

SPECIAL ASSEMBLY MEETING 2022-23 DRAFT MINUTES

September 26, 2022 at 6:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

Immediately followed by Assembly Committee of the Whole Worksession

A. CALL TO ORDER

Meeting No. 2022-23: The Special Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 6:00p.m.

B. LAND ACKNOWLEDGEMENT

Mr. Bryson 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!*

C. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Lands Manager Dan Bleidorn, BRH CEO David Keith

D. SPECIAL ORDER OF BUSINESS

1. 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. PUBLIC PARTICIPATION

None.

F. CONSENT AGENDA

i. **Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction** – *None.*

ii. **Assembly Requests for Consent Agenda Changes** – *None.*

iii. **Assembly Action**

MOTION by Ms. Gladyszewski to adopt the Consent Agenda as presented and asked for unanimous consent. *Hearing no objection, the motion carried.*

2. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

3. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

G. PUBLIC HEARING

4. Ordinance 2022-49 An Ordinance Authorizing the Manager to Convey Approximately One Acre of City and Borough of Juneau Property Located Near 3145 Fritz Cove Road to Chelsy and Brian Maller at Fair Market Value.

The CBJ Lands Office has received an application from Chelsy and Brian Maller, the owners of property located near 3145 Fritz Cove Road. The Maller property is an undeveloped lot that is adjacent to the City property being requested.

The Lands Housing and Economic Development Committee reviewed this proposed CBJ land disposal at the meeting on January 24, 2022, and passed a motion of support. The Planning Commission reviewed this proposed disposal of the CBJ property at its meeting on April 12, 2022, and recommended that the Assembly approve the sale to the applicants. The SRRC reviewed this application at the September 13, 2022, meeting and provided a recommendation in favor. Fair market value of the CBJ property has been determined by appraisal to be \$2.53 per square foot, for a total value of \$110,000.00.

The City Manager recommends the Assembly adopt this ordinance.

Clerk's Note: There was a brief portion of the meeting that lost sound at 6:08p.m. from the Assembly Chambers feeding through to the Zoom audience. The meeting resumed with full technical sound within 1 minute of the technical difficulties.

Public Comment

None.

Assembly Action

Mayor Weldon noted that while no one from the public signed up to speak on this issue, Mr. Maller and Mr. Bleidorn were available to answer Assembly questions if there were any.

Mayor Weldon thanked Mr. Bleidorn for answering her many questions earlier in the day and said that one of the questions she asked of him was why this was for a full 1 acre rather than our usual smaller parcel. Mr. Bleidorn said that it does seem like a large ask but based on the topography of the parcel and what they will need to blast up to the area that they are going to build their home, they will need that larger 1 acre parcel. Mr. Bleidorn said that he also discussed it earlier in the day with Community Development Director Jill Maclean because it did go through the Planning Commission. He said that she concurred that when the Planning Commission looked at it, it did get discussed as well but with the topography, that was the reason for the large space request. Mayor Weldon noted that with that topography and the ask, they are hoping to get less than a 15% grade in their construction.

Ms. Hale said that she remembers that at the Lands, Housing and Economic Development Committee they also questioned that and determined that it made sense when they looked at the associated maps.

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2022-49 and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

5. Ordinance 2022-51 An Ordinance Authorizing an Alternative Procurement Method Related to the Emergency Department Addition and Renovation at Bartlett Regional Hospital.

This ordinance authorizes the Manager to competitively solicit proposals and enter into an alternative procurement method for preconstruction services and construction of the Emergency Room Addition and Renovation project at Bartlett Regional Hospital. The ordinance has provisions that allow the project to continue in the design stage while Bartlett Regional Hospital awaits a certificate of need decision from the State. General Contractor/Construction Manager is a qualifications based procurement method that allows the contractor to be involved in the design process to limit risk and cost for complicated projects such as the Emergency Room in which the facility needs to remain operational during construction.

The Bartlett Board of Directors recommended use of GC/CM method for this project at its May 26, 2022, meeting. The Public Works and Facilities Committee recommended use of the GC/CM for this project at its June 6, 2022, meeting.

The Lands, Housing, and Economic Development Committee was scheduled to review this ordinance at 5:00 pm, just prior to this meeting.

Public Comment

None.

Assembly Action

Lands, Housing, and Economic Development (LHED) Committee Chair Michelle Hale reported that at its meeting, the LHED Committee voted to propose an amendment to Ordinance 2022-51 and to recommend adoption of the ordinance with that amendment.

MOTION by Ms. Hale to adopt Ordinance 2022-51 as recommended by the Lands, Housing and Economic Development Committee and asked for unanimous consent.

AMENDMENT from LHED:

Amend the Whereas clause on line 10 of page 2 of the ordinance to change the amount from \$1,493,000 to \$1,400,000 so that it would read: "Whereas, CBJ and BRH personnel estimate that they will not expend more than **\$1,400,000** on the BRH Emergency Department addition and renovation until a certificate of need is obtained or the State of Alaska determines a certificate of need is not required; and"...

Ms. Triem asked Ms. Hale to explain why the LHED was making that recommended amendment.

Ms. Hale explained that whenever a change adds or can add beds or services to the hospital, the hospital then has to go through a process with the State of Alaska to obtain a certificate of need. She noted that process is currently underway and they anticipate that certificate of need to be provided by the end of January 2023. She said that the work can proceed but that the work can't exceed \$1.5 million without a certificate of need so the original idea was to say \$1.493 million but that only allows for a small margin of error so the amendment is widening that margin until the certificate of need is obtained.

Hearing no objection, the amendment passed by unanimous consent.

Hearing no objection, the main motion to adopt Ordinance 2021-51 as amended passed by unanimous consent.

Mayor Weldon noted that BRH staff members CEO David Keith and Compliance Officer Nathan Overson were in the audience and she extended thanks on behalf of the Assembly to all the BRH staff for all their work.

6. Ordinance 2022-06(b)(R) An Ordinance Appropriating \$12,253.50 to the Manager for a Grant to the Glory Hall; Funding Provided by the Affordable Housing Fund.

This grant would fund the cost of property taxes for the property owned by The Glory Hall at 241-247 South Franklin Street. As the program has transitioned its services to the Teal Street facility, there has been some discussion about whether the South Franklin Street building is eligible to retain its exemption status from municipal property tax.

The grant will come from the Affordable Housing Fund and property taxes in the exact same amount will be paid into the General Fund. The Manager proposed this grant to avoid an unnecessary debate. CBJ staff will work with The Glory Hall staff this fall to clarify the issue.

The Assembly Finance Committee reviewed this request at the September 7, 2022 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

Mr. Bryson declared a potential conflict. He noted that he is a member of the Glory Hall Board of Directors but that no financial compensation is involved and he does not feel he would have any conflict on this issue. Mayor Weldon thanked Mr. Bryson for his disclosure and allowed him to continue to participate in this matter.

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2022-06(b)(R) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

7. Ordinance 2022-06(b)(S) An Ordinance Appropriating \$128,200 to the Manager for a Grant to the Alaska Development Corporation for Medical Respite Care; Funding Provided by General Funds and Hospital Funds.

Prior to the pandemic, CBJ and Bartlett Regional Hospital shared the cost of medical respite for individuals experiencing homelessness. During the pandemic, the cost of this care was reimbursed by FEMA; however, medical respite is no longer eligible for reimbursement effective July 1. This ordinance would appropriate \$128,200 for medical respite care in FY23, to be funded equally by CBJ and Bartlett. Current medical respite costs exceed pre-pandemic levels due to quarantine and isolation for COVID-positive patients; however, program spending will be reduced in the coming months to align with the historical cost of providing this care. A portion of these costs may be funded by the Healthy and Equitable Communities Grant, upon approval by the Alaska Department of Health.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-06(b)(S) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

8. Ordinance 2022-06(b)(T) An Ordinance Transferring up to \$500,000 from CIP P44-089 Deferred Building Maintenance to CIP F21-041 Downtown and Glacier Fire Stations Mechanical and Electrical Upgrades.

This request would provide funding for the Downtown and Glacier Fire Stations Mechanical and Electrical Upgrades CIP to replace the heating plant system at the Glacier Fire Station and the emergency generators at both Glacier and the Downtown Fire Stations. The original project estimate has increased as a result of inflation, supply chain issues, and other economic factors. The ordinance was prepared to transfer an amount up to \$500,000; however, bids came in lower than this estimate, only requiring a transfer of \$250,000 to complete project work. The proposed transfer is reallocating funds from the Deferred Building Maintenance CIP, an ongoing project that will retain sufficient funding to cover remaining project work.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2022-06(b)(T) and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

Clerk's Note: Additional technical difficulties continued due to power spikes and an inability to get the Closed Captioner connected to the meeting, however the meeting proceeded without incident and was able to be heard/transmitted both to those in the Assembly Chambers and those participating via Zoom.

H. NEW BUSINESS

9. Bid BE22-108 Glacier Fire Station Mechanical & Electrical Upgrades & Juneau Fire Station Generator Replacement

This project consists of a significant renovation of mechanical and electrical systems at the Glacier Fire Station that are past their useful life, installation of Owner Furnished generators at both the Glacier Fire Station and the Juneau Fire Station, and associated architectural, civil, and hazmat work.

Bids for this project were opened on September 15, 2022. The bid protest period expired at 4:30 p.m on September 16, 2022. Results of the bid opening can be found in the bid letter on page 20 of this packet.

The City Manager recommends award of this project to Dawson Construction, LLC, for the total amount bid of \$1,890,700.

Public Comment

None.

Assembly Action

Mayor Weldon stated that her son had worked for Dawson Construction this past summer but she discussed it with the City Attorney and they both determined that she did not have conflict of interest in this matter.

MOTION by Ms. Gladziszewski to award Bid BE22-108 to Dawson Construction and asked for unanimous consent. ***Hearing no objection, the motion carried by unanimous consent.***

I. ASSEMBLY COMMENTS

Mayor Weldon told Assemblymembers that she would be sending an email later that evening asking members to please provide her with their requested Assembly Committee assignments for the next Assembly cycle.

Ms. Triem noted that the Assembly Finance Committee meeting on Wednesday, September 28 was cancelled.

J. SUPPLEMENTAL MATERIALS – *None.*

K. ADJOURNMENT

There being no further business to come before the Assembly, the Special Assembly meeting adjourned at 6:37p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor