Equipment funding provides for patrol vehicle vaults, explosive ordnance disposal hook and line kit, and uniform inventory software.

No local match is required for this grant.

The City Manager recommends the Assembly adopt Resolution 3002.

11. Resolution 3004 A Resolution Encouraging Federal Agencies in Juneau to Coordinate Collection of Biometric Information for Foreign National Employees and Refugee Families.

Refugee families, like from Ukraine, and foreign national employees, like in the seafood industry, are required to submit biometric information (picture and fingerprints). Currently, they have to travel from Juneau to either Anchorage or Seattle, which creates financial burdens for them, their employers, and local nonprofits. However, the Juneau office of U.S. Customs and Border Protections has the ability to collect the biometric information. This resolution encourages the two federal agencies to coordinate, which will decrease fiscal hardships to Ukraine refugee families, seafood industry employers and employees, and local nonprofits.

The City Manager recommends the Assembly adopt Resolution 3004.

[Item 11, Resolution 3004, was removed from the Consent Agenda at the request of a member of the public.]

J. Bid Awards

12. Bid RFB # DH23-010 Statter Harbor Phase IIIC - Restrooms and Covered Shelter

The work will construct a restroom building with an attached covered waiting area in support of facilities for the passenger-for-hire floats at Don D. Statter Harbor. The building will be partially heated for year-round use and will include both interior and exterior lights and security cameras.

Funding for this project was provided from general funds and appropriated under Serial No. 2021-08(b)(am)(O).

Bids were opened on this project on October 21, 2022. The bid protest period expired at 4:30 p.m. on October 24, 2022. Results of the bid opening are as follows:

Dawson Construction	\$1,578,494.00
Island Contractors	\$1,618,680.00
Carver Construction	\$1,769,923.71
Blazy Construction	\$1,985,000.00
Architect's Estimate	\$1.9 - \$2.0 M

The Docks and Harbors Board recommended awarding this bid to Dawson Construction at a Special Board meeting held on October 21, 2022.

The City Manager recommends award of this project to Dawson Construction in the total bid amount, for a total award of \$1,578.494.00.

K. Liquor/Marijuana Licenses

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

Liquor License Transfer in Ownership

License Type: Beverage Dispensary License #447

Transfer From: David McGivney

Location: No Premise

Transfer To: TCKS LLC d/b/a Tracy's King Crab Shack 2

Location: 300 Whittier St., Lot 1C Sub-Port, Juneau

Liquor License Transfer of Controlling Interest

License Type: Beverage Dispensary-Tourism License #5631

Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions

Location: 1873 Shell Simmons Drive, Suite 220 Area B (Inside Security), Juneau

License Type: Beverage Dispensary-Tourism License #5649

Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions

Location: 1873 Shell Simmons Drive, Suite 220 Area A (Outside Security), Juneau

Staff from 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 transfers.

L. PUBLIC HEARING

11. Resolution 3004 A Resolution Encouraging Federal Agencies in Juneau to Coordinate Collection of Biometric Information for Foreign National Employees and Refugee Families.

Refugee families, like from Ukraine, and foreign national employees, like in the seafood industry, are required to submit biometric information (picture and fingerprints). Currently, they have to travel from Juneau to either Anchorage or Seattle, which creates financial burdens for them, their employers, and local nonprofits. However, the Juneau office of U.S. Customs and Border Protections has the ability to collect the biometric information. This resolution encourages the two federal agencies to coordinate, which will decrease fiscal hardships to Ukraine refugee families, seafood industry employers and employees, and local nonprofits.

The City Manager recommends the Assembly adopt Resolution 3004.

[Item 11, Resolution 3004, was removed from the Consent Agenda and taken up as the first item under Public Hearing at the request of a member of the public.]

Public Comment

Rebecca Carrillo, a Mendenhall Valley resident, worked for the State of Alaska for 30 years before she retired and is now working as the Filipino Consul for Alaska. She urged the Assembly to adopt Resolution 3004. She stated that although the impetus for the resolution was stated as supporting the needs of Ukrainian refugees and seafood workers, she wanted to bring to the attention of the Assembly that Filipino and Filipino Americans who have to do their paperwork also have to have their biometrics taken. That requires flying to either San Francisco, or Anchorage or wherever in the country there is a Filipino Consulate to get their biometrics taken. They have to take leave from work and incur the various expenses associated with that travel. She said that the infrastructure to have this done in Juneau already exists at the Customs and Border Protection offices both at the dock and at the airport. She said the Filipino community in Alaska would be very appreciative if this passed.

Ms. Gladyszewski asked Ms. Carrillo if the language in the resolution is sufficient to cover the individuals she is referring to since the resolution uses the words "...to coordinate the collection of biometric information for refugees and foreign national employees in Juneau..." from Section 1 of the resolution.

Ms. Carrillo said that language would not necessarily cover all the individuals who need their biometrics taken. She gave an example of a grandmother who may have retired so is no longer a foreign national employee but is still required to renew her passport or have her biometrics taken.

Assemblymembers asked Mr. Palmer if this language might be expanded. Mr. Palmer explained that since the title includes the wording "Foreign National Employees" the Assembly could adopt this version tonight and he can bring back a second version that would expand that language to foreign nationals, and not just employees.

Additional discussion took place regarding communications received from former Mayor Bruce Botelho about who the approved resolution might be distributed to. Mayor Weldon noted that parties listed in his request along with other agencies would be used when copies of the final legislation are disseminated.

Mayor Weldon asked Mr. Palmer if he would work with Ms. Carrillo to bring back a new resolution that would cover all those individuals who are needing to have those biometrics taken.

14. Ordinance 2021-08(b)(am)(AU) An Ordinance Appropriating \$7,127,047 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2022 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$7,127,047 for the State of Alaska's FY2022 8.11% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau \$3,498,144

Bartlett Regional Hospital \$3,628,903

Funding is provided by the Alaska Department of Administration, authorized by passage of HB69 during the 2021 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

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)(AU) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

15. Ordinance 2021-08(b)(am)(AV) An Ordinance Appropriating \$28,226,000 to and Deappropriating \$2,495,600 from the Manager for the City and Borough of Juneau's Fiscal Year 2022 Operating Costs; Funding Provided by Various Sources.

This ordinance appropriates \$28,226,000 and deappropriates \$2,495,600 for the City and Borough of Juneau's FY2022 operating costs. The following departments and funds require supplemental budget authority in FY2022:

Airport: this ordinance appropriates \$383,000 of Federal CARES Act funding for required repairs and maintenance upgrades at the Airport.

Docks: \$335,000 of Docks funds provides for extraordinary costs associated with hiring seasonal part-time limited staff required to meet unfunded, new Coast Guard security regulations pertaining to dual identification verification.

Hospital: \$2,000 of supplemental authority is needed to support increased labor costs due to staffing shortages and inflationary pressure on materials and commodities; funding provided by Hospital funds.

Risk Management: this ordinance appropriates \$1,452,000 of Risk Management funds for health and property insurance claims that exceeded budget estimates.

Pandemic Response Fund: this ordinance provides budget authority to transfer federal ARPA funds for the replacement of lost State Marine Passenger Fee revenue and the Local Government Lost Revenue Relief Grant to the General Fund. This ordinance also appropriates nearly \$1 million for CBJ's FY2022 COVID-related costs, funded by FEMA revenue.

This ordinance appropriates the remaining authority of \$7,123,300 and deappropriates \$2,495,600 for housekeeping items, including aligning budget to actual transfers, the liquidation of the Waste Management and Library Minor Contribution funds, and the repayment of a refunded port bond with bond proceeds.

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)(AV) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

16. Ordinance 2022-42 An Ordinance Providing for a Property Tax Abatement Program to Incentivize the Development of Higher Density Housing.

The Housing Action Plan and Juneau Economic Development Plan identify property tax abatement as an incentive to encourage new housing development. Building on an existing provision for downtown housing, this ordinance proposes to expand tax abatement for qualifying new housing developments borough-wide. Only housing developments on a single lot that remain under common ownership would qualify. This incentive is intended to help address Juneau's shortage of adequate and affordable housing, which the Assembly identified as a high priority in its 2022 Goals. This tax abatement would sunset on October 1, 2032, which will induce a future review to determine if the program is accomplishing its aims as designed.

The Assembly Finance Committee discussed this topic at the July 7, August 3, and September 7, 2022 meetings.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Mr. Dave Hanna, a valley resident, spoke in opposition to this ordinance. Mr. Hanna said that while this sounds and looks like a good idea, passage of this ordinance would have unintended consequences including a loss of tax revenue and a disproportionate burden on other city departments. He spoke to how this would create winners and losers and when they are creating these incentives, it is punishing those who have already stepped up and made the investment and creating an unfair situation in the community.

Assemblymembers asked questions of Mr. Hanna on what he would suggest in its place to address the affordable housing crisis in Juneau. Among other suggestions, Mr. Hanna suggested the city sell more of its land for development and the creation of new subdivisions. He suggested giving short term incentives such as free permits, removing parking requirements with a five year maximum for any incentives. He also suggested that CBJ could either lessen infrastructure requirements for subdivisions and/or fund the street and utility improvements itself.

Mr. Wayne Coogan, an Auke Bay resident, said that he would echo everything that Mr. Hanna said. He said that Juneau is the largest city in North America with no road access and the freight costs have gone supernova. He suggested they may look at creating a municipally owned freight depot and operate that in the same manner as the airport is owned/operated by CBJ. When asked by Assemblymembers whether he is urging the Assembly to pass, not pass, or amend this ordinance, Mr. Coogan said the most important piece is to be informed. He suggested that they amend the period of time in the ordinance to a shorter period with a five year maximum.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-42 and asked for unanimous consent.

Objection by Ms. Gladziszewski. Ms. Gladziszewski spoke to her objection and said that she does not feel they have spoken with and/or heard from all the right people and some of her concerns were brought up by Mr. Hanna and Mr. Coogan.

AMENDMENT #1 by Ms. Gladziszewski to change line 5 on page 6 under section "(h) Duration of tax exemption" to change "**12 consecutive years**" to "**5 consecutive years**"...

Objection by Ms. Triem, Ms. Hale, Mr. Bryson, Ms. Hughes-Skandijs, Ms. Woll.

Ms. Triem said that they talked about this topic at three different Assembly Finance Committee meetings and during previous discussions when they talked about the senior assisted living and also when they discussed downtown housing. She spoke in favor of keeping it at 12 years, as nationally, that is what other communities are doing for tax abatements and it affects developer financing. She said that by shortening the time frame it will affect developers' ability to get financing up front and they would likely not see housing developed as a result.

Ms. Hughes-Skandijs spoke to her objection and echoed Ms. Triem's comments about the number of times this has been discussed. She said that when they are talking about speaking to the right people about this, they should

also be speaking to those in Juneau who cannot find housing or have said they are having to move out of Juneau for lack of affordable housing. She said that based on the math they've looked at before and the shared desire of all the Assemblymembers on moving the needle forward on housing, she suggests the 12 year period would be best.

Mr. Bryson said that 12 years seems too long for him but 5 years seems too short. He said that this is benefitting the richest person in this transaction who is the one receiving the tax abatement. While we would like to believe that someone who receives a tax abatement would rent property at a lower rate, the market rate would be the primary factor in setting the rent rate.

Ms. Hale said that she is objecting to this amendment primarily because section (h) applies to all of the tax abatements. She said that they can't amend this to five years because it would apply to senior housing and downtown multifamily high density residential as well so that would need to be changed in some way. She said that Mr. Palmer is nodding his agreement that all of those areas would be affected by this amendment. Ms. Hale said that she has been trying to get input from the development community on this ordinance and she has not been successful. She said that she values the input that they have received at this meeting. She supports the idea of the amendment to five years but maybe this can be a kick off that we need to find other ways to encourage development.

Ms. Woll said that she doesn't remember the conversation about the math and thinks that may have been just before she was elected to the Assembly. She said that she is supportive of the tool that we are using. She said that she doesn't see the harm in having more discussion on this and she would recommend they move this to a Committee of the Whole meeting.

Objection by Ms. Triem. She said they have had many meetings about this and while the Assembly likes to talk about things at length, she feels that action is warranted at this time. Barring that, she said that if it were referred back to a committee, the Finance Committee would be the more appropriate committee.

Ms. Gladziszewski withdrew Amendment #1 and said that she would support Ms. Woll's motion. Ms. Gladziszewski said that if she were to propose an amendment, she would need to consult with the City Attorney to determine the best place to make those changes to the ordinance.

MOTION by Ms. Woll to refer Ordinance 2022-42 to the Assembly Committee of the Whole or whatever committee meeting the Assembly feels was appropriate.

Objection by Ms. Hughes-Skandijs. She said that she, and encourages the rest of the Assembly to, takes into account, needing to remember to not let perfect be the enemy of good. She said that she feels that while this may not be perfect, it has had lots of due diligence performed on this and the right thing to do is to act on it tonight.

Mr. Bryson said that when looking at the initial amendment on shortening the time he is putting it in the perspective that this ordinance goes to all tax abatement issues and he wouldn't want to jeopardize those. His suggestion to the developers who see this as unfair is to please take advantage of this and build on this. He said that he would not want to stop the momentum and forward movement of trying to get more housing built in the community and he would hate to see them get tripped up on fine details.

Ms. Gladziszewski spoke to wanting to hear more from those in the housing sector and the testimony tonight from two developers are the first time any of them have come to speak to the Assembly about these issues.

Mr. Smith said that he would also like to see more information on the data and revenue impacts and he is supportive of sending this back to committee to hear more options and hear more from the development community about housing options.

Ms. Triem said that the housing market doesn't just consist of the developers -- that there are a lot of different individuals and members in the community affected by our housing issues. She is ready to move forward on this to help get this process started so housing can move forward.

Ms. Hughes-Skandijs said the Assembly should be asking themselves "Why are developers not developing land currently?" They need to figure out why they aren't developing the land they have already and they haven't been coming to the Assembly to ask for anything. She pointed out they recently had a task force consisting of Assemblymembers, developers, and members of the Planning Commission/CDD that was created for the purpose of figuring out what the developer needs where, what their sticking points were so the Assembly could help them get unstuck. She said that there was one thing that came out of the task force but if that is their waiting point, they will be waiting for a long time.

Ms. Hale pointed out that more than one thing came out of that task force.

Mayor Weldon thanked the developers who did come to testify at this meeting. She said that she is also torn about this matter but is leaning towards moving it forward. She said that if Ms. Gladziszewski wants to make tweaks to it in the future, she would be OK with that but for now, they've worked on this a lot and she is supportive of moving this forward as is at this time.

Roll call vote on the motion to refer Ordinance 2022-42 to the appropriate committee.

Yeas: Woll, Hale, Smith, Gladziszewski

Nays: Bryson, Hughes-Skandijs, Triem, 'Wáahlaal Gíidaak, Weldon

Motion failed 4 Yeas: 5 Nays

Ms. Gladziszewski asked for an at-ease to consult with the City Attorney. The meeting took a 5-minute recess.

AMENDMENT #2 by Ms. Gladziszewski to strike section (h) entirely (on page 6 of 8) and move it to the following sections:

Page 2 of 8: Section (1) Assisted living for senior citizens... add the language from (h) to the end of it to read: **Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.**

Page 2 of 8: Section (2) Downtown multifamily... add the language from (h) to the end of it to read: **Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.**

Page 3 of 8: Section (3) High-density residential... add the language from (h) to the end of it and change the 12 years to six years so that it reads: **Tax exemptions approved under this section shall be for a period of six consecutive years beginning on January 1 of the first full calendar year after final approval of the application.**

Objection by Ms. Woll, Ms. Triem, and Ms. Hughes-Skandijs. Members discussed their reasons for supporting or objecting to the motion. They also asked staff some questions about the tax abatement and how that affects the development process. Mr. Watt provided some historical context of tax abatement and the bill that was signed by Governor Walker four years ago giving local governments some tools to address the housing needs in their communities. He also shared some of the challenges that developers experience when they are trying to build housing and gauge the market conditions to determine the right time to build new projects.

Mayor Weldon said that while they heard from two developers this evening speaking out against the ordinance, they recently heard from another developer, Mr. Michael Heumann, speaking in support of the ordinance. She said that there is a 440 unit development on Glacier Hwy that is looking at using this option so by passing this amendment changing this from twelve years to six years, the Assembly would be pulling the legs out from under them.

Roll call vote on Amendment#2

Yeas: Smith, Bryson, Gladziszewski

Nays: Hughes-Skandijs, Triem, Woll, Hale, 'Wáahlaal Gíidaak, Weldon

Motion failed 3 Yeas: 6 Nays

Action on main motion to adopt Ordinance 2022-42. Hearing no objection, the main motion to adopt Ordinance 2022-42 (without amendment) passed by unanimous consent.

17. Ordinance 2022-06(b)(P) An Ordinance Appropriating \$700,000 to the Manager for a Pre-Development Loan for Gastineau Lodge Apartments, LLC; Funding Provided by the Affordable Housing Fund.

This ordinance would appropriate funding from the Affordable Housing Fund for a pre-development loan for the Gastineau Lodge Apartments project, a 72-unit apartment building in Downtown Juneau. Phased loan disbursement will mitigate CBJ's risk, and liens against the property and building materials further secure the loan. CBJ's support of this project is intended to help address Juneau's shortage of adequate and affordable housing, which the Assembly identified as a high priority in its 2022 Goals. However, slope stability along Gastineau Avenue has recently put new development in focus due to the event on September 26, 2022.

The Assembly Finance Committee reviewed this request at the August 3 and September 7, 2022 meetings. The applicant has provided the documents requested by the Assembly, which are included in the packet. Notably, Attachment A depicts the contributions of each member.

Given the policy considerations, the City Manager does not have a recommendation.

Mayor Weldon noted that Mr. Soenksen was available to answer questions if need be.

Mr. Watt proceeded to answer questions from Assemblymembers regarding the proposed project and the federal vs. CBJ funding processes. Members also asked questions of the applicant, Steve Soenksen, about Plan A vs. what Plan B would be if the federal funding options were not forthcoming. Mr. Soenksen spoke to various financing options. At the time they put the packaging together, the HUD financing was the preferred financing. He also addressed the process and timing of the project based on what types of funding they may receive.

Ms. Gladziszewski asked the Manager to address the hazard issue and how the designation on the land might affect the risk to CBJ. Mr. Watt spoke to the currently adopted maps and explained that new maps are not yet adopted and the Assembly has not yet set policy on how they wish to proceed with homes, maps, and code issues on those new maps.

Mr. Smith asked Mr. Soenksen if the recent tree fall on Gastineau Ave. has affected their ability to get insurance for this project. Mr. Soenksen said that the Gastineau Ave. tree fall hazard was due to clear cutting on mining property that is currently owned by CBJ not having had mitigation. He said that they too are concerned about the hazard and that area needs mitigation by CBJ rather than just designating it a hazard zone. He said that is one of the largest reasons they have had issues in trying to raise capital to build in the downtown area.

Ms. Triem said that the manager's report states that the September 26 Gastineau event has put this project into new focus. She asked Mr. Watt if CBJ has put any new focus of its own operations or planning or services because of the events of September 26. Mr. Watt said that one of the actions the Assembly has been asking about that staff has not been able to accomplish yet is to bring forward recommendations on how to implement the new maps and what that means. He said that he thinks they have quite a bit of work to do and this is very difficult. When they are looking at the spectrum of choices the spectrum of choices includes on one end prohibiting development and on the other side they could make no restrictions and either of those extremes would be easy choices to implement. Alternatively, they find themselves in the middle of that spectrum trying to figure out how to manage any restrictions and that is a much harder task to accomplish. He said that the event on September 26 will inform the process.

Ms. Triem said she was thinking more of day to day things that may have happened since September 26. Mr. Barr said that it is something they talk about a lot more since September 26. He said that events such as the one in September causes staff to think more and consider how best to address them at CBJ and bring those map discussions back to a future COW meeting for policy guidance from the Assembly.

Mayor Weldon asked if Mr. Soenksen's project would benefit from the tax abatement offered. He said that it would and went into more detail about the finances with his project.

Public Comment

Mr. Dave Hanna, a resident of the Mendenhall Valley, said he would not be speaking for or against this ordinance but did wish to speak to a concern that he has that this is just one of approximately 6 places in Juneau that is unsafe, not necessarily due to landslide potential, but due to the fact that it can only be accessed by one road. He said there is one road in/out of the hospital, and one way in/out of Cordova Street/Blueberry Hills area and same with Simpson and Gastineau Avenue areas. He said that CBJ should put these at the head of the list for the public utilities to make our community safer. He suggested CBJ should bring AEL&P to the table to resolve Gastineau Ave amongst others.

The Mayor commented that they are working on second access points with AEL&P and also for the Hospital and noted that there is still only one road to Douglas at this time.

Mr. Wayne Coogan, an Auke Bay resident, also spoke to access issues that were raised by Mr. Hanna and touched on by the Mayor.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2022-06(b)(P) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

M. NEW BUSINESS

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

There are four 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.

MOTION by Ms. Gladziszewski to consider these individually, accept the requests and refer them to the Assessor for review, and asked for unanimous consent. The requests for consideration are as follows:

Hardship applications: **RONALD CRENSHAW, JOHN GUCKER, and WILMA TAGABAN**, and Late File Senior & Disabled Veteran Exemption applications: **GARY TIMOTHY, and WILMA TAGABAN**. ***Hearing no objection, the motion passed by unanimous consent.***

N. STAFF REPORTS

19. October 4, 2022 CBJ Municipal Election Report to the Assembly

Ms. McEwen provided a statistical report of the October 4, 2022 CBJ Election as found in the packet on page 65. Ms. McEwen thanked all the election workers as well as the Engineering/Public Works team and contractors who assisted in bringing the Thane Ballot Processing Center (BPC) online in time for the October election. Ms. McEwen

said she would be happy to answer questions from Assemblymembers about the election process or the report in particular.

Ms. McEwen thanked the Assembly for providing the funding for the new BPC as well as providing additional operational funds to fund the new second Deputy Clerk position. She introduced Andi Hirsh who was hired as the second Deputy Clerk and who joined the team around Election Day. Mayor Weldon extended the thanks of the Assembly to all those involved with the Elections and to the Clerk staff in particular.

Ms. Woll asked about rejected ballots. She noted that there were 172 ballots that were not cured after they were sent cure letters. Ms. McEwen said that vast majority of those 172 ballots were ones that did not respond to the cure letters. She did note that there were a handful of those that responded that were subsequently rejected by the Canvass Review Board for not having met the cure requirements.

Ms. Woll then asked about the 10 ballots that were rejected as being received via USPS after election day with no postmark or no legible postmark. She asked if this is the same category as the hundreds of ballots that were rejected the previous year for the same reason. Ms. McEwen answered that is exactly the same category as those that had been received without a postmark due to the business reply mail not having any stamps and then not having them postmarked by the USPS during the 2021 election cycle. Ms. Hale commended the clerk's office with their suggestion to require a postage stamp during the 2022 election and not use the business reply mail and she was happy that the Assembly followed that advice and there were so many less ballots rejected in the 2022 election as a result of that change.

Mayor Weldon asked Ms. McEwen to explain why there are so many registered voters still on the voter rolls. Ms. McEwen explained that due to the statutory language defining voter eligibility, individuals who are registered to vote are not removed from the rolls if they move out of Alaska provided they *intend* to return to Alaska. The State of Alaska Division of Elections maintains the voter rolls and those definitions and registration process govern the voter lists for CBJ elections. Ms. McEwen also explained the voter list maintenance process that the State Division of Elections goes through to remove voters from the rolls.

Additional discussion took place regarding the status of voter rolls and how the voter registration processes and the cycles of election, Permanent Fund Dividend auto registration, and Ms. Hale explained the tour she took of the BPC and the process of checking and double checking of ballots to ensure safe, secure, and accurate elections with one ballot being counted per voter even if a replacement ballot was issued.

20. Authorization to proceed to Dawson Construction for pre-construction services for Mendenhall Wastewater Treatment Plant SCADA under existing CMAR contract

Mr. Watt noted that due to the alternative procurement method used for this project, at the time the initial contract was awarded, staff told the Assembly that they would bring back any changes to the Assembly for approval. He asked the Assembly to support Director Koester's memo to authorize spending an additional amount of \$150,000 on the SCADA project and is looking for an affirmative motion authorizing that.

Mayor Weldon noted since they are asking for action to be taken, she had to recuse herself due to a conflict of interest for the same reason as noted above under the Consent Agenda and passed the gavel to Deputy Mayor Gladziszewski.

MOTION by Ms. Triem to authorize the manager to proceed to contract with Dawson Construction for pre-construction services for Mendenhall Wastewater Treatment Plant SCADA under existing CMAR contract and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

O. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon thanked Mr. Barr for leading the city during Mr. Watt's absence and to Ms. Koester for her leadership during the Gastineau Avenue response.

Mayor Weldon noted the Assembly retreat is scheduled for December 11 and she spoke to the process on how she would like to take some deep dives into some of the Assembly goals and to provide staff with direction on the budget.

Mayor Weldon wished her son Cody Weldon a happy birthday.

Committee and Liaison Reports

Committee of the Whole Chair Gladziszewski reported that the COW has not met in a while and next meeting is November 7.

Assembly Finance Committee Chair Triem reported that the AFC has not met in a while and next meeting is November 2 and the December meeting was moved to November 30.

Lands, Housing, & Economic Development Chair Hale reported that the LHED has not met in a while and she is no longer chair so she is not sure when it will meet next.

Public Works and Facilities Committee Chair Bryson reported that the PWFC met last in September. He noted that the legislative priority list has momentum, the EV charging has funding, and Waste Management has 27 new gas collection wells in the dump.

Human Resources Committee Chair Hughes-Skandijs reported that the last HRC meeting was just prior to the last regular Assembly meeting and there was nothing to report at this time.

P. ASSEMBLY COMMENTS & QUESTIONS

Liaison Reports, Assembly Comments & Questions

Mr. Bryson said he had no report.

Ms. Hughes-Skandijs provided liaison reports about Planning Commission, Parks & Recreation Advisory Committee, and Juneau Commission on Aging activities. She also noted that she was recently appointed to a National Association of Counties Housing Task Force to represent Juneau and will be traveling in November and will bring back reports when she returns from their meetings.

Ms. Triem reported about the work of the Juneau Commission on Sustainability (JCOS) and their work with the Assembly's legislative priorities list and had questions about how the list was developed. She also attended the Juneau Chamber of Commerce Annual Dinner where it was exciting to see the Executive Director position pass from Mr. Dahl to Ms. McMillan. She attended a webinar of the Alaska Center for Climate Assessment and Policy and she urged staff and Assemblymembers to watch the recording. Ms. Triem noted the passing of UAS Professor Sol Neely and sends the condolences to his wife Mary and his daughter Neela.

‘Wáahlaal Gíidaak said that she missed the last School Board meeting and asked if Mr. Palmer would provide a brief report since he was present. Mr. Palmer said that the School Board has had some difficult meetings recently and the big news is that the school district produced their financial audit and followed it up with a Finance Committee meeting a couple of days later and the School Board has some tough conversations coming up about a budget deficit as well as contract negotiations.

‘Wáahlaal Gíidaak said that Alaska Federation of Natives (AFN) met for the first time in person since the beginning of the pandemic. They anticipated a lower attendance rate but everyone came out in force.

Ms. Woll reported on the Systemic Racism Review Committee conversations about the purpose of the committee and continuing to poke at the reality that reviewing ordinances may not be getting at the systemic racism issues

that the group may want to try to dig into. Ms. Woll encouraged them to take some time for a Worksession in advance of the Assembly retreat to put their thoughts together on where they may want to be headed as a committee.

Ms. Woll reported that Docks & Harbors met and some of what they discussed was on tonight's agenda. Ms. Woll also reported that they will be forwarding an omnibus regulations document in the near future and that they have also been asking about holding a joint meeting with the Assembly to discuss a rate study amongst other issues.

Mr. Smith reported that the Juneau Committee on Housing and Homelessness has met. He said that the warming shelter has opened and St. Vincent DePaul is going to be doing an in-person Thanksgiving meal as well as Thanksgiving food boxes. He reported that the Eaglecrest Board met and took action to raise wages generally by 7% in addition to the original 7% Eaglecrest Board increase and 7% Assembly increase which will be bringing them up to industry standards which will hopefully help in decreasing staffing shortages. He reported about attending the 2nd Crossing Public Open House in September, attending AFN as a representative of the Alaska Committee, and attending Southeast Conference.

Ms. Hale said her good byes to the Chamber of Commerce and the BRH Board now that she is no longer their liaisons. She thanked the BRH board for hiring the CEO and all their work and she apologized for the Assembly being wasted on having to deal with COVID and not being able to focus on other things. She shared with the Assembly that Dr. Lindy Jones said that the Assembly wasn't wasted on COVID, rather, they rocked COVID and how many lives were saved by their efforts.

Ms. Gladziszewski said that she took a leave of absence to travel to see the fall colors in the interim between Assembly meetings.

Presiding Officer Reports

21. Goldstein Improvement Company Tax Appeals: Request for Stay

Goldstein Improvement Company filed six appeals regarding 2022 property tax assessments. The property owner appealed the same items to superior court and to the Assembly. The Assembly accepted the appeals on August 1 and August 29, 2022, for the limited purpose of determining if the Assembly had jurisdiction, and assigned them to a hearing officer. Prior to the hearing officer starting, the parties agreed the Assembly appeals should be stayed through the end of the year while the parties await superior court decisions from the 2021 tax appeals.

The Municipal Attorney recommends the Assembly—by motion—order (1) further proceedings in the Goldstein Improvement Company appeals stayed until January 31, and (2) the parties shall meet and confer in January to propose next steps.

MOTION by Ms. Gladziszewski that the Assembly order any further proceedings in the Goldstein Improvement Company appeals be stayed until January 31, 2023 and that the parties meet in January to confer and propose next steps. ***Hearing no objection, the motion passed by unanimous consent.***

Q. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

R. EXECUTIVE SESSION

22. Discussion on Collective Bargaining.

The City Manager recommends the Assembly recess into executive session to discuss an update to collective bargaining the immediate knowledge of which would adversely affect the finances of the municipality.

Ms. Woll declared a conflict of interest due to her association with the firefighter's union and recused herself from the Executive Session.

MOTION by Ms. Triem to recess into Executive Session to discuss confidential information related to the finances of the city, specifically collective bargaining negotiations and asked for unanimous consent. ***Hearing no objection, the meeting recessed into Executive Session at 9:41p.m.***

S. SUPPLEMENTAL MATERIALS

T. ADJOURNMENT

The Assembly returned from Executive Session at 10:00p.m. and there being no further business to come before the Assembly, the Assembly meeting adjourned at 10:01p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor