

SPECIAL ASSEMBLY MEETING 2023-18 **DRAFT MINUTES**

July 31, 2023 at 6:30 PM

Assembly Chambers/Zoom Webinar



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

A. **CALL TO ORDER**

MEETING NO. 2023-18: The Special Assembly Meeting of the City & Borough of Juneau Assembly held at City Hall in the Assembly Chambers and virtually via Zoom webinar was called to order by Mayor Beth Weldon at 6:34 p.m.

B. **FLAG SALUTE**

The flag salute was led by Assemblymember Loren Jones.

[Clerk's Note: Assemblymember Jones was sworn into office in the Municipal Clerk's office by Acting City Attorney Sherri Layne on Friday, July 28, 2023 to fill the seat left vacant by Assemblymember Carole Triem's resignation on July 10, 2022. Mr. Jones' appointment to the Areawide Assembly seat was for the period beginning as soon as possible after July 11, 2023 until the certification/swearing in of the new Assembly following the certification of the October 3, 2023 Regular Municipal Election.]

C. **LAND ACKNOWLEDGEMENT**

Assemblymember Alicia Hughes-Skandijs provided the following Land Acknowledgment: We would like to acknowledge that the City and Borough of Juneau is on unceded Tlingit lands, 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!*

D. **ROLL CALL**

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladyszewski, Greg Smith, Christine Woll, Michelle Hale, Alicia Hughes-Skandijs, 'Wáahlaal Gíidaak, Wade Bryson and Loren Jones

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Andi Hirsh, Engineering/Public Works Director Katie Koester, Eaglecrest Manager Dave Scanlan, JPD Police Chief Ed Mercer, Deputy Chief David Campbell, Payroll Manager Kelly Mercer, Assistant City Attorney Nicole Lynch, Engineering/Public Works Grant Manager Ashley Heimbigner

E. **MANAGER'S REQUEST FOR AGENDA CHANGES**

Mr. Watt requested that the Staff Report under item #7 be removed from the Consent Agenda so he could briefly speak to it just before item H.

#7. Manager's Staff Report re: Huna Totem Cruise Ship Dock Proposal Conditional Use Permit Update – removed from the Consent Agenda.

F. SPECIAL ORDER OF BUSINESS

1. Special Recognition of Retiring Juneau Police Chief Ed Mercer

Mayor Weldon read a proclamation honoring retiring Juneau Police Chief Edwin Mercer. Mayor Weldon, Assemblymembers, and Deputy Manager Robert Barr shared their thoughts in recognition of Chief Mercer and the impacts he has had on CBJ and our community and the greater southeast community at large. 'Wáahlaal Gíidaak expressed *Gunalchéesh*, the meaning of which is "without you, this would not have been possible." She said that he changed the face of Alaska just by stepping into the role that he did. In a space that has often been inequitable for their people, he made sure that it was equitable and that every citizen was safe here. She spoke of the honor it has been in having Chief Mercer as one of the only Alaskan Native Chiefs of Police in the State of Alaska and the example he has set in his service. Mr. Barr and Mayor Weldon also recognized Kelly Mercer in her work here at CBJ and her support of Chief Mercer and Mr. Barr expressed his thankfulness that only Chief Mercer is retiring at this time and that Kelly Mercer will continue to work as the CBJ Payroll Supervisor.

Chief Mercer thanked the Assembly and management for all their support of JPD and all the officers who serve. He extended his thanks to his staff, to his wife Kelly and their family. He will be staying in Juneau and looks forward to picking up the paper and reading about all the good works that are continuing to happen at JPD and in the community.

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

No member of the public signed up to testify either virtually or in person.

G. CONSENT AGENDA

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

None.

Assembly Request for Consent Agenda Changes

None.

Assembly Action

MOTION by Ms. Gladyszewski to adopt the Consent Agenda as amended by the removal of the Staff Report item #7 and asked for unanimous consent. *Hearing no objection, the motion passed and the following items under the Consent Agenda were adopted.*

ORDINANCES FOR INTRODUCTION

2. Ordinance 2023-34 An Ordinance Authorizing the Eaglecrest Ski Area to Enter into a Franchise Agreement with Evan and Kaitlin Morgan, Doing Business as Pittman's Pub for Beer and Wine Sales.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement with Pittman's Pub LLC to provide Beer and Wine Sales at Eaglecrest Ski Area during the winter season consistent with the Ski Area Operating Calendar. On June 5th 2017 the Assembly Adopted Resolution 2793(b) authorizing the Eaglecrest Board to approve on a case by case basis, the sale, possession, and consumption of beer, wine, alcoholic ciders and other similar malt beverages in connection with a valid permit issued under City and Borough of Juneau Code of Regulations, Title 11 Chapter 7 with a licensed vendor holding a valid liquor license issued by the State of Alaska. The federal Land and Water Conservation Fund prohibits CBJ from issuing leases at Eaglecrest. However,

CBJ can grant a franchise agreement as a mechanism to formalize a business relationship. Eaglecrest solicited a Request For Interest (RFI 23-174) and received no responses. After the solicitation closed Eaglecrest continued to look for suitable vendors and was contacted by two interested parties. After pursuing the opportunities further Pittman's Pub LLC was the only remaining interested party. This Ordinance would allow Pittman's Pub to operate for five consecutive winter seasons.

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

3. Ordinance 2022-06(b)(AZ) An Ordinance Appropriating \$134,526 to the Manager for the Design Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate \$134,526 in Airport Improvement Program grant funding for the Ramp Improvements CIP. This funding would provide for the design phase of the rehabilitation of large air carrier and air taxi ramps. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Ramp Improvements CIP. This award increases the \$2,017,881 grant appropriated under Ordinance 2022-06(b)(M).

The Airport Board reviewed this request at the July 13, 2023 meeting.

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

4. Ordinance 2023-14(b)(H) An Ordinance Appropriating \$1,795,267 to the Manager for the Construction Phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate \$1,795,267 in Airport Improvement Program grant funding for the Gate 5 Passenger Boarding Bridge CIP. This funding would provide for the acquisition, construction, and installation of a new passenger boarding bridge, replacing a 21-year-old, inoperable jet bridge. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Gate 5 Passenger Boarding Bridge CIP.

The Airport Board reviewed this request at the July 13, 2023 meeting.

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

5. Ordinance 2023-14(b)(I) An Ordinance Appropriating up to \$19,000,000 to the Manager for the Construction Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate up to \$19,000,000 in Airport Improvement Program grant funding for the Ramp Improvements CIP. This funding would provide for the construction of a new remain overnight (RON) large aircraft parking ramp, rehabilitate deteriorating pavement for large and commercial aircraft parking ramps, repair failing ramp drainage and catch basins, and upgrade ramp lighting. The local match requirement will be provided by previously appropriated CARES Act funding in the Ramp Improvements CIP.

The Airport Board will review this request at the August 10, 2023 meeting.

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

6. Ordinance 2023-14(b)(J) An Ordinance Appropriating \$280,000 to the Manager for the Safe Streets for All (SS4A) Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

CBJ has been awarded a \$280,000 Safe Streets for All (SS4A) grant from the Federal Highway Administration. The SS4A grant's goal is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries. Funding would be used to conduct a full road safety analysis, taking inventory of all previous crashes, historical trends, conditions, severity of injuries, community and partner input, and other factors throughout the borough. The safety analysis would produce a list of projects and guide the creation and implementation of the Comprehensive Safety Action Plan. Once the plan is implemented, the CBJ would be eligible for additional road safety grant funding. A local match requirement of \$70,000 will be provided by previously appropriated funds in the FY24 CIP Resolution 3016(b).

The Public Works and Facilities Committee reviewed this request at the June 26, 2023 meeting.

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

7. STAFF REPORT [Removed from the Consent Agenda during the Manager's Request for Agenda Changes.]

Manager's Staff Report re: Huna Totem Cruise Ship Dock Proposal Conditional Use Permit Update

This Staff Report is part of the Consent Agenda, a Memorandum and Notice of Decision are included in the packet.

[Clerk's Note: For documents & additional information on the Planning Commission review of the Conditional Use Permits for this project, please see the <https://juneau.org/community-development/short-term-projects> webpage.]

Mr. Watt said that in the packet on page 18 is a memo that he wrote two and half years ago to Deputy Mayor Jones about the process pieces with respect to Subport Development. He is reminding the public and the Assembly that they are continuing to follow this process. He noted that one portion of the Conditional Use Permit has been to the Planning Commission (PC) earlier in the month and another portion will be going to the Planning Commission for consideration at the August 8 meeting. He noted a typo in his memo that mentioned the PC meeting on August 9 and that should in fact be August 8.

Mr. Watt said he'd be happy to answer any questions from members about the process.

Ms. Woll said that at the July 11, PC meeting, several of the commissioners and herself were shocked by the lack of public in attendance at that meeting since she knows this is a topic of significant public interest. She asked if there was going to be additional public outreach in advance of the August 8 PC meeting about this topic.

Mr. Watt said that he understands there was limited participation and that the public noticing process was not easy to understand. He said they will endeavor to put more and clearer notice out to the public about the upcoming hearing.

Ms. Hale thanked Mr. Watt for this update since it has been a few years since his previous memo on this. She asked if Mr. Watt could speak to the tidelands lease piece. She asked Mr. Watt to confirm that the question for the Assembly as to whether or not to lease the tidelands will eventually be coming to the Assembly to make that decision but not as part of this CUP process. Mr. Watt said that is correct. The process set out in the January 20, 2021, memo is about the lease process and the Assembly process for deciding on whether or not to lease land for the project which will be a pivotal decision.

Mayor Weldon clarified for the public that the Conditional Use Permit process is currently before the Planning Commission. The Assembly will eventually become involved in the tidelands lease process but that will take place further down the road after the Planning Commission process is completed. She said that August 8 Planning Commission will not be the last time the public can comment or provide testimony on this topic.

H. MAYOR/COMMITTEE/LIAISON REPORTS

Human Resources Committee (HRC) Chair Greg Smith reported that the HRC met just prior to the Special Assembly meeting and recommended the appointments of **Ivan Nance, Jennifer Pemberton, and Anavera Morato** to the **Systemic Racism Review Committee (SRRC)** to terms beginning immediately and expiring June 30, 2026, and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon thanked and recognized members of the Boy Scouts for attending the meeting this evening.

I. EXECUTIVE SESSION

City Manager Recruitment and Selection

MOTION by Ms. Woll to recess into Executive Session to discuss matters that the immediate knowledge of which may defame or prejudice the character or reputation of any person, specifically those individuals invited to interview with the committee, and to discuss recruitment examination materials that are confidential. *Hearing no objection the Assembly recessed into Executive Session at 6:57p.m.*

The Assembly returned from Executive Session at 9:44p.m.

Ms. Woll stated that the Assembly met in Executive Session and discussed the recruitment and examination materials and conducted candidate interviews. Ms. Woll stated that the Assembly gave directions for the HRRM Manager to enter negotiations with the final candidate.

J. ADJOURNMENT

There being no further business to come before the Assembly, the Assembly meeting adjourned at 9:46p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor