

# SPECIAL ASSEMBLY MEETING 2023-14

## **DRAFT** MINUTES

June 26, 2023 at 6:00 PM



### Assembly Chambers/Zoom Webinar

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<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

Deputy Mayor Maria Gladziszewski called the Special Assembly meeting to order at 6:08p.m. The meeting was held in the Assembly Chambers and broadcasted virtually via Zoom.

#### B. LAND ACKNOWLEDGEMENT

‘Wáahlaal Gíidaak provided the following land acknowledgment: We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be 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 Gladziszewski, Wade Bryson, Alicia Hughes-Skandijs, Greg Smith, Michelle Hale, Christine Woll, Carole Triem, and ‘Wáahlaal Gíidaak

**Assemblymembers Absent:** Mayor Beth Weldon.

**Staff Present:** City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy City Clerk Andi Hirsh, Lands Manager Dan Bleidorn, and BRH CEO David Keith

#### D. 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 and indicating the topic(s) upon which they wish to testify.*** 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.gov](mailto:BoroughAssembly@juneau.gov).

#### E. AGENDA TOPICS

##### 1. Public Hearing

**Ordinance 2023-30 An Ordinance Authorizing the Manager to Advocate for and Provide Public Information Regarding the Need for a New City Hall, Including the Dissemination of Information That May Influence the Outcome of a Future Ballot Initiative.**

This ordinance enables the Manager to advocate for a new City Hall project if the Assembly decides to put a ballot question before the voters this fall. \$50,000 for this purpose has been included in the FY24 budget. While CBJ regularly provides the public with nonpartisan information about upcoming ballot provisions, Alaska law requires the Assembly adopt an ordinance specifically authorizing the expenditure of funds if those funds are to be used to influence the outcome of an election. Threading the needle of delivering nonpartisan information versus information that might influence the outcome of an election is particularly challenging in this case; people may reasonably debate about the difference of facts and arguments in favor of a City Hall facility.

These funds would be used to produce and disseminate materials via direct mail, media, presentations to the community, and online.

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

**Public Comment**

**Frank Bergstrom**, a resident in the Fred Meyer area, spoke in opposition of Ordinance 2023-30. He stated that the new city hall is a controversial topic that was recently turned down by voters during the 2022 election. At the May Finance Committee meeting, Assemblymember Woll proposed that the word “New” be removed from the title “New City Hall” giving the reason that the subject is “controversial” and controversial subjects are often referred to a committee or commission for impartial study. Ordinance 2023-30 states “enables the manager to advocate for the new city hall... and influence the outcome of the election.” He spoke to the reasons this should be referred to an impartial committee or commission. He spoke to the expenses and numbers given during the 2022 election cycle as well as those of the project with relation to this proposed ordinance. He stated that his personal property tax has increased by 45% in the last eight years and he is emblematic of many people in town and he is exhausted by the rate of property taxes.

**Scott Spickler**, a resident of North Douglas, spoke in opposition to Ordinance 2023-30. He said that the community said no to this project last year. He said that the \$50,000 is not a wise use of funds. The project should stand on its own merits if the Assembly chooses to put this on the ballot again. He said that he hopes they don’t put it on the ballot again. He said that he also does not like when the city bundles ballot items together and would prefer that individual projects stand on their own merit. He said that he understands the Assembly has a tough job and that CBJ has \$1 billion in deferred maintenance that goes back decades but we don’t have a good history of taking care of what we do have and if we did, we would not likely be in the current situation.

**Roger Callaway**, an Auke Lake resident, spoke in opposition to Ordinance 2023-30. Mr. Callaway said that CBJ already has a Public Information Officer (PIO) that they fund and he is surprised that the information they wish to convey isn’t already being put out by the PIO.

**Don Habeger**, a Back Loop resident, said that in addition to speaking on his own behalf, he is representing Juneau’s First Things First Foundation, of which he is the Executive Director. He said that their organization is a 501(c)(3) non-profit that gets involved in public discussions. He said that this public discussion involves whether or not we need a new city hall and whether or not CBJ should be in the business to advocate for one. They have heard testimony that this is a controversial issue and it was defeated in the 2022 election that had a 32% turnout, which is average for the past 10 years for voter turnout. He said that turnout said no and it is the will of the people. That should conclude the Assembly to withdraw this ordinance. He said that if the Assembly does choose to pass it, they should have reasonable public debate and they should find an organization that would represent the other side and fund that equally and have a true, honest public debate on the issue.

Mr. Smith asked if First Things First, would be willing to participate in a public debate on the merits of the project. Mr. Habeger said he thinks First Things First is open to that but it would be willing to do that but it would depend on what an RFP would look like. If First Things First didn’t consider the RFP fair, they would likely not go after it. If all things are fair and a true public debate was put out, they may be interested in that.

**Wayne Coogan**, an Auke Bay resident, said that he deeply appreciates the Assembly’s commitment and professionalism and it is generally always there. He said that with regards to City Hall, this current City Hall now needs \$14 Million to repair the current space. He said that you can’t see the dire need when you walk through the building. He said that he thinks they have crossed into territory and is hearing grave concerns being raised about the Assembly advocating in a political manner and using tax payer money to advocate against the vote that was taken during the 2022 election. He is concerned about the honor of the Assembly.

**Assembly Action**

**MOTION by Mr. Bryson to adopt Ordinance 2023-30 and asked for unanimous consent.**

Objection by Mr. Smith for purposes of a question. Mr. Smith asked Manager Watt, if this ordinance does not pass, what information could CBJ provide to the public about this proposed project. He asked what city staff would feel is legal or comfortable in putting out. *[Mr. Smith removed his objection with Mr. Watt's reply.]*

Mr. Watt said that the information would look similar to what was done last year. He noted that if there was incorrect information out on social media, CBJ staff would not engage in that discourse or provide information that might correct erroneous assumption. CBJ would not participate with community groups if they asked for presentations. They would not provide mailer/flyer/postcards or things like that. He said they would narrowly stay out of the electoral process. He noted in his manager's recommendation what is and isn't a fact and what is or isn't considered advocacy can be subject to interpretation. CBJ would largely be silent. He said that he does not think that the voters would benefit from the reasons this project has been proposed. He said that it is for that reason that he has recommended this ordinance.

Ms. Gladziszewski asked Mr. Watt to explain the relationship of the Public Information Officer (PIO), how this money might relate to the PIO's salary and if this is additional money or if this ordinance is to meet the formal reporting requirements for advocacy as set out by Alaska Public Offices Commission (APOC).

Mr. Watt said that the \$50,000 looks like additional money but it offsets staff costs. He said that all staff work on this project has to be tracked and reported to Alaska Public Offices Commission (APOC). He said that any staff time related to providing public information on this topic, whether it was the PIO doing work on it or if he were to attend a public event such as a Chamber of Commerce luncheon to speak on this topic, they would assign the salary cost of the staff member to this appropriation. Those salary costs would offset existing budget authority and not likely be new expenditure of funds.

Ms. Gladziszewski asked if they could do it as a decrement from the already budgeted funds if they wanted to. She said that the real purpose of this appropriating ordinance is for APOC reporting of staff time allocated to this ballot issue. Mr. Watt said that was correct for the most part, however, if they did send out a postcard or flyer to voters, that would be a new expenditure so it would be fair to call those new costs. For any staff costs, those would be offset costs since they will not be hiring anyone new.

Ms. Hale said that one of the members of the public who testified suggested that CBJ could use the PIO to provide information to the public. She asked Mr. Watt to clarify that unless this ordinance is passed, the PIO would not be allowed to get information out about this project.

Mr. Watt said that was correct. Since that APOC rules are fairly narrow and this issue has been argued and litigated, APOC recommends specific appropriation and specific legislative authority to participate in the electoral process. He said that clearly, we would be advocating for a new city hall as they feel a new city hall is in the best interest of our citizens. He said that in the effort to provide information about the project, we would be trying to influence the election so APOC requires these two separate authorizations.

**Hearing no further objection, Ordinance 2023-30 was adopted by unanimous consent.**

**F. SUPPLEMENTAL MATERIALS**

**G. ADJOURNMENT**

There being no further business to come before the Assembly, the Special Assembly meeting was adjourned at 6:30p.m.

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

Signed: \_\_\_\_\_  
Maria Gladziszewski  
Deputy Mayor