

# REGULAR ASSEMBLY MEETING 2023-25

## DRAFT MINUTES

November 13, 2023 at 7:00 PM



### Assembly Chambers/Zoom Webinar/YouTube Livestream

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Meeting No 2023-25: the Regular Assembly Meeting of the City and Borough of Juneau Assembly held at City Hall and virtually was called to order by Mayor Beth Weldon at 7:00pm.

#### A. FLAG SALUTE

#### B. LAND ACKNOWLEDGEMENT

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

#### C. ROLL CALL

**Assemblymembers Present:** Mayor Beth Weldon, Deputy Mayor Michelle Hale, Greg Smith, Christine Woll, ‘Wáahlaal Gídaag, Wade Bryson, Paul Kelly, and Ella Adkison

**Assemblymembers Absent:** Alicia Hughes-Skandijs

**Staff Present:** City Manager Katie Koester, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Port Director Carl Uchtyl, Parks and Recreation Director George Schaaf, Tour Manager Alexandra Pierce, Senior Planner Irene Gallion

#### D. SPECIAL ORDER OF BUSINESS

##### 1. Introduction of Exchange Students

Three exchange students were introduced. Noel Previti from Germany, attending Thunder Mountain High School (TMHS), said he thought everyone was very welcoming. Havobegim Qurbonmamadova from Tajikistan, at Juneau Douglas High School (JDHS), said that it was her 18<sup>th</sup> birthday that day. She said she enjoyed that school emphasized more practice than theory. Ronja Sieber from Switzerland, was attending TMHS. She said everyone was very nice and she was surprised that sports are part of school instead of being in separate clubs.

#### E. APPROVAL OF MINUTES

##### 2. February 1, 2023 Special Joint Assembly Meeting 2023-04 with BRH Board - Draft Minutes

**MOTION** by Ms. Woll to approve the February 1, 2023 Special Joint Assembly/BRH Board minutes as corrected by Ms. Hale and asked for unanimous consent.

*Hearing no objection, the minutes were adopted.*

#### F. MANAGER'S REQUEST FOR AGENDA CHANGES – None

#### G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

##### Public Comment:

**Albert Shaw**, from downtown, asked the Assembly to start the process to put incinerators at Lemon Creek in cooperation with Alaska Waste. He said there are incinerators that meet EPA standards. He said they will not be

cheap but that we created the problem and we need to solve it. He said that, assuming the numbers come in good, the Assembly should vote on it. He said this is a long path and that it is time to start this process. He said there are several unknowns still, like what to do with the ash or other residues, but that we are not reinventing the wheel. He said it will require some type of increase in fees or taxes, but that's the way it is. He said there was an award a couple of weeks ago for people who have been picking up trash but that it is like sweeping the floor and putting the dirt under the rug – nothing went away, it just got piled in a different place. Second, he asked the Assembly to start the process to annex the northern part of Admiralty Island. He said he has been working on this for 60 years but that he does not give up.

**Mark Whitman**, from Douglas, came to testify on Telephone Hill. He said he saw it this morning from the Douglas waterfront, a tight ribbon of green and a cluster of tall buildings around it. He said that Telephone Hill has always been a pivot point of Juneau's waterfront; the central spot from which our shared history has played out fairly and unfairly; the green heart from which all things have been measured, surveyed, and lived out geologically, historically, politically in sight and in the lives of families residing in homes handed down. He said this central rock that sits above the tideline points to what we have been and what we may become. He said that when dealing with something this central, this primal, wisdom is needed. He asked the Assembly members to place their hand upon their heart. He said the health of the body depends on the health of the heart, its steady beat informing the whole. He said to imagine your right arm swinging all the way to Gold Creek to the bridge and your left to line up with South Franklin. He said to imagine sitting on Telephone Hill, green trees, blooming gardens, children at play, birds at rest, as neighbors tinker and build. He said it is a vibrant place to sit and walk. He said to let this be the measure of who we are going forward for the crowded summer sidewalks hold no place for us, that swarming visiting tourists leave with the fall turning much of the city to a ghost town with clothes, shops, and no one living here. He said that at the hill there is a living example of homes preserved, gardens grown, life lived out. He asked what the harm would be in restoring and repairing it, preserving an example of how we live and how we make our way in this place so beyond measurements of engineers and architects, or bill rates and the tax base. He asked the Assembly to look for a new scale of value for this green treasure. He asked what harm is there in a partnership of restoration, with high school building classes working in partnership with local carpenters, electricians, and contractors to restore historical homes; what harm is there in raising a new generation of builders. He asked what our legacy would be if we pave paradise and put-up parking lots. He said he dares the Assembly to go small, go green, go garden forward and to not lose the green heart that carries our lives with it.

**Tony Tengs**, from downtown Juneau, said he is a former Telephone Hill resident. He said that aside from respecting its history and the charming green space in the heart of Juneau, his concerns are related to process. He said there seems to be invisible hands driving this redevelopment forward. He said there are many states where taking property under eminent domain from one purpose and using it for another is illegal. He said that the Assembly's legislative priority #9, which got this started, had zero public input. He said that now that the horse is out of the barn about what to do with the neighborhood, they are asking for public input. He said the July 26 open house survey said that none of the homes were eligible for historical recognition because they have been modified. He said that is a huge stretch, as many of the modifications were made more than 50 years ago. He said these surveys are important for our history and future and should be unbiased and true.

**Callie Connerton**, from Telephone Hill, said she is a local teacher and has lived on Telephone Hill since her birth. She said that over the last 30 years she has seen so many changes downtown made by companies trying to profit for tourists, outside developers who do not really understand anything about Juneau. She said that during the last open house meeting she asked questions of the Portland contractors, and that they did not seem to know answers to basic design questions, such as snow removal, trash, and fuel access. She said that without a plan in place in the designs, it does not seem very intelligent or worthwhile spending-wise for the city to run. She said it is hard to think about being asked to leave her childhood neighborhood and home and then have it sit empty due to lack of funding or votes when it could be housing currently. She said there was not a "no option for development" on the recent survey. She said this is not Seattle or Portland; it is a small, vibrant community of friends, families, and local businesses. She asked the Assembly to not continue to build over what makes it special, unique, and green. She said the process is being rushed, that it is unclear, and that the city needs to consider the

long term effects instead of rushing in and tearing down history and building more things that do not necessarily serve all. She said there are plenty of other places downtown and all over that are affordable or where affordable housing can be built. She said the community does not feel like it's being heard in this sudden, impulsive process and asked the Assembly to slow down.

**Joshua Adams**, from Auke Bay, said he is with Friends of Telephone Hill. He said he came to the Assembly to ask them to parcel off the houses on Telephone Hill and sell them at auction with small plots of adjacent land. He said he thinks that private ownership is the best guarantee of maintaining each individual structure on the hill at minimum cost to CBJ. He said that before any such auction, to apply for the nomination of Telephone Hill as a historical district so that the owners of the properties can apply for federally mandated historic grants and tax credits only available to historical districts. He said that nothing fattens up a horse like a watchful owner and that some things in government are best left to the private sector. He said he believes that private owners for each of these historic homes will best serve to protect our cultural legacy and that the owners will pay property tax. He said he directed his attention to the new Assemblymembers who have only been serving for a couple of weeks and that he is counting on them to think independently. He said he wants the Assembly to stop squandering our tax dollars on consultants from out of state and to listen to the public. He said that we need an Assembly that offers, seeks out, and administers historic preservation grant programs and low interest loan programs for property owners and not an Assembly that hires consultants from outside the state of Alaska at the taxpayer's expense to carry out renovation projects that are unwanted and unaffordable. He asked to work with the Assembly to parcel off the hopes on Telephone Hill. He said it is a plan that makes Juneau money and preserves our history all at once. He asked the Assembly to make use of the resources available through the Anchorage based Office of History and Archeology to foster a culture of preservation.

**Shoshana Seligman**, from downtown Juneau, said she has lived in Juneau for 32 years and about ten of those years on Telephone Hill. She said she would like CBJ to decide on a plan for the hill that has three components; one is to truly take into consideration input from the public, two is to have appropriate funding already in place, and three is to have a plan that weaves Telephone Hill into the city's overall plans for housing. She said there are other housing projects and options including Deckhand Daves, Peterson Hill, and Juneau Affordable Housing projects, and many abandoned building and offices that will alter downtown Juneau's housing needs. She said that from the open houses she learned that Telephone Hill holds a special place of fondness and imagination for Juneau residents and tourists. She said that as the Assembly goes forth in setting new priorities for our city, to please consider the value of this jewel, the greenbelt, the historic homes of Telephone Hill.

**Charles VanKirk**, from the valley, said he has lived in Juneau for 63 years and has seen many, many changes. He said the population has tripled, but that almost 2/3<sup>rd</sup> of the population has moved out to the Mendenhall Valley. He said that when he moved here there was nothing but a one lane dirt road in the valley with turnouts to the glacier. He said the changes he has seen have been a bit disturbing. He said we have to look at process, but that we don't want to lose our historic value. He said that he has always been proud of Alaska as the last frontier. He said that our last frontier has lost the courthouse to the State Office Building, the State Jail that had a set of gallows on the side of the building, many of the ballparks to the federal building, the evergreen swimming pool that is now Cope Park, the AJ mine building. He said he is sad that there is a lot of history to Juneau that his grandchildren will never see or experience. He said that Telephone Hill is an opportunity to experience history. He said the Assembly should explore the possibility of applying for nomination of Telephone Hill as a historic district through the National Park Service. He said that opens up a whole bunch of opportunities and the Assembly could look at establishing a task force to explore the need for a historic preservation grant program and low interest loan program. He said he would vehemently request to table any discussions based on the recommendations of the consultants from Portland that did not provide alternatives that were acceptable to anyone.

**Skip Grey**, from Twin Lakes, said he would like to address misconception being thrown around in the community regarding Telephone Hill. He said that at the October workshop held by the city to gather the public's opinion about the future of the hill, one individual said that the only people who wanted to save the historic homes on the hill were the people who lived there and implied it was so they could continue to live there. He said that was later

repeated by someone else in an opinion piece in the Juneau Empire. He said it is obvious that neither of those people know how to count, as there are only about 17 residents living on the hill but about 50 participants at the meeting. He said the majority of people at the meeting were sympathetic to the desire to save either the homes or the greenbelt, or both. He said he hoped the Assembly could view the recording of the event, as it should give them a realistic impression of the opinions of the crowd and their mood, their wishes for the future, and their opinions. He said the crowd was so frustrated with the process that they refused to go along with half of the agenda, insisting on speaking their minds. He said another way to get a feel for the sentiments of the public is to search Telephone Hill on Facebook and examine the likes, dislikes, and comments. He said the Assembly would see that more than 17 people are concerned about the possibility of seeing this historic treasure destroyed. He said that they do not all live downtown, either. He said that the Assembly should listen to the residents of the hill as they are the ones who know how special of a place it is. He said he lived there for 10 years, 38 years ago and it still holds a place in his heart. He said he did not think it would if it had been a bunch of high-density apartment buildings.

**Michael Reiderer**, from North Douglas, has lived within CBJ for 25 years on and off. He said his vessel is docked in Douglas Harbors and it is used for commercial fishing and seaweed harvesting. He thanked Assemblymembers Adkinson, Kelly, Smith, and Woll for voting against the unimaginative harbor rate increases at the October 3<sup>rd</sup> meeting. He said the rationale for this rate increase is lacking, and that it is disheartening that the voices of hard-working citizens were ignored. He said that Docks and Harbor's work is questionable, especially considering they recommended doubling the dockage fees for large ships in 2021, only to turn around and spend consulting money, \$36,000, on the same issue. He said it is inefficient, like the discussion about City Hall and Telephone Hill. He said the new drive down dock is Auke Bay if functional, the Statter Harbor breakwater is functional, but crowded by summertime mega yachts; he said that yachts and transient vessels contribute to congestion and need to contribute more to their cost and that a 300-foot yacht pays less per foot than a smaller 150-foot yacht. He said that transient moorage in Juneau is less than half the rate of Sitka's. He said that resident fisher people have reliably contributed to docks and harbors revenue, helping fund the Statter Harbor upgrades that heavily favor the tourism industry. He said that CBJ needs to focus on completing the Aurora Harbor floats to generate revenue and reach an agreement with UAS on the boatyard's future. He said that discussing the revitalization of Bridge Park to Norwood Point and a new drive down dock should only happen after these other issues are addressed. He said that CBJ should considering subsidizing harbor department salary costs because continued maritime usage is in the best interest of all CBJ citizens. He said that cruise ships, whale watching vessels, and megayachts should share this cost because they wake pollution and congestion that is burdensome to commercial fish people and resident voters that live here. He said that CBJ needs to find additional revenue and reduce the cost of living for everyone and should responsibly develop its existing, vacant land. He said that constantly taxing fisher people for CBJ's grand projects will make the entire city a tourist dominated area akin to a boater's Breckenridge where the local economy is eclipsed by seasonal tourism entities.

**Betsy Brenneman**, from downtown Juneau, recommended that the Assembly adopt the Blueprint Downtown Area Plan. She said the Assembly has been accused publicly for not being transparent and not listening to the community in the case of the Blueprint plan in 2017. She said there was a year of award-winning public involvement process done by local consultants where 800-900 individuals gave input. She said that in 2018 she was one of the volunteers appointed to the Steering Committee to help develop the plan. She said it has been estimated to take 1.5-2 years, but instead it took 41 public meetings or focus groups over 4 years of long hard work to write the draft. She said that since it was finished it has never come before the Planning Commission or Assembly. She said she believes the Blueprint Area Plan would be a big help to the Assembly and it was a shame that they do not have it for guidance. She said she is proud of it and the city should be proud too. She said that it provides a 20-year vision for downtown that is action oriented. She said they agreed on six main goals and the first was more housing of all types downtown, and for Telephone Hill the plan "supports higher density housing that is integrated into the existing neighborhood, preserving existing historical structures to the extent possible." She said she would personally go further, and is adamantly in favor of city involvement in preserving and revitalizing the historic structures. She said she also supports integrating a small increase in housing units in

keeping with the hill's historic character. She said she favors the city being more proactive about other structures downtown that could be converted into housing units. She said the city can and must develop housing that ensures the character vibrancy and health of downtown continues and that's still the heart of the community. Ms. Woll asked why the Blueprint Downtown Area Plan has been paused. Ms. Brenneman said they had finished it in January, but then there was turnover, lack of staff, and too much work in the planning department. She said they were told to be ready to testify and talk about the plan within the next few months but that they never heard anything. Mr. Bryson said he thought the Assembly has been aggressive on housing, and asked Ms. Brenneman why she thought differently. Ms. Brenneman said she has lived here for 50 years and it has always been an issue downtown. She asked what the Assembly will do about housing in terms of climate change and public safety, and that the Assembly could be approaching people who privately own buildings that could be converted into housing. She said the city can't enforce things when there is only one code compliance officer.

## **H. CONSENT AGENDA**

**Public Request for Consent Agenda Changes, Other than Ordinances for Introduction - None**

**Assembly Request for Consent Agenda Changes – None**

**MOTION** by Ms. Hale to adopt the Consent Agenda and asked for unanimous consent.

*Hearing no objection, the motion passed by unanimous consent.*

### **Assembly Action**

#### **I. Ordinances for Introduction**

#### **3. Ordinance 2022-60(b) An Ordinance Amending the Purchasing Code Regarding Public Notice, Price Thresholds, Contracting Process, Contract Requirements, and Approval Process.**

The intent of this ordinance is to clarify purchasing code provisions and increase efficiency of CBJ purchasing while maintaining competition for CBJ services and contracts. Section 2 would define new terms and amend existing terms. Section 3 would create a new purchasing category and process for purchases between \$25,000 and \$50,000. Section 4 would require Assembly review of competitively solicited general contracts in excess of \$750,000 and public improvement contracts in excess of \$1.5M. Section 5 would modify the exemptions for competitive solicitation.

The Assembly Finance Committee discussed this ordinance on 11/2/22 and 11/1/23.

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

#### **4. Ordinance 2023-18 An Ordinance Amending the City and Borough of Juneau Code Related to Development in Landslide and Avalanche Hazard Areas.**

The City and Borough of Juneau currently regulates development in mapped landslide and avalanche hazard areas based on 1987 maps. In 2020, the City & Borough of Juneau contracted with Tetra Tech to update the landslide and avalanche hazard maps. Tetra Tech completed its task and produced a report with new maps in 2022. Since then, the Planning Commission, Assembly committees, and the Assembly have discussed the Tetra Tech maps and different regulatory options. Ordinance 2023-18 is the result of that public process.

This ordinance would repeal the 1987 landslide and avalanche maps, repeal the landslide provisions of Title 49, adopt the 2022 Tetra Tech avalanche maps, and regulate development in moderate and severe avalanche hazard areas based on the 2022 Tetra Tech avalanche maps.

On November 6, 2023, the Assembly Committee of the Whole recommended the Assembly introduce this ordinance.

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

**5. Ordinance 2023-36 An Ordinance Authorizing the Sale of Foreclosed Property Located at 520 Sixth Street by Sealed Competitive Bid Auction.**

In June of 2023, the City and Borough of Juneau received a Clerk's Deed for the property located at 520 Sixth Street (downtown/Starr Hill area) after the owners failed to pay property tax for the tax years of 2019-2022. The property consists of a 5,353 square foot lot and a 780 square foot house, which is in poor condition. The current amount owed for tax years through 2023, including penalties and interest, is approximately \$22,324.

This property will be sold through a sealed bid process and if the property sells for more than the amount owed in taxes and penalties and interest, the remainder is forwarded to the former owner and lienholders.

The Lands, Housing, and Economic Development Committee considered this topic at its meeting on July 13, 2023.

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

**6. Ordinance 2022-06(b)(BB) An Ordinance Appropriating \$6,320,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Operating Costs; Funding Provided by Various Sources.**

The following departments and funds require supplemental budget authority in FY2023:

**Human Resources:** \$35,000 of supplemental authority is needed to cover unbudgeted costs relating to the NeoGov implementation, one of the initiatives to improve recruitment; funding provided by general funds.

**Airport:** this ordinance appropriates \$309,700 of Federal CARES Act funding for required repairs and maintenance upgrades at the Airport.

**Eaglecrest:** this ordinance appropriates \$17,400 of Eaglecrest funds for increased insurance, road plowing, and vehicle repair costs, and \$43,800 of Eaglecrest's inventory reserve balance to write off obsolete inventory.

**Debt Service Fund:** this ordinance appropriates \$60,400 for bond issuance costs; funding provided by Debt Service funds.

**Pandemic Response Fund:** this ordinance provides budget authority to transfer federal revenue to the General Fund, including the last tranche of federal ARPA funds and the first tranche of the Local Assistance and Tribal Consistency Grant. This ordinance also appropriates approximately \$320,000 for CBJ's FY2023 COVID-related costs, funded by FEMA revenue.

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

**7. Ordinance 2023-14(b)(Q) An Ordinance Appropriating \$500,000 to the Manager for the Cruise Ship Dock Safety Railing Capital Improvement Project; Funding Provided by Docks Funds.**

Since the construction of the new berths in 2017, Docks and Harbors has submitted annual Marine Passenger Fee requests for the installation of safety railings along the downtown waterfront. With increased Seawalk users, there are concerns for the safety and well-being of users in areas without safety railings. This funding would provide approximately 25% of the installation of safety railings along the Seawalk from the CT Dock to Marine Park.

The Public Works and Facilities Committee reviewed and approved this request at the November 6, 2023 meeting.

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

**J. Resolutions**

**8. Resolution 3039 A Resolution of Support for the Release of the Full 50 Percent of Funds Appropriated by the Legislature to the Alaska Department of Natural Resources for Land and Water Conservation Fund Grants to Cities, Boroughs, and Tribes, and Increasing the Maximum Award to \$500,000.**

The Land and Water Conservation Fund (LWCF) is a federal grant program administered by the Alaska Department of Natural Resources Division of Parks and Outdoor Recreation (DNR DPOR) that provides funds for close-to-home outdoor recreational opportunities. Since FY18 the Alaska Legislature has appropriated over \$12.2 million for the LWCF, and expressed its clear intent that half of all funds should be provided as grants to Alaska's cities, boroughs, and tribes. However, DNR DPOR has expended less than \$7.6 million through FY25, with over 91% of these funds being used on state projects. With over \$4.1 million currently available for LWCF projects in Alaska, DNR DPOR has offered just \$1 million in grants to Alaska's cities, boroughs, and tribes in FY25.

This resolution would formally ask the DNR DPOR to comply with the Legislature's intent by (1) releasing \$4.2 million in LWCF grants to cities, boroughs, and tribes; (2) providing half of all future LWCF funds as grants to cities, boroughs, and tribes; and (3) raising the maximum grant award to \$500,000.

**The City Manager recommends the Assembly adopt Resolution 3039.**

**9. Resolution 3044 A Resolution Expressing Support for the United States Department of Justice, Office of Justice Program, FY23 Edward Byrne Memorial Justice Assistance Grant (JAG).**

The Juneau Police Department has been awarded \$41,241 in grant funding from the U.S. Department of Justice for training and equipment. This grant will provide funding for select staff to attend training on less lethal and arrest control tactics, radio microwave maintenance, property, evidence and tactical dispatch, and disaster planning for the Communications Center. Equipment funding will provide for a 360-degree camera used for crime scene documentation, court room case presentation and major incident training, and the replacement of aging service weapons. No local match is required for this grant.

The required 30-day public comment period for the FY23 JAG grant spending plan ended November 10, 2023. No public comments were received.

**The City Manager recommends the Assembly adopt Resolution 3044.**

**10. Resolution 3047 A Resolution Adopting an Alternative Allocation Method for the FY2024 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.**

This resolution would facilitate the CBJ's participation in the State's FY2024 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during the calendar year 2021 from fisheries business activities within the CBJ's qualifying area.

Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area.

It is anticipated that the CBJ's share will be approximately \$3,906.

**The City Manager recommends the Assembly adopt Resolution 3047.**

**11. Resolution 3048 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.**

On October 26, 2023, the Juneau Coordinated Transportation Coalition (JCTC) met and reviewed nominations for funding for the FY2024 Alaska Department of Transportation Human Services Transportation Service Grant. To be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by motion or resolution by the local municipal government.

SAIL submitted the only request for funding for a Replacement ADA Taxi. The project was endorsed by JCTC.

The Public Works and Facilities Committee (PWFC), at their November 6, 2023 regular meeting, voted to forward a resolution of support for the SAIL application to the full Assembly.

Upon approval, the resolution would serve as an addendum to the CBJ 2020 Juneau Coordinated Human Services Transportation Plan.

**The City Manager recommends the Assembly adopt Resolution 3048.**

**K. Liquor/Marijuana Licenses**

**12. Liquor License Action**

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

**Liquor License - Transfer of Ownership**

***License Type: Beverage Dispensary - Tourism License: #175***

**Licensee (Transfer From): CNH Holding LLC. d/b/a Breakwater Inn Restaurant & Lounge**

**Licensee (Transfer To): Waterfront on Glacier Restaurant LLC. d/b/a Arabella**

***Location: 1711 Glacier Ave., Juneau***

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments have reviewed the above license and recommended the Assembly waive its right to protest the application. Copies of the documents associated with this license 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 action.**

**L. PUBLIC HEARING**

**13. Ordinance 2023-39 A Noncode Ordinance Authorizing a Cold Weather Emergency Shelter at 1325 Eastaugh Way.**

This ordinance exempts the use of 1325 Eastaugh Way as the Cold Weather Emergency Shelter from all requirements and prohibitions of the land use code for five years. CBJ has been operating a cold weather emergency shelter during the winter months since 2017, in partnership with various community organizations. The work of emergency sheltering presents numerous challenges that most communities only partially succeed at meeting. Ideally, proactive work and support services exist in sufficient quality and quantity to prevent the need for a true emergency shelter; however, like most communities, we are not yet there. Funding for these services has already been appropriated in the FY24 budget.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment**

**Karen Lawfer**, Douglas resident, said she was a member of the Resurrection Lutheran Church speaking on her own behalf, not as a representative of the church. She said she is concerned that access to the Thane warehouse required about a two mile walk, some of which is not lit. She said you can see the building from the road, but it is down a slope of 30-45 degrees in brush, and people need to go around Mill street which is full of no trespassing signs. She said the Thane warehouse only has three porta-potties and no water. She said it does not meet code and that the location is not workable.

**Reverend Karen Perkins**, Valley resident, said she is the pastor of Resurrection Lutheran Church. She said she was extremely concerned about the injustice of the way this process has gone down, the condition of the shelter that has been thrown up, and the safety of the people who may or may not be able to use it. She said the criteria listed



are vague and inconsistent with the criteria that was in the Request for Proposal, which do not meet national standards for low barrier emergency shelter. She said there was an emphasis on not being adjacent to an elementary school or residential neighborhood, but she said that nobody bothers to question or check the data about whether or not that is valuable, either for the people using the shelter or for the community. She said it is completely distracting because the emergency warming shelter does not affect the school, other than sometimes schools do fundraisers for it. She said a number of people were misled in the process, including Resurrection Lutheran Church. She said that the idea that no one who is affected by this, none of the businesses that are affected by this in the area, had any opportunity to be consulted as it got slipped through between Assemblies. She said she had done extensive work in the area and extensive research and what makes people mad the most is when they don't know and don't have input. She said she heard there was no food, no running water, that people will have to go outside to use a porta potty. She said shuttles may or may not be useful to people. She said low barrier means low barrier, and that having shuttles means people need to know when and where the shuttles are picking up. She said people have to know how to use the system, and they knew how to use Resurrection Lutheran Church. She said that the fact that this was an emergency that had to bypass any processes is misleading and that it was not an emergency because RCL was available and could have opened before the Mill Campground closed, and that this emergency was manufactured.

**Leora Blackwell**, South Douglas, said she has lived in Juneau her whole life. She said she has seen this town grow and blossom, but that it has also brought in a lot of homelessness. She said she worked at the warming shelter and she started a petition that received over 250 signatures to keep the warming shelter at the church. She said a lot of those signatures were from downtown business owners who were scared that people were going to be in their storefronts instead at a warming shelter to be safe. She said a lot of participants and patrons of the warming shelter did not feel safe or brave enough to come in and talk, so she is here trying to talk for them. She said that the number of people utilizing the RLC warming shelter were high, because people felt safe, and the number of people utilizing the Thane warming shelter is low, which scares her because it means people are not using it. She said that a lot of people are choosing to stay in the woods instead. She said we need to be considering the people that use the shelter, not just the property, and that people need to be kept safe and they are not objects to be tucked into a warehouse. Ms. Woll asked if Ms. Blackwell could share copies of the petition.

**Nicholas Barrett**, said he as lived in Juneau for a bit over 10 years and that he was a homeless veteran for almost nine years. He said he went to college on the GI bill where he learned a lot, including core values. He said that no matter where you go, homeless is homeless. He said he has traveled a lot overseas and that homelessness is everywhere. He said that food is the number one concern of the people staying in a shelter and that at Thane they have not even added blankets. He said people only get flavored water, and a peanut butter and jelly sandwich. He said there was no running water so people could not shower. He said at RLC they had food and a shower; he said he knows the shelter cannot stay there permanently but encouraged the Assembly to have it be there this winter until a better and more thoughtful process can be developed.

### **Assembly Action**

Ms. Hale asked Ms. Koester to provide a brief update on how the Thane Warming Shelter was operating. Ms. Koester said they were averaging about 37 people overnighing in the shelter, with a total of 107 unique individuals. She said the staff has been working on transitioning people into other options if they have them available. Ms. Koester said that there is transportation from 8:30pm until 1:00am and that staff patron the downtown area and look for residents. She said there was a total of five different loops that staff make looking for people. She reported that most ridership is earlier in the evening and there is more usership of the shelter when it gets colder. She said right now there are outdoor porta potties, but they are looking at investing in indoor restrooms. She said that would make a lot of sense over the long run if they maintained the cold weather shelter at this location for several years.

Ms. Woll asked about hot meals. Ms. Koester said that basic foods, but not hot meals, were provided. She said that patrons were provided with transportation to the Glory Hall in the morning for a hot breakfast.

Mr. Kelly asked if there were any signs or notices posted to help people learn about transportation services. Ms. Koester said she had not asked Mr. Ringle, the Warming Shelter manager, about that specifically. She said there were regular places the van stopped, and locations they regularly checked.

Ms. Adkison asked about a comparison in usage between RLC and Thane Warming Shelters. Ms. Koester said that RLC had up to 77 people utilizing bed services. She said she did not know what the average usage was, but suspected it was less than 77.

Ms. Hale asked if JPL is doing more drive throughs in the Thane area and if any issues have been reported. Ms. Koester said they have not been alerted to any issues.

‘Wáahlaal Gídaag asked if the Systemic Racism Review Committee (SRRC) reviewed this ordinance. Ms. Koester said that the SRRC has a process to forward comments to the Assembly, and that process was not activated.

Ms. Woll asked what the perspective of staff and service providers was about the location of the Thane Warming Shelter. Ms. Koester said that CBJ has been in contact with various organizations which have all been overwhelming supportive of Thane as an alternative.

Ms. Woll asked for a brief at-least to review the petition. *The Assembly took a 5 minute at-ease.*

**MOTION** by Mr. Bryson to adopt Ordinance 2023-39 A Noncode Ordinance Authorizing a Cold Weather Emergency Shelter at 1325 Eastaugh Way and asked for unanimous consent.

**Objection** by ‘Wáahlaal Gídaag. She said that running water is a basic human need, and its inaccessibility is a dealbreaker for her. She said she thought the process could have unfolded more strategically and with more planning into a way to treat human beings with basic human decency. She said that the testimony and petition make it clear to her that a lot of people are not being treated with basic human needs.

Mr. Bryson said that they do not want anyone slipping through the cracks. He said he is a board member of the Housing First Glory Hall, and that the Glory Hall is very pleased with the outcome of having the shelter and morning transportation. He said the Glory Hall has received zero complaints from their shared users.

**Roll Call Vote:**

**Yeas:** Mr. Bryson, Ms. Woll, Mr. Kelly, Ms. Adkison, Mr. Smith, Ms. Hale, Mayor Weldon

**Nays:** ‘Wáahlaal Gídaag

*Ordinance 2023-39 passed, 7 yeas, 1 nay.*

**14. Ordinance 2023-35 An Ordinance Amending the Animal Control and Protection Code Related to Service Animals.**

The CBJ animal control code was revised in 2009 and included a definition for service animals. Since then, the definition of service animals under the Americans with Disabilities Act has been clarified by federal regulation. This ordinance amends the CBJ animal control code to be consistent with the amendments to federal law.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment** - None

**Assembly Action**

**MOTION** by Woll to adopt Ordinance 2023-35 An Ordinance Amending the Animal Control and Protection Code Related to Service Animals and asked for unanimous consent.

*Hearing no objection, Ordinance 2023-35 passed by unanimous consent.*

**15. Ordinance 2023-38 An Ordinance Amending the Traffic Code Relating to Impounds of Vehicles.**

This ordinance would amend Titles 72 and 36 to allow departments charged with oversight of public property to impound-in-place. Docks and Harbors has utilized this process with much success. This change lessens the burden on JPD officers and allows the City to respond to abandoned and junked vehicles in a more efficient and timely manner.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment** – *None*

**Assembly Action**

**MOTION** by 'Wáahlaal Gídaag to adopt Ordinance 2023-38 An Ordinance Amending the Traffic Code Relating to Impounds of Vehicles and asked for unanimous consent.

*Hearing no objection, Ordinance 2023-38 passed by unanimous consent.*

**16. Ordinance 2023-14(b)(N) An Ordinance Appropriating \$50,000 to the Manager for Cruise Ship Scheduling Services; Funding Provided by Marine Passenger Fees.**

This ordinance would appropriate \$50,000 of Marine Passenger Fees for cruise ship scheduling and port agent services at two CBJ-owned cruise ship docks and one lightering facility. Cruise ship services would reduce scheduling conflicts between cruise lines and ships to improve integration, provide greater efficiency, and enhance operations for the arrival and departure of cruise ships visiting the Port of Juneau. Port agent services would include activities such as longshoring, stevedoring, and other generalized services to vessels docked at the facilities. These services would enhance visitor experiences, economic activity, vessel services, and the well-being and quality of life for Juneau residents.

The Committee of the Whole reviewed this request at the August 7, 2023 meeting. The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment** – *None*

**Assembly Action**

**MOTION** by Ms. Adkison to adopt Ordinance 2023-14(b)(N) An Ordinance Appropriating \$50,000 to the Manager for Cruise Ship Scheduling Services; Funding Provided by Marine Passenger Fees and asked for unanimous consent.

*Hearing no objection, Ordinance 2023-14(b)(N) passed by unanimous consent.*

**17. Ordinance 2023-14(b)(O) An Ordinance Appropriating \$300,000 to the Manager for the Trail Improvement Capital Improvement Project; Grant Funding Provided by the Alaska Department of Natural Resources.**

This ordinance would appropriate \$300,000 for the Trail Improvement Capital Improvement Project for the construction of phase 1 of Juneau's first Off-Road Vehicle (ORV) riding park. Phase 1 would construct five miles of trails through a 175-acre site contained within a larger 565-acre tract owned by the CBJ. It will likely take multiple years to build this phase, and subsequent phases will be mapped, planned, and permitted in the field. A parking lot and secure gated entry will be funded by existing funding in the CIP. The local match requirement will be met through previously appropriated funds in the CIP.

The Planning Commission reviewed this request at the January 17, 2023 meeting. The Parks and Recreation Advisory Committee reviewed this request at the April 4, 2023 meeting. The Lands, Housing and Economic Development Committee reviewed this request at the June 12, 2023 meeting. The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment** – None

**Assembly Action**

**MOTION** by Mr. Kelly to adopt Ordinance 2023-14(b)(O) An Ordinance Appropriating \$300,000 to the Manager for the Trail Improvement Capital Improvement Project; Grant Funding Provided by the Alaska Department of Natural Resources and objected for purposes of a question.

Mr. Kelly asked what the neighbors' opinion on this ordinance was. Mr. Schaaf said there was a tremendous amount of public process on this project over the years. He said that one of the benefits of the site is that the nearest home is 2.5 miles away. He said the parcel otherwise has no abutting neighbors except for the US Forest Service. He said that in addition to the normal abutters notice, they also posted signs on Glacier Highway, held public meetings via zoom, and posted signage around town. He said the comments they received were positive, with no one specifically objecting to this location. Mr. Kelly asked about environmental impacts of the park. Mr. Schaaf said that as a city project they are not required to do an environmental analysis for a project like this. He said that because this grant was federally funded, there was additional layers of environmental review that they went through, including consultations with NOAA, National Marine Fisheries Service, Fish and Game, and the State Historical Preservation Office. He said they also secured wetland permits from the US Army Corps of Engineers and completed a wetland delineation. He said the objections of all agencies they have consulted with have already been addressed. Mr. Kelly removed his objection.

*Hearing no objection, Ordinance 2023-14(b)(O) passed by unanimous consent.*

Mr. Bryson said this has been 20 years in the making and thanked all the organizations involved. Ms. Hale said this came up at her very first Parks and Recreation Advisory Committee meeting and it has remained a high priority for them every since. She said this is going to serve a segment of the population not served by other Parks and Recreation facilities.

**18. Ordinance 2023-14(b)(P) An Ordinance Appropriating \$28,000 to the Manager for Increased Monitoring Services at Suicide Basin; Funding Provided by General Funds.**

This ordinance would appropriate \$28,000 for increased United States Geological Survey (USGS) monitoring services at Suicide Basin. The August 2023 flood event substantiated the need for advanced monitoring at Suicide Basin. This request would increase annual USGS flood monitoring from \$7,000 to \$35,000. This additional funding would contribute toward the installation of additional cameras and a laser stage sensor at Suicide Basin, helicopter time to access the equipment, and USGS staff time collecting and interpreting data.

The Committee of the Whole reviewed this request at the August 28, 2023 meeting. The Public Works and Facilities Committee reviewed and recommended this request at the September 18, 2023 meeting. The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 24, 2023.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment** – None

**Assembly Action**

**MOTION** by Mr. Smith to adopt Ordinance 2023-14(b)(P) An Ordinance Appropriating \$28,000 to the Manager for Increased Monitoring Services at Suicide Basin; Funding Provided by General Funds and asked for unanimous consent.

*Hearing no objection, Ordinance 2023-14(b)(P) passed by unanimous consent.*

**M. UNFINISHED BUSINESS**

**19. Potential Reconsideration Item: Resolution 3040(b) A Resolution Regarding the Allocation of the Hotel-Bed Tax.**

The Assembly considered this resolution at its meeting on October 23, 2023. After the Assembly amended this resolution, the resolution failed to receive enough votes for adoption. Assemblymember Smith gave notice of reconsideration.

This resolution would instruct the Assembly to provide funding priorities for use of the hotel bed tax to the City Manager, which should include allocation of the 2% temporary tax to Centennial Hall improvements. The Manager would then present the budget recommendations considering hotel bed tax revenues and the needs of the community and visitors. This affords the greatest flexibility for the Assembly to meet community needs, address the volatility in the revenue stream, and provide greater budgeting stability for Centennial Hall operations and Travel Juneau's tourism promotion.

The Assembly Finance Committee reviewed this request at the August 2, 2023, and September 6, 2023, meetings.

**Assembly Action**

Attorney Palmer outlined the legal process for reconsideration for the Assembly.

**MOTION** by Mr. Smith that the Assembly reconsider Resolution 3040(b) A Resolution Regarding the Allocation of the Hotel-Bed Tax.

In speaking to his motion, Mr. Smith said after hearing and listening to the debate, he wanted to bring an amendment regarding affordable housing forward, if they did decide to reconsider. He said that with the amendment, they would hopefully get the Assembly to find support on the resolution.

*Hearing no objection, the motion to reconsider Resolution 3040(b) passed by unanimous consent.*

**Amendment #2**

**MOTION** by Mr. Smith to amend Resolution 3040(b) in Section 2 to add the words "and affordable housing" to the sentence that currently reads "The City and Borough of Juneau Assembly will provide funding priorities for use of the nine percent (9%) HBT to the Manager at the beginning of each budget year, which should include allocating the 2% temporary tax to Centennial Hall Improvements as expressed by the voters in 2019, as well as stable and adequate funding for Tourism Promotion and Centennial Hall Operations, and affordable housing." and asked for unanimous consent.

In speaking to his motion, Mr. Smith said he hopes the Assembly can decide the numbers and percentages during the budget process, but that this provides general guidance to the City Manager for priorities.

**Objection** by Mr. Bryson for the purpose of a question. Mr. Bryson asked if this would provide stability and consistent funding for Travel Juneau. Ms. Koester said that from her perspective this amendment clarifies that the highest priorities from the Assembly for this revenue are tourism promotion, Centennial Hall operations, and affordable housing. She said that the resolution leaves the judgement of how to split it up to the City Manager at the time of the budget, because priorities might change. She said affordable housing has been a high priority for a long time and she does not anticipate that changing any time soon. Mr. Bryson removed his objection.

**Objection** by Ms. Woll for purposes of a statement. She said she wanted to apologize to the body. She said normally objects to something she should offer an improvement and she did not know that her objection at the last meeting would result in the resolution failing. She said it is not perfect, but it is better than before and thanked Mr. Smith for improving it on her behalf. She removed her objection.

*Hearing no further objection, Resolution 3040(b) as amended, passed by unanimous consent.*

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

There are 14 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. Hale to accept Ioanna Manolakaki, John Sweeny, Michael Audap, Paul Simpson, Paula Terrel, Roy Carte, Verdi Brogdon, Monica Ritter, Nancy Barnes, Mark Riederer, Sana Efrid, Stephen Iha, Donald Howell, and Randy Little for the Hardship or Late File Senior and Disabled Veteran Exemption List and refer them to the Assessor's for action and asked for unanimous consent.

*Hearing no objection, motion passed.*

**O. STAFF REPORTS**

**21. October 3, 2023 Regular Municipal Election Report**

This report was included in the October 23, 2023 Assembly Reorganizational meeting packet but due to limited time during that meeting, it was continued to this agenda.

Ms. McEwen provided some statistics about the October 3, 2023 election.

Ms. Hale asked for a rough idea for the cost of running a by-mail election compared to a precinct election. Ms. McEwen said that in 2019, the last year that they ran a precinct-based election, staff were able to borrow voting equipment from the State of Alaska Division of Elections. She said that using that borrowed equipment, it cost around \$40,000 to run an election. Ms. McEwen said that for the by-mail elections it cost approximately \$100,000 to conduct the election, with an additional \$40,000 being put aside annually for future equipment. Ms. Hale said that she believed that the State no longer lent out election equipment. Ms. McEwen said that was correct, and that if the city wanted to do precinct-based elections, they would need to purchase new equipment.

Mr. Bryson said the Assembly has determined that Juneau would be a by-mail municipality. He said he has been approached by citizens asking if it could revert to precinct-based elections. He asked what it would take for the Assembly to revisit precinct-based elections. Ms. McEwen said that by-mail voting language has been in the code since 2007, but required the Assembly to make a motion to hold the election by-mail each year. She said that did not happen until 2020, when the Municipality of Anchorage offered their services; she noted that CBJ did not have to pay MOA staff for their help. She said that this year, 2023, the Assembly voted to make by-mail the default, and the Assembly would have to pass a motion to hold a precinct-based election. She said that if the Assembly wanted to have a precinct-based election, staff would need enough lead time and budget to purchase new precinct voting election equipment. She said by-mail and precinct-based voting equipment differs, and you cannot do a hybrid of the two.

Mr. Kelly asked if there were long lines to vote on Election Day and if anyone was still voting past 8:00pm. Ms. McEwen said that there were lines on Election Day at the two Vote Centers and some people had to wait between 35-40 minutes, and that only one or two people were in line at 8:00pm when the polls closed. She noted that people who are in line at 8:00pm are still legally able to vote.

Mr. Smith said that 168 ballots were rejected this year and asked how that number compared to precinct-based voting. Ms. McEwen said that in precinct-based elections people who aren't registered, do not have an ID, or have another issue vote a "questioned" ballot which is reviewed later by staff. She said she did not have numbers for how many were rejected, but that it fluctuated over the years.

Ms. Woll asked if staff received feedback from the public about the voting process. Ms. McEwen said that they have received comments from some individuals that felt very passionately that the option they wanted to use was not available in the way they wanted to use it. She said that most people who called the election call center were able to find an option that worked for them. She said about 6 to 10 people per year are traveling somewhere in the world or off-grid through the entire time that ballots were available and could not necessarily take advantage

of the various voting options. She noted that has been the case every year regardless of how the election was conducted.

Mayor Weldon asked about what ‘challenged’ means and how to cure a ballot. Ms. McEwen said that a ballot might be challenged in a variety of ways, including the voter not registering in time, being registered in another community in Alaska, being ineligible, missing their signature or personal identifier, or their signature or personal identifier not matching the records. She said they are sent a letter in the mail with the way to cure their issue. Ms. McEwen said that ballots received after election day with no postmark or received with a postmark after election day are not able to be counted or cured. Mayor Weldon said some people are worried about their signature not matching because it has changed over time and asked how a person can cure that. Ms. McEwen said that staff encourage people to sign the same way as their driver’s license or voter registration form. She said for people who do not match, the cure letter received in the mail will allow them to fix this problem, and that the signature is then kept for the following year, so hopefully they will not have the same issue again.

**P. ASSEMBLY REPORTS**

**Mayor's Report**

The mayor said that at a previous meeting they used a “thumbs up/thumbs down” method for indicating where they wanted future tourism levels to be. Mayor Weldon asked each member of the Assembly to verbalize their position.

Mayor Weldon said there were a record number of cruise ship tourists this year and there was tension in the community. She said that her “maintain” signal was based on the fact that there will be lower rates of visitation in 2024 with the 5-ship limit and a reduction of hot berthing and infrastructure projects in Eaglecrest. Ms. Hughes-Skandijis provided her response to the Mayor ahead of time, which was read out during the meeting; “We had a tourism taskforce based on 1.3 million visitation numbers. Then without any significant developments in managing those tourists, we went up to 1.6 million. The seasons get longer, the numbers grow, and the impact on the ground is too great. If you are giving blunt direction on this point to reduce or maintain, the clear answer is reduce.”

Ms. Hale said she voted to reduce, as she heard from people she had never heard from before that this year had too many tourists. She said she believed that 2024 and 2025 are projected to have approximately 1.6 million visitors. She said they are sending a message to industry that this year was rough, and impacts need to be ameliorated. She said she was not looking at huge decreases but is looking for tools in the toolbox that would allow the Assembly to take action if needed.

Mr. Smith said he voted to maintain. He said that moving forward peak days will decrease, and that the industry and the community know ways to better manage tourism. He explained that it is not 1.6 million people in a year that causes a problem, rather, it is whale watching boats with too much wake, too much traffic, and pinch points at Thane that are issues that affect people’s day to day life, and so a reduction in peak will help reduce impacts on residents. He said he hopes that the Assembly pursue things that reduce negative impacts on residents

Mr. Kelly stated that he would like to see a level of tourism that Juneau’s infrastructure can handle. He relayed that, when he was campaigning, people said they have trouble navigating downtown, fishers are having difficulty going out of Statter Harbor, and residents are not able to enjoy favorite hiking trails because they are too crowded. He said he would like to see more independent travelers and a year-round revenue stream, and that Juneau shouldn’t rely on one sector of the tourism industry.

Ms. Adkinson spoke on her vote to decrease tourism levels. She said she has heard comments that the local impacts are severe, and that it is not so much a numbers issue, but rather a capacity and infrastructure issue. She stressed that it is important to look at the long-term health of the tourism industry, and that when visitors come, they are having a good time and Juneau remains a place people want to come to. She elaborated that she is not suggesting decreasing levels forever, but rather, decreasing levels until they are better able to manage the tour numbers.

‘Wáahlaal Gídaag voted decrease with a lean toward maintaining. She pointed to congestion over the summer, which she heard from both Juneau residents as well as friends getting off cruise ships. Many people who rode the tram up had trouble getting off in time before their boat left, as an example. She echoed Ms. Adkinson’s comments that the reduction is not forever, just enough to get congestion more controlled.

Ms. Woll said she voted down because she wants to know what the tools and options there are for the future. The Assembly can’t just say “1.3 million” or “1.5 million” and make it so.

Mr. Bryson explained that that there are only two directions the assembly can take with the tour industry: either encouraging and supportive, or discouraging. He said he is okay with managing to reduce the impacts of tourism, which is being worked towards as a member of the Visitor Industry Task Force. Having boats in Juneau longer because they’re not hot birthing and agreed to the five-ship limit will then allow for time to go on tours. Every tourist that the Assembly says cannot go on the ship is an impact on the local businesses. He pointed out that the task force addressed what restrictions on tourism would look like and what could be legally done, and Mr. Plamer provided 15 reasons why Juneau is not allowed to put limitations on boats that come one being that the city cannot reduce tourism and impact your revenue stream while they have a loan out on the 16b docks. He urged that levels stay flat because it means the cruise ships are full and tour operators would have a better time fulfilling tour requests.

Mayor Weldon returned to her mayor’s report. She attended Vic Fisher’s funeral in Anchorage yesterday and paraphrased a quote of his: “the best thing you can do for your community is vote, vote, vote.” She suggested to staff that, after speaking with Capital City Fire Rescue, they investigate making a position that is non-trained with the aim to train a person up, send them to the academy, and enroll them EMT classes.

### **Committee and Liaison Reports**

**Assembly Committee of the Whole (COW)** Chair Hale reported that the committee met on November 6 and were presented CBJ efforts on the Mendenhall River flooding. They forwarded the hazard maps ordinance to the full assembly, which will be open to public comment on December 11. There were also tourism updates.

**Assembly Finance Committee (AFC)** Chair Woll shared that the committee forwarded an ordinance updating procurement policies, which was introduced tonight, as well as discussed community grants. She said the next meeting on November 29 is scheduled earlier than normal so that it is a few days before the retreat, with the focus being retreat prepping.

**Public Works and Facilities Committee (PWFC)** Chair Bryson recounted the November 6 meeting had a long agenda, with most of the items having been passed tonight.

**Human Resources Committee (HRC)** Chair Smith said there are no appointments tonight. He relayed that the committee heard about a new process available where local communities can petition the Alcoholic Beverage Control Board for additional restaurant and eating place licenses; this is part of a rewrite that passed in the state legislature that granted this new power to local governments. He said they heard from the city attorney about an ordinance establishing a Juneau Whistleblower Act, which was forwarded to the full Assembly, as well as another ordinance clarifying the appointment of an assembly member due to a mid-term vacancy, also forwarded to the full Assembly. Empowered board interviews for the Planning Commission and the Bartlett Regional Hospital Board are coming up, as those terms end December 31.

Ms. Woll advised members that the finance committee’s meeting may be earlier going forward. She reported that the Chamber of Commerce did not meet this month because they are changing offices but will be holding a retreat at the end of the month. The Eaglecrest board met two weeks ago, who said they are actively recruiting staff.

‘Wáahlaal Gídaag relayed that the Airport Board discussed the second crossing and have issue with any crossing that may interfere with airport traffic. A letter from the board regarding this matter is forthcoming.



Ms. Adkinson said the Docks & Harbors Board met and discussed the barrier on the Docks, which was forwarded to the full Assembly. The Juneau Commission on Sustainability held a forum on composting.

Mr. Kelly reported that the Planning Commission met and considered a conditional use permit for a new multi housing family development and will continue to discuss it at their December 12 meeting. Tomorrow they are considering a request by the Douglas Indian Association about their learning center. He advised that the commission is cancelling two of their future meetings, November 28 and December 26. The School Board Finance Committee met on November 7 and reviewed their audit report, which had four findings, one regarding the changing of accounting standards, another having to do with city charter appropriation authority, as well as a medical billing issue and student data reporting issue. The Emergency Planning Committee discussed everything the city is doing regarding glacial outburst floods, and the Red Cross talked about their Real Hero awards closing nominations December 11. There was also a report from the Alaska Department of Transportation and Public Facilities about public LIDAR maps of the Mendenhall Valley, and about their drone program; they are considering using drones for avalanche mitigation.

Mr. Smith relayed that the Board of Education met and swore-in new members and elected Deedie Sorenson as President, Emil Mackey as Vice President, and Will Muldoon as Clerk. Enrollment is down 82 students below projections. He said they are expecting to deal with a \$2 million deficit.

Ms. Hale shared that she represented CBJ in the Heritage Way renaming ceremony. She said she attended the Parks and Recreation Advisory Council's meeting, and they talked about permits for non-commercial uses, a new naming policy, their capital improvement project list, and their legislative capitol priorities list.

Mayor Weldon recalled that the Lands, Housing, and Economic Development Committee received a report from the Affordable Housing Fund Committee. There were two projects that rose to the top. She said Mr. Smith has put forward an ordinance for \$1.6 million to add to the fund so they can do the two projects. She reminded members that the legislative reception is on January 16.

**Presiding Officer Reports**

**Q. ASSEMBLY COMMENTS & QUESTIONS** – None.

**R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** - None

**S. EXECUTIVE SESSION**

**22. Litigation Strategy.** The Municipal Attorney recommends the Assembly recess into executive session to discuss pending CBJ litigation, specifically a candid discussion of the facts and litigation strategies with the municipal attorney.

Ms. McEwen noted that once the Assembly goes into Executive session, the Zoom portion and recording of the meeting will be ended.

**Motion** by Ms. Hale to enter into Executive Session to discuss matters, the immediate knowledge of which could have an adverse effect on the finances of the city, specifically a litigation update. There being no members from the public or the Assembly objecting to that motion, the Assembly recessed into Executive Session at 9:43p.m.

**T. SUPPLEMENTAL MATERIALS**

**23. Cold Weather Emergency Shelter – 2023**

**U. ADJOURNMENT**

Signed: \_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk

Signed: \_\_\_\_\_  
Beth A. Weldon, Mayor