

REGULAR ASSEMBLY MEETING 2024-20

DRAFT MINUTES

August 19, 2024, at 7:00 PM



Centennial Hall & Zoom Webinar

The August 19, 2024, Regular Assembly & HRC meetings were held at Centennial Hall due to maintenance issues in the City Hall Assembly Chambers. Mayor Beth Weldon called the Regular Meeting of the City and Borough of Juneau Assembly, held in the Centennial Hall and online, to order at 7:01pm.

A. FLAG SALUTE

Ms. Adkison led the Assembly in the flag salute.

B. LAND ACKNOWLEDGEMENT

Mr. Smith gave the land acknowledgement.

C. ROLL CALL

Assemblymembers present: Wade Bryson, 'Wáahlaal Gídaag, Paul Kelly, Ella Adkison, Greg Smith, Deputy Mayor Michelle Hale, Mayor Beth Weldon

Assemblymembers absent: Alicia Hughes-Skandijs

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Robert Palmer, City Clerk Beth McEwen, Meeting Clerk/Tech Kevin Allen, Assistant Attorney Emily Wright, Engineering and Public Works Director Denise Koch (and Incident Commander), Airport Manager Patty Wahto, Former City Manager Rorie Watt, and on Zoom: Parks and Recreation Director George Schaaf, Lands Manager Dan Bleidorn, Port Director Carl Uchytel, Senior Planner Irene Gallion, Environmental Project Specialist Dianna Robinson

D. SPECIAL ORDER OF BUSINESS

1. Recognition of outgoing City Attorney Robert Palmer

Mayor Weldon, Deputy Mayor Hale, and Assemblymember Bryson lead the Assembly in a great send off for Mr. Palmer and the Assemblymembers gifted him with a pellet-burning BBQ grill.

2. U.S. Coast Guard (USCG) Buoy Tender Round-up Proclamation

USCG Captain Fields was present at the meeting and was happy to have the USCG recognized.

3. Update on Mendenhall Flood Response

Manager Koester, Deputy Manager Barr, and Aaron Jacobs and Nicole Farrin with the U.S. National Weather Services (USNWS) provided information about the August 5-6 Mendenhall River Glacial Lake Outburst Flood. Manager Koester thanked and recognized the staff and multi-agency responders who helped with recovery efforts so far. Manager Koester then reported on the work of the Emergency Operation Center (EOC) and all the community and multi-level agency engagement in the response to date, including a recent request for multiple Federal, State, and local agencies to create a joint working group for mitigation purposes.

USNWS Senior Service Hydrologist Aaron Jacobs provided information on the science involved with the Glacial Lake Outburst Flood (GLOF) and the timelines and communications that USNWS put out as the August 2024 flood was unfolding. Deputy Manager Barr provided high level concepts that might be considered for GLOF prevention and mitigation.

Some of the potential mitigation strategies presented by Mr. Barr, in no priority order, included:

- Possible tunneling through Mt. Bullard to provide a drain for Suicide Basin;

- Trenching two new supplemental channels in the Mendenhall River and/or dredging or gravel removal of smaller portions of the existing river instead of creating new channels;
- Turning Mendenhall Lake into a reservoir by draining some portions of the lake via siphon or pump to regulate the water flow;
- Controlled Release/Dikes/Dredging by using the lake to regulate the level of water flow by increasing the volume of water in the lake, creating earthen dikes rising the sides of the river or dredging to make the lake deeper and control the flow of the water to the river;
- Fill Suicide Basin with rock which would include blasting some of the mountainside by the basin into the basin, thereby reducing the amount of water that the basin could hold; or
- Flood Fighting using traditional measures such as sandbags and other barriers on public and private property along the river.

Mr. Barr outlined some of the pros and cons of each of the options, including many of the unknown factors, as well as potential timelines, funding sources and challenges. Some of the key considerations included the need for multi-agency involvement, jurisdictional and permitting requirements that would need to be addressed to implement any of the above options.

Following the presentations, Mayor Weldon provided a 15-minute break during which the public in attendance were encouraged to informally ask staff questions that had not previously been answered during the presentations. Once the meeting resumed, Manager Koester and Assemblymembers then reported out some of those topics discussed with members of the public during the break. They included:

- Removal of waste from the right-of-way (ROW);
- Mitigation ideas;
- What to do with items such as pumps or fans that had been donated and how and where they can be returned;
- Communications and how CBJ communicates critical messaging;
- How critical the mental health issues are – it was great that the K9 team came but they still need to address the impacts to mental health as they go forward.

E. APPROVAL OF MINUTES

- 4. January 8, 2024, Regular Assembly Meeting 2024-01 Draft Minutes**
- 5. August 5, 2024, Special Assembly Meeting 2024-18 Draft Minutes**
- 6. August 6, 2024, Special Assembly Meeting 2024-19 Draft Minutes**

MOTION by Deputy Mayor Hale to approve the minutes of the January 8, August 5, and August 6, 2024, meetings and asked for unanimous consent. *Hearing no objections, the minutes were approved.*

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Manager Koester requested the removal of **Resolution 3070: A Resolution Deappropriating \$25,000 from the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding was Provided by Airport Revolving Funds** from the agenda.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)

Elizabeth Figus, a View Drive resident, referred to Mr. Barr's comment about flooding and said this is actually what the scientists told us would happen last year. She listened to the Assembly last year and was glad to hear that they are looking for something. She noted that the communications sent via a single text message from the National Weather Service at 7:30pm the night of the flooding was inexcusable and said if they don't do something more meaningful there will be human deaths in the future. She recommended meetings take place weekly of the joint group and that the Assembly can address this issue with changes by 2026. She spoke about the various

mitigation measures that were discussed tonight and suggested that CBJ should be hiring at least one additional staff member to address the flood response.

Mike Stanley, a N. Douglas Hwy resident, spoke about the North Douglas Second Crossing Committee. He sent a letter on August 8 about the PEL Study. He noted that the DOWL contractor is suggesting they fully eliminate the Salmon Creek location as one of the options for the second crossing. He said that is a big mistake and that Salmon Creek should remain an option. He said a lot of the project was happening behind closed doors and suggested they ask the staff to find out why and what they are doing in the Assembly's name. He suggested the Salmon Creek alternative should remain in the NEPA process. He thinks there was something going on behind the scenes, which included the Airport issue. He was looking forward to seeing what DOWL has to say.

Dave Hanna, a Back Loop resident, asked that they immediately throw out all the GLOF mitigation options that involved Suicide Basin, as there were other basins up in the Mendenhall Glacier/Ice field area. He said there were only a few ideas that could improve things, including smoothing out the river channel, a levy system where they would have flood control on the Mendenhall River, or a dike in the Dredge Lake area to increase storage capacity. He suggested that two thirds of the water that came out last time could have been controlled by that type of solution. He noted that the flood control work could be done this winter if they could get the federal government to waive the NEPA process and they could break the levy system up into four projects. Mr. Bryson said that the Mendenhall Glacier was a federal resource and it would take an act of Congress to waive the NEPA study requirements. Mr. Hanna suggested that Congress could waive the NEPA requirement and that the trail around lake could be built by putting in the levy.

Sam Hatch, a Meander Way resident, said he was pleading for the Assembly to take immediate action to get answers on this. He suggested the possibility that CBJ could rezone all of this to be a flood zone to allow residents to be able to get flood insurance. He said that without CBJ setting building codes that would enable homes to survive this, residents did not have access to the federal programs and the standards that would allow them to endure this. He said that Juneau was looking at the eventual destruction of all affected neighborhoods which was not acceptable to anyone. He said the Assembly had the power to declare this area flood zone, have the plans in place and have evacuation plans for future responses. He asked them to imagine if this had happened later in the year during freezing temperatures and the loss of life that may have occurred. He suggested the federal government should be responsible and to push as hard as possible to get action.

Malachi Thorington, a View Drive resident, said that this time last year the Assembly had asked for investigative measures to start and he said virtually nothing has been done at the city, state, or federal levels since last year. He said if people were flooded out in the rest of Valley area, the likelihood that they will have homes to go to before this winter are very slim. He said the construction industry in Juneau was not able to keep up with the demand after last year's floods and this year's numbers of impacted homes were ten-fold. He said that we do not have housing for any out-of-town contractors to come in to help repair and build so residents could get back in their homes. He spoke to some of the expenditures by CBJ over the past year which included a \$3M grant for the West Douglas Road and \$10M loan from Goldbelt for the gondola at Eaglecrest, and commented that CBJ seemed to have money for those things but not to address the threats that were real to the people of our community. He said that there were 300 homes affected this year and if nothing was done before the next flood, it could easily turn into 3,000 homes if the river goes up a few more feet.

Jason Gordon Jr., a Lemon Creek resident, spoke about communications and the organizations that have been working together on this issue. He spoke to the various agencies that have been working at Melvin Park including United Way, Salvation Army, and Team Rubicon. He said that he would also like to see Tlingit & Haida (T&H) be included in those group efforts. Deputy Mayor Hale asked about and thanked Mr. Gordon for his involvement in the clean-up. Mr. Gordon Jr. said he was part of the clean-up crews. He said he would like to see the city do more about housing. He said he currently worked with the tribe down at the ANB Hall and they house the National Guard. He thanked all those with the Red Cross and other volunteers who had come out to assist.

John and Emilyann Lohrey, Emily Way residents, said they were not affected by last year's GLOF but this year they had six feet of water in their house. They said the community response had been extraordinary and they had more help offered than needed. Mr. Lohrey said they would like to rebuild their house in a similar way but that it was foolish given the unknowns of the future. Ms. Lohrey, his daughter, spoke about their two bedrooms being flooded out downstairs as was her mother's room in the garage. She said that two of the sisters' rooms upstairs were not affected but that her sisters had special needs and had a very difficult time with the chaos of the situation. She said there was a culvert behind their property that had not been maintained properly resulting in the flood waters not receding until 7pm that night. Mayor Weldon thanked them for sharing a video of their experience and spoke to the impact it had on the congressional delegation who were able to view it.

Debra Gerrish, an Emily Way Resident, said all the one-story houses on Emily Way had been entirely gutted. She said she went through the neighborhood and spoke about the various health problems that were in place prior to the flood. She said that mental health issues weren't just addressed by one K9 visit and that a grief support group needed to be in place for a long time. She expressed her concerns about the kids affected by the flooding. She encouraged the Assembly to do what they could to get the Federal Disaster funding. She noted that unless there was a Federal Disaster declared, they wouldn't be able to deduct the losses from their taxes. She also stressed that mental health right was a top priority, it was going to hit everyone very hard, what they have lost and what they will continue to be dealing with.

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction – None.

Assembly Request for Consent Agenda Changes – None.

Assembly Action

MOTION by Deputy Mayor Hale to adopt the Consent Agenda as amended with the removal of Resolution 3070 and asked for unanimous consent. *Hearing no objection, the Consent Agenda, as amended, was adopted by unanimous consent.*

I. Ordinances for Introduction

7. Ordinance 2024-20: An Ordinance Amending the Parking Requirements of the Land Use Code by Extending the No Parking Requirements Area to Include the Telephone Hill Area.

In 2022, the Assembly adopted a No Parking Required Area in downtown Juneau to support residential and commercial development efforts. This ordinance would continue that policy and extend the no parking requirement to the Telephone Hill area for multiple reasons including the following: construction cost of underground parking, availability of an adjacent parking garage, and the walkability of downtown Juneau.

The Assembly Committee of the Whole supported this ordinance on April 15 and August 5, 2024. The Lands Housing and Economic Development Committee supported this ordinance on July 15, 2024.

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

8. Ordinance 2024-01(b)(E): An Ordinance Appropriating \$547,353 to the Manager for the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Passenger Facility Charge Fees.

This ordinance would appropriate \$574,353 for the design phase of the Runway Safety Area (RSA) Shoulder Grading CIP. This CIP is intended to regrade existing runway areas to Federal Aviation Administration (FAA) specifications. Funding for this ordinance is provided by an FAA Airport Improvement Program (AIP) grant in the amount of \$422,353, and Passenger Facility Charge (PFC) fees funds in the amount of \$125,000. The PFC funds will reimburse amounts that were forward funded from other sources, which is typical for PFC collections that are appropriated upon receipt.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting. The Airport Board reviewed this request at the August 8, 2024, meeting.

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

9. Ordinance 2024-01(b)(F): An Ordinance Appropriating \$1,017,116 to the Manager for the Airport Rescue and Fire Fighting Truck Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant, Airport Revolving Funds, and Airport Funds.

This ordinance would appropriate \$1,007,116 of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds and \$10,000 in local Airport matching funds for the Airport Rescue and Fire Fighting (ARFF) Truck Capital Improvement Project. This funding provides for the replacement of a 1993 ARFF truck that was permanently taken out of service last year.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024, meeting. The Airport Board reviewed this request at the August 8, 2024, meeting.

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

10. Ordinance 2024-01(b)(J): An Ordinance Appropriating \$35,025 to the Manager for a Grant to St. Vincent de Paul; Funding Provided by General Funds.

St. Vincent de Paul's low-income housing at 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave do not qualify for CBJ's low-income housing property tax exemption in 2024 because they did not submit their exemption application timely. As a result, property taxes cannot be exempted for 2024, and must be paid by St. Vincent de Paul. This is an unanticipated financial burden for St. Vincent de Paul. This grant would, in effect, acknowledge the intended low-income housing purpose of the 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave properties, even though it did not meet the strict legal criteria to be exempted.

The Assembly Finance Committee will review this request at the September 4, 2024 meeting.

The City Manager recommends this ordinance be introduced, referred to the Assembly Finance Committee, and set for public hearing at the next regular Assembly meeting.

11. Ordinance 2024-04(b)(D): An Ordinance Appropriating \$50,000 to the Manager for a Civic Engagement and Communications Strategy; Funding Provided by General Funds.

This ordinance would appropriate \$50,000 of general funds for City and Borough of Juneau communication strategy planning. Upon appropriation of funds, an RFP will be issued seeking a qualified consultant to provide professional Strategic Civic Engagement and Communications planning services.

The Assembly Finance Committee will review this request at the September 4, 2024 meeting.

The City Manager recommends this ordinance be introduced, referred to the Assembly Finance Committee, and set for public hearing at the next regular Assembly meeting.

J. Resolutions

12. Resolution 3070: A Resolution Deappropriating \$25,000 from the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding was Provided by Airport Revolving Funds.

\$25,000 was transferred in FY24 via Transfer Request T-1081 to the Airport Runway Safety Area Shoulder Grading Capital Improvement Project. Airport revolving funds were temporarily transferred to this project as local grant match to cover initial project costs, but are now being replaced with Passenger Facility Charge (PFC) fees via

Ordinance 2024-01(b)(E), which is typical for PFC collections that are appropriated upon receipt. This resolution would deappropriate funds back to Airport fund balance in a Capital Improvement Project reserve.

The Airport Board reviewed this request at the August 8, 2024 meeting.

The City Manager recommends the Assembly adopt this resolution.

This resolution was removed from the agenda during the Manager's request for agenda changes.

K. Liquor/Marijuana Licenses

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

Liquor License - Renewal

Licensee: Pinz LLC d/b/a Pinz

License Type: Recreational Site (grandfathered in) Liquor License: #5095 Location: 608 W. Willoughby Ave., Juneau

Licensee: YC Juneau Hotel, LLC d/b/a Baranof Hotel

License Type: Beverage Dispensary, Liquor License: #648 Location: 127 N. Franklin St., Juneau

Marijuana License - Renewal

Licensee: The Mason Jar LLC, d/b/a The Mason Jar LLC

License Type: Retail Marijuana Store Marijuana License #13279 Location: 2771 Sherwood Lane Unit E, Juneau

Licensee: The Mason Jar LLC, d/b/a The Mason Jar LLC

License Type: Retail Marijuana Store Marijuana License #28012 Location: 613 & 619 W. Willoughby Ave., Juneau

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest these 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 and marijuana license actions.

L. PUBLIC HEARING

14. **Emergency Appropriation Resolution 3072: An Emergency Appropriation Resolution Appropriating \$1,055,000 to the Manager for the August 2024 Glacier Outburst Flood Response; Funding Provided by General Funds and Wastewater Funds.**

This emergency resolution would appropriate \$655,000 in general funds and \$400,000 in Wastewater funds to respond to the August 2024 glacier outburst flood. This funding would provide for damage assessment, sheltering assistance, environmental and waste cleanup, repairs to existing CBJ infrastructure, and resources (people, equipment, supplies) for flooded structures. CBJ will seek State or federal reimbursement for eligible costs incurred in response to the glacier outburst flood.

Funding for this request is needed as soon as possible to authorize CBJ to incur expenses associated with flood response. For this reason, this is an emergency resolution.

The City Manager recommends the Assembly hold public testimony and adopt this emergency resolution.

Public Comment

Angela Rodell, a downtown resident, said that she sent a letter to the Mayor and Assembly earlier. She said there had been a lot of comments tonight about flood response and encouraged the Assembly and staff to keep the community involved in the task force and communications and to keep the urgency messaging high with the

decision makers. She said this was going to require a community response and it was important to have the federal agencies understand the role they and the community played in this response.

Assembly Action

MOTION by Mr. Smith to adopt Emergency Resolution 3072 and asked for unanimous consent.

Objection by Ms. Woll for purposes of a question. She asked Manager Koester to outline what expenses could be eligible for reimbursement under the emergency declaration and which ones would likely not be eligible.

Manager Koester explained that there was no guarantee of reimbursement but under a state and federal emergency disaster declaration and said that they would seek reimbursement for waste clean-up, repairs to rip rap, and repairs to utility infrastructure and wastewater drainage. Ms. Koester said after having met with disaster assistance personnel last week, those are the types of expenses that would likely be eligible for reimbursement.

Ms. Woll asked if the \$150,000 for to study mitigation options for future GLOFs would be eligible for reimbursement. Manager Koester said that the mitigation expenses were likely not eligible for reimbursement. Ms. Woll said she would love to hear more on the mitigation funds included here as she also thinks that \$150,000 sounds like a lot of money for what she believed to be advocacy on behalf of the city. She asked what the money might be used for. Ms. Koester said she anticipated they would use it for staff time, travel to meet with federal agencies, and to engage consultants with specific scientific expertise. She said that it was important to have funding to be able to code time and resources to but that \$150,000 was probably a drop in the bucket for the actual needs. She said she hoped to have more information once they've gotten the working group of minds together to discuss this more.

Ms. Woll said she would not object to the resolution because it provided funding for staff time that already occurred. She said she was somewhat shocked today after years of being told that there were no feasible options, to get some options in a memo today. She expressed her concerns that they need to go into this clear-eyed and that this may be giving false hope to residents. She removed her objection.

Ms. Hale said she considered the glacier to be an existential threat not just to the valley but to Juneau as a whole. She said if the GLOF had happened a week earlier, when the river was two feet higher, it would have flooded the whole valley. She said she fully supported CBJ aggressively pursuing mitigation measures and the need for the \$150,000.

Mr. Kelly spoke to those individuals who testified and voiced their concerns about not having enough contractors in town. He asked if any of the \$150,000 would be used to assist residents in the immediate timeframes with things like housing or other assistance who may be without homes to go back to during the winter. Ms. Koester said that generally local government does not provide financial assistance to private residents. She said state and federal assistance programs were set up to assist in that area. She noted that none of the appropriation would go towards reconstruction of private residences.

Mr. Smith said that the Manager has been focused on recovery and response. He asked would be working on mitigation and planning efforts.

Manager Koester said that she, along with Engineering and Public Works Director Koch and Deputy Manager Barr would be working on mitigation and planning.

Ms. Adkison said she understood Ms. Woll's concerns getting people's hopes up but they need solutions so this did not become an annual issue. She said that the state had a finite amount of resources and we couldn't rely on FEMA to come in every year. She said that they needed to be flexible in their process and to keep pushing and giving some of these ideas a chance to move forward.

Mr. Bryson said that the GLOF has been a standing topic at the PWFC for the past year. He said they were getting regular updates every month. He spoke to the duckbills that were approved and installed just prior to the flooding. He said CBJ authorized and approved every single ask that had been brought to them within the CBJ authority to do. He said that Governor Dunleavy and the Federal delegation were in Juneau. He asked if there was

anything, short of an act of congress, that they could do as a city or the Assembly to address this. Manager Koester said that to get anything done would require unprecedented federal agreement and political pressure.

Mayor Weldon asked Manager Koester to share about the denial of funding at the federal and state levels that was applied for last year. Manager Koester noted that last year CBJ had applied for various grants and funding requests at both the state and federal levels that had been denied. She said she spoke with the Army Corps of Engineers about how to get project approvals and their projects come with long timelines and a cost share. She said they would need Congressionally Directed Spending (CDS) to do any of the mitigation measures. She said CBJ had legal authority to raise funds through Local Improvement Districts (LIDs) or could use general fund money for matching funds to leverage federal funding.

Mayor Weldon asked Manager Koester to provide them with an update on the request for a federal disaster declaration. Ms. Koester said a state disaster declaration was required to trigger a federal declaration and FEMA will be coming to Juneau the week of August 26. She said she had been talking with state officials about their requirements for a state disaster declaration. She said CBJ have been asking residents to send photos and documentation to the flood.response@juneau.gov email. She said in 2023 it took one month before the federal government denied the request for a federal disaster declaration.

Mr. Kelly, asking about the letter from the Mayor about forming a working group, asked how quickly a working group might get put together. Manager Koester responded that it was her hope that they could bring this group together within one month. She had already reached out to those individuals who were likely to be involved.

All objections having been removed and hearing no further objections, the motion to adopt Emergency Resolution 3072 passed by unanimous consent.

15. Ordinance 2024-27: An Ordinance Authorizing the Manager to Execute a Lease of the Mayflower Building located at 750 Saint Ann's Ave to the Juneau Montessori School, an Alaskan Non-Profit Corporation.

The Montessori School has leased the Mayflower Building from the CBJ since 1992. The Montessori School has requested to continue to lease this building at less than fair market value. Section 4 of the current lease states that "the manager is only authorized to renew this lease with a rental rate at the fair market value. If the Lessee seeks to renew the lease at less than fair market value, then the Assembly must first authorize the reduced rental rate." At the April 15, 2024, meeting, the Lands Housing and Economic Development Committee passed a motion of support to continue to lease property to the Montessori School for less than fair market at \$2,200 per month.

The Systemic Racism Review Committee reviewed this ordinance at its July 30, 2024 meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Adkison to adopt Ordinance 2024-27 and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

16. Ordinance 2024-32: An Ordinance Establishing a Waiver Process for Airport Board Appointments and Temporarily Waiving the Three Tenant Rule.

This ordinance establishes a process to waive the "Three Tenant Rule" for appointments to the Airport Board in Juneau. The "Three Tenant Rule" limits the number of Airport Board members who can be tenants to three. The ordinance allows the Assembly to temporarily waive this rule to appoint a fourth tenant if necessary, due to low community interest in the position and the need to avoid prolonged vacancies that can strain the board and harm airport governance. The ordinance includes provisions to prevent conflicts of interests and requires the Airport Board to notify the Assembly if tenant conflicts reduce the board's majority vote.

The Assembly Human Resources Committee requested the creation of this ordinance at its July 29, 2024 meeting and recommended forwarding it to the full Assembly for introduction.

Due to the timing of this ordinance and meeting dates, the Systemic Racism Review Committee did not review this ordinance.

The Airport Board reviewed this ordinance at its August 8, 2024 meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Kelly to adopt Ordinance 2024-32 and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

17. Ordinance 2024-23: An Ordinance Amending the Ordinance Formatting Requirements.

CBJ Code 01.20.020 governs the formatting requirements of ordinances. This housekeeping ordinance would modernize that code as follows:

- Update the enacting clause;
- Clarify that irrelevant code sections do not have to be cited in amendments;
- Update the font requirements to remove the typewriter era standards; and
- Update the codification and archiving standards to eliminate unnecessary post-adoption work.

The Systemic Racism Review Committee reviewed this ordinance at its June 18, 2024 meeting.

The Assembly Human Resources Committee reviewed this ordinance at its July 29, 2024 meeting and forwarded it to the full Assembly for action.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2024-23, the most boring ordinance she had seen since being on the Assembly, and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

M. UNFINISHED BUSINESS

18. New City Attorney Appointment

After an extensive recruitment process, including public interviews in late July, the Assembly Attorney Selection Committee recommended the appointment of Emily Wright as the next Municipal Attorney as Robert Palmer departs to pursue new opportunities. Ms. Wright currently serves as a CBJ Assistant Attorney.

Suggested Motion: Move the Assembly appoint Emily Wright as the Municipal Attorney starting August 26, 2024, with an annual salary of \$188,000.

Public Comment

None.

Assembly Action

MOTION by Deputy Mayor Hale (with great pleasure) for the Assembly to appoint Emily Wright as the Municipal Attorney starting August 26, 2024, with an annual salary of \$188,000 and asked for a roll call vote.

Roll Call Vote:

Yeas: Hale, Bryson, Smith, Woll, 'Wáahlaal Gídaag, Kelly, Adkison, Weldon

The motion passed by a unanimous vote of the present Assemblymembers; Assemblymember Hughes-Skandijs was absent from this meeting.

Mayor Weldon declared Ms. Wright appointed to the position of Municipal Attorney as of August 26, 2024.

N. NEW BUSINESS

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

There are 8 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.

Clerk's Note: Due to the personal nature of the back-up documents, those will be provided to the Assemblymembers as paper hardcopies only.

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

Public Comment

None.

Assembly Action

Mr. Bryson noted that the Assembly is considering each of these applications individually and he moved to forward the applications of Dennis Mathers and Jeffery Martin for the Late file Senior & Disabled Veteran Exemptions and the applications of James Hammond, Monica Ritter, Carol Craig, Remedios Carrillo, Larry Hooton, and William Morris for the Late File Senior & Disabled Veteran Hardship Exemptions to the Assessor for additional review and resolution and asked for unanimous consent. **Hearing no objection, those applications will be forwarded to the Assessor's office for additional review and resolution.**

O. STAFF REPORTS

Municipal Clerk McEwen said the next day, August 20, was the State of Alaska Primary Election, and Clerk Staff would provide assistance to anyone affected by the flood who could not get to their polling location. Ms. McEwen reported that anyone needing transportation assistance should reach out to the flood.response@juneau.gov email address and paratransit vehicles will be staged at the Melvin Park response station and can help citizens get to the polls to vote. Municipal Clerk McEwen also explained the process for Special Needs voting for all elections held by the city or the state and voters should reach out to the State Division of Elections or CBJ Elections offices for that assistance.

P. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon recognized and thanked all of those who assisted with the flood response including Governor Dunlevy, the Congressional Delegation, the State Legislative Delegation, Team Rubicon, Red Cross, National Guard, Salvation Army, and many others. She recognized neighbors helping neighbors and the community efforts to respond to this disaster. She expressed her thanks to the Governor for implementing a verbal declaration of

emergency within five minutes of the Assembly declaring a local emergency. She also thanked State Department of Transportation and Department of Environmental Conservation for their assistance with debris clean-up and restriction removal requirements. She said the suggestion from public testimony for trying to provide additional grief support was a good one and hoped additional grief support could be established to help residents.

In speaking to non-flood issues, Mayor Weldon noted that another item they have addressed is get the parking tickets for high school students changed into warnings. She said that she and Manager Koester went there this morning looking for possible solutions and that some people did deserve tickets as they were parked on the sidewalks. She said that they are working on some potential solutions over the next few days and will report back to the body once that has occurred.

Committee and Liaison Reports

Committee of the Whole (COW) Chair Hale echoed Mayor Weldon's thanks about the flood response. She reported that the COW last met on July 29 and she didn't recall what was discussed at that meeting due to everything else that occurred since then.

Assembly Finance Committee (AFC) Chair Woll reported that the August meeting was cancelled due to the flood event. The next AFC meeting was scheduled for September 4 and would take up some of the items from August. Other things scheduled for the September meeting included the ordinance that was introduced tonight about communication and public engagement strategy, conversation with BRH about services, and possibly discussion about the FY25 Eaglecrest budget given some of the uncertainties when it was originally presented to the AFC.

Public Works & Facilities Committee (PWFC) Chair Bryson reported that they met and went over Federal Transit Authority grants, BRH Emergency room renovations, and discussed some of the issues related to the Mendenhall River since that meeting was happening just at the beginning of the flood events.

Human Resources Committee (HRC) Chair Smith reported that they met earlier this evening. HRC received some board annual reports and forwarded the below names for appointment. Mr. Smith moved the following appointments and asked for unanimous consent:

Youth Activities Board (YAB) – Appointment of **Valerie Peimann** to the 18 & Younger/Student Seat and to appoint **Kristin Hochstoeger** to the general public seat to the Youth Activities Board both for terms beginning September 1, 2024, and ending August 31, 2027, and asked for unanimous consent. **Hearing no objection, motion passed.**

Utility Advisory Board (UAB) –Reappointment **Andrew Campbell** and **Geoffrey Larson** to the Utility Advisory Board both to terms beginning immediately and ending May 31, 2027 and asked for unanimous consent. **Hearing no objection, motion passed.**

Presiding Officer Reports

None.

Q. ASSEMBLY LIASON REPORTS, COMMENTS & QUESTIONS

'Wáahlaal Gídaag said that the Assembly just approved a waiver of the Airport Board appointments tenant. She said that there has been a lot of discussion by the Assembly and the Airport Board and about what this will look like in the long term/future so while they just passed that ordinance, she anticipates more conversation about this will be coming in the future. She also reported that the next Juneau Commission on Aging meeting was scheduled for August 20.

Mr. Bryson reported that he attended a Glory Hall Board of Directors meeting last week and they appointed Kia Quinto as the new Executive Director. He also said that he attended Travel Juneau's recent retiree, Elizabeth Arnett's, 75th birthday celebration.

Ms. Woll said that she was out of town during the last Eaglecrest meeting. She said that Eaglecrest Board hired their new General Manager, Craig Cimmons, who comes from Vermont. She said that she was not sure of his

starting date but it will be before the winter season starts. She also reported that she attended a Juneau Chamber of Commerce meeting last week and the Assembly should expect a letter about Blueprint Downtown. She said they would like to see the Assembly adopt that plan by resolution instead of by ordinance. She said they would hold their first candidate forum on Thursday featuring School Board candidates.

Mr. Kelly reported the School Board Finance Committee would be having its next meeting at the same time as the candidate forum. He reported that the Planning Commission met and approved a Conditional Use Permit (CUP) for the Gastineau Human Services project that CBJ had contributed to during this past budget cycle. He attended the last Local Emergency Planning Committee (LEPC) meeting and noted they have in-depth discussions on community emergency response efforts. Mr. Kelly said, with respect to community events, he attended the National Guard Dinner and attended the Bollywood Flashmob put on by the Downtown Business Association and saw Mayor Weldon at the Cancer Connection Walk last Saturday. Mr. Kelly extended his gratitude to the community in their ability to come together during times in crises and thanked everyone who came out and assisted with the flood response.

Ms. Adkison reported she attended the Juneau Commission on Sustainability (JCOS) meeting on August 7 where they discussed the EV charger grant that AEL&P was applying for. She also attended the Juneau Economic Development Council (JEDC) meeting on August 16; JEDC will be providing some pass-through granting funds for flood response for individuals, the details of which were still to be determined. She said that it was important for all renters or those whose primary residences were affected by the flood to keep all receipts and to document the damage.

Mayor Weldon thanked Ms. Adkison for those reminders. Mayor Weldon noted that individual assistance funds were also being available through the Juneau Community Foundation and JEDC. She wished a happy 90th Birthday to Sid Smith.

Mr. Smith said he did not have anything to report.

Deputy Mayor Hale reported that the COW met on August 5, and not July 29 as previously stated, and one of the things they discussed was the flooding which was happening at that time. She noted that the Parks & Recreation Advisory Committee did not hold their regular meeting on August 6 due to the flood.

R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

S. EXECUTIVE SESSION

T. SUPPLEMENTAL MATERIALS

20. RED FOLDER - High Level Flood Prevention Concepts

21. RED FOLDER - Request for Joint Working Group for Flood Mitigation Solutions

U. INSTRUCTION FOR PUBLIC PARTICIPATION

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:25pm.

Signed: _____
Elizabeth J. McEwen,
Municipal Clerk

Signed: _____
Beth Weldon
Mayor