

REGULAR ASSEMBLY MEETING 2022-28 DRAFT MINUTES

December 12, 2022 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



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

MEETING NO. 2022-28: The Regular 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 7:03 p.m.

A. FLAG SALUTE

Assemblymember Christine Woll led the Flag Salute.

B. LAND ACKNOWLEDGEMENT

Assemblymember Carole Triem provided the following Land Acknowledgment:

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

Gunalchéesh!

C. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Finance Director Jeff Rogers, Engineering/PW Director Katie Koester, Assistant City Attorney Adam Gottschalk

D. SPECIAL ORDER OF BUSINESS

1. Instruction for Public Participation

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

There were some audio/technical difficulties at the beginning of the meeting with an at ease taken to resolve the issues before the meeting resumed.

E. APPROVAL OF MINUTES - None

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt noted a change to the recommendation for **Ordinance 2022-34** that it be introduced and referred to the Assembly Human Resources Committee and then set for public hearing at the next Regular Assembly meeting.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)

Emily Mesch, a member of the Juneau Human Rights Commission (JHRC), said that JHRC Chair Haifa Forughi was also listening on Zoom. Ms. Mesch provided the following statement on behalf of JHRC: "The Juneau Human Rights Commission congratulates CBJ Assembly for earning a perfect score on the Human Rights Municipality Equality Index (MEI) scorecard for two consecutive years. Your focused and concentrated efforts to establish non-discrimination laws addressing discrimination on the basis of sexual orientation and gender identity in areas of employment, housing, and public accommodations, equivalent benefits and protections to LGBTQ+ employees assuring an inclusive workplace and access to city services and programs, fair enforcement of the law, including responsible reporting of hate crimes, and engaging with the LGBTQ+ community in a thoughtful and respectful way, and leadership on LGBTQ+ equality commitment. These are all demonstrations of integrity, professionalism, and respect for diversity and human rights. Thank you for all the contributions you have made in making our community an example of dedicated and continued work on integration, safety and opportunities for the whole community." On behalf of the whole Juneau Human Rights Commission, Ms. Mesch thanked the Assembly.

Mayor Weldon thanked Ms. Mesch and the Juneau Human Rights Commission for their work and bringing this to their attention. She said the Assembly will continue to work on those issues.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes - None

Assembly Action

MOTION by Deputy Mayor Gladziszewski to adopt the Consent Agenda as amended by the City Manager and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

I. Ordinances for Introduction

- 2. Ordinance 2022-62 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 10.97 acres of the Pederson Hill Property Located near Karl Reishus Boulevard and Hamilton Street, from D-10SF to D-10.**

At its regular meeting on September 13, 2022, the Planning Commission recommended that the Assembly adopt a rezone of 10.97 acres of Pederson Hill from D10SF zoning to D10 zoning located at Pederson Hill between Karl Reishus Boulevard and Hamilton Street - [AME2022 0005](#). The purpose of the rezone is not to increase density, but to provide greater flexibility in how density is distributed. Both zoning districts allow for up to 10 dwelling units per acre; however, D10SF provides only for the development of single-family dwellings, while D10 provides for multifamily structures. This rezone conforms with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2016 Economic Development Plan.

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

3. Ordinance 2022-63 An Ordinance Authorizing the Manager to Enter into a Revenue Sharing Agreement with Goldbelt, Inc. to Fund Installation of the Gondola and Associated Infrastructure at the Eaglecrest Ski Area.

This ordinance would allow the CBJ to accept \$10M from Goldbelt Inc for the installation of the gondola and associated facilities. In exchange for the capital contribution, the CBJ would share summer revenues from the gondola project. Notably, the City and Borough of Juneau is not pledging taxes, revenue from taxes, or the full faith and credit of the municipality. Goldbelt, Inc. is uniquely situated to execute a revenue sharing agreement with the CBJ because Goldbelt, Inc. owns the Goldbelt Tram Alaska, which eliminates competition concerns, encourages diversification of impacts and sustainable use of both aerial conveyances, and Goldbelt, Inc. has a natural financial interest to see both aerial conveyances prosper while benefiting the community.

This topic has been discussed at numerous meetings of the Assembly Finance Committee and Assembly Committee of the Whole since the spring of 2022.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Assembly Committee of the Whole.

4. Ordinance 2022-64 An Ordinance Reorganizing and Consolidating the Aquatics Board, the Treadwell Arena Advisory Board, the Jensen-Olson Arboretum Advisory Board, and the Parks and Recreation Advisory Committee.

This ordinance would dissolve the Treadwell Arena Advisory Board, the Aquatics Board, the Jensen-Olson Arboretum Advisory Board, and transfer those board duties to the Parks & Recreation Advisory Board ("PRAC"). The various Parks & Recreation boards were created when there were pressing community issues, which have waned and decreased community interest for so many boards. Because recruitment and retention for so many community volunteers are so difficult, we have prolonged vacancies and frequently cancelled meetings due to lack of quorum. Consolidation into the PRAC will result in more effective and impactful meetings, which will improve morale of board members and community engagement. If a discrete community concern arises, the PRAC or the Assembly would be able to create a temporary task force to address a future concern.

The Assembly Committee of the Whole discussed this topic on November 7, 2022.

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

5. Ordinance 2022-65 An Ordinance Authorizing the Eaglecrest Ski Area to Enter Into a Franchise Agreement with Mountain Lift, LLC, for Coffee and Baked Goods Service.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement for a coffee shop in the Fish Creek Lodge. Normally, the CBJ would use the lease process for this type of arrangement, but the federal Land and Water Conservation Fund prohibits the CBJ from issuing leases at Eaglecrest. However, the CBJ can grant a franchise for a coffee shop concessionaire by ordinance. After soliciting statements of interest, the current vendor, Mountain Lift LLC, was the only respondent. This ordinance would allow Mountain Lift LLC to operate the coffee shop for five winter seasons.

The Manager recommends the Assembly introduce this ordinance, refer it to the Lands, Housing, and Economic Development Committee, and schedule it for public hearing at the next regular Assembly meeting.

6. Ordinance 2022-06(b)(Y) An Ordinance Transferring \$60,000 from Eaglecrest's Fleet and Equipment Reserve Account to the Eaglecrest Gondola Capital Improvement Project.

Transportation of Eaglecrest's gondola exceeded cost estimates by \$261,608 as a result of steep fuel surcharges and detention fees on global shipping containers transported to Juneau. This expense will be covered by the following funding sources:

| | |
|---|-----------|
| Eaglecrest Deferred Maintenance CIP (D28-101) | \$161,608 |
| Eaglecrest Fleet/Equipment Reserve Account | \$ 60,000 |
| Eaglecrest Gondola CIP (E28-102) | \$ 40,000 |

This ordinance provides for the \$60,000 transfer from Eaglecrest's fleet and equipment reserve account. Goldbelt loan proceeds may reimburse this account once the loan agreement is effectuated.

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

7. Ordinance 2022-06(b)(Z) An Ordinance Appropriating \$250,000 to the Manager for Junk Vehicle Cleanup and Remediation at River Road; Funding Provided by General Funds.

To date, 103 vehicles have been removed from the River Road property, costing a total of \$152,500. CBJ has been reimbursed for \$105,000 of that amount. The remaining balance will be reimbursed pursuant to a court order, which allows CBJ to foreclose on the property beginning with the vehicles.

As of October 27, 2022, there are still approximately 228 vehicles located at the River Road property. CBJ will request a court order to seize and auction any vehicles of value to attempt to recoup some of the remaining balance owed.

Due to the lengthy court process, there is a need for additional funds now to complete remediation work. Similar to the last round of clean up, CBJ will seek reimbursement of these expenses in subsequent legal proceedings, which may result in property foreclosure.

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

8. Ordinance 2022-06(b)(AA) An Ordinance Appropriating \$3,164,401 to the Manager for the Power Upgrades for Electric Buses Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$3,164,401 to the Power Upgrades for Electric Buses CIP. Grant funding is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$558,425 is being met by previously appropriated funds in the Power Upgrades for Electric Buses CIP.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

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

9. Ordinance 2022-06(b)(AB) An Ordinance Appropriating \$1,039,438 to the Manager for the School Roof Replacement Capital Improvement Project; Grant Funding Provided by the Alaska Department of Education and Early Development.

This ordinance would appropriate \$1,039,438 to the School Roof Replacement CIP for the Gastineau School roof replacement project. Grant funding provided by the Alaska Department of Education and Early Development replaces previously appropriated general funds, which will be reallocated to the Juneau School District Deferred Maintenance CIP. The local match requirement of \$559,697 is being met by previously appropriated bond proceeds in the School Roof Replacement CIP.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

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

10. Ordinance 2022-06(b)(AC) An Ordinance Appropriating \$119,986 to the Manager for the Valley Transit Center Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$119,986 to the Valley Transit Center CIP. Grant funding is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$29,997 is being met by previously appropriated funds in the Valley Transit Center CIP. The original grant award erroneously excluded administrative overhead as an eligible expense; this grant amendment corrects this error by allocating additional funds for this purpose.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

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

J. Resolutions

11. Resolution 3009 A Resolution Adopting the 2022 Updates to the City and Borough of Juneau Investment Policy.

This resolution, and a companion ordinance (#2022-54) set for public hearing on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this resolution would make grammatical changes, would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy.

The City Manager recommends the Assembly adopt this resolution.

12. Resolution 3010 A Resolution Seeking Membership in the AARP Network of Age-Friendly States and Communities.

As the population in the United States ages and people stay healthy and active longer, communities must adapt. Juneau’s population that is 60 and older has consistently and rapidly grown for over 20 years and is expected to grow another 9% over the next ten years. In 2020, 14.7% of Juneauites’ income came from retirement and Social Security. These two categories were only 11.7% of Juneauites’ income in 2010. Members of the AARP Network of Age-Friendly States and Communities become part of a global network of states and communities that are committed to giving their older residents the opportunity to live rewarding, productive, and safe lives. Membership in the AARP Network of Age-Friendly States and Communities includes access to financial assistance and technical expertise. The resolution would authorize the City Manager to seek membership in the AARP Network of Age-Friendly States and Communities.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

13. RFB 23-009, Term Contract for Airport Runway Painting, posting notice of successful bidder

Bids on this project were opened on November 28, 2022. The bidders and their total bids are as follows:

| | |
|---|--------------|
| Specialized Pavement Marking, LLC | \$224,839.53 |
| Northwest Contracting | \$280,067.85 |
| Jolt Construction & Traffic Maintenance, Inc. | \$400,748.25 |

All amounts were read into the record. However, due to missing documentation, Northwest Contracting and Jolt Construction are deemed non-responsive.

The apparent low bidder is Specialized Pavement Marking, LLC. This notice begins the protest period per Purchasing Code 53.50.062.

The City Manager recommends the Assembly award this bid to Specialized Pavement Marking, LLC, for the total amount bid of \$224,839.53.

L. Transfers

14. Transfer Request T-1046 A Transfer of \$161,608 from CIP D28-101 Eaglecrest Deferred Maintenance to CIP E28-102 Eaglecrest Gondola.

Transportation of Eaglecrest’s gondola exceeded cost estimates by \$261,608 as a result of steep fuel surcharges and detention fees on global shipping containers transported to Juneau. This expense will be covered by the following funding sources:

| | |
|---|-----------|
| Eaglecrest Deferred Maintenance CIP (D28-101) | \$161,608 |
| Eaglecrest Fleet/Equipment Reserve Account | \$ 60,000 |
| Eaglecrest Gondola CIP (E28-102) | \$ 40,000 |

This request provides for the \$161,608 transfer from Eaglecrest’s Deferred Maintenance CIP. Goldbelt loan proceeds may reimburse this project once the loan agreement is effectuated.

The Public Works and Facilities Committee reviewed this request at the November 28, 2022 meeting.

The City Manager recommends approval of this transfer.

15. Transfer Request T-1047 A Transfer of \$1,039,438 from CIP S02-104 School Roof Replacement to CIP S02-105 Juneau School District Deferred Maintenance.

The Juneau School District was awarded a grant from the Alaska Department of Education and Early Development for the Gastineau School roof replacement. This grant will be appropriated via Ordinance 2022-06(b)(AB) to the School Roof Replacement CIP and replaces previously appropriated general funds for this purpose. This request transfers \$1,039,438 of general funds from the School Roof Replacement CIP to the Juneau School District Deferred Maintenance CIP for other priority school maintenance projects.

The City Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

16. Liquor & Marijuana License Renewals for Review

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

Liquor License Renewals

License Type: Beverage Dispensary, License #674

Licensee: MSE, LLC d/b/a Lucky Lady

Location: 192 S. Franklin St., Juneau

License Type: Package Store, License #3352

Licensee: Costco Wholesale Corp. d/b/a Costco Wholesale #107

Location: 5225 Commercial Way, Juneau

License Type: Brewery, License #5517

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

Location: 100 N. Franklin St., Juneau

License Type: Winery, License #5801

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

Location: 100 N. Franklin St., Juneau

License Type: Brewery, License #5729

Licensee: Forbidden Peak Brewery LLC d/b/a Forbidden Peak Brewery LLC

Location: 11798 Glacier Hwy., Juneau

Marijuana License Renewals

License Type: Standard Marijuana Cultivation Facility, License #15245

Licensee: North Star Gardens, Inc. d/b/a North Star Gardens

Location: 5310 Commercial Blvd. 2A, Juneau

License Type: Retail Marijuana Store, License #15246

Licensee: Borealis Mountain, Inc. d/b/a Thunder Cloud 9

Location: 5310 Commercial Blvd. 2B, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development Departments have reviewed the above licenses and recommended the Assembly waive its right to protest the renewal applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's Office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor and marijuana license renewals.

N. City/State Project Review

17. CSP20220004 Teal Street Road Improvements.

On November 8, 2022, the Planning Commission recommended the Assembly approve [CSP 2022 0004](#) right-of-way improvements for Teal Street. CBJ Engineering and Public Works is requesting to reconstruct and repave two 12-foot lanes, including curb, gutter, and sidewalk on both sides of the street; reconstruct ADA compliant ramps and landing for the sidewalk; reconstruct improvements to street lighting; and replace water and sewer mains, and services; and a Capital Transit bus pull out.

The City Manager recommends that the Assembly APPROVE the ROW improvements.

O. PUBLIC HEARING

18. Ordinance 2022-06(b)(V) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.

This request would provide \$200,000 in funding to remedy a conflict with the existing water system and the proposed Bartlett Regional Hospital Emergency Department (ED) addition. The funding will allow the waterline to be upgraded and relocated away from the proposed ED addition. This work will connect the new water systems completed from other recent projects. The Douglas Highway water project is complete and in the process of being closed out.

The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the November 22, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2022-06(b)(V) and asked for unanimous consent.

Hearing no objection, the ordinance was adopted by unanimous consent.

19. Ordinance 2022-21(b) An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.

This ordinance would amend the Juneau Board of Equalization's rules of procedure, which govern property tax appeals. The substance of this ordinance comes from three sources: the Anchorage Board of Equalization rules, the existing Juneau Board of Equalization rules, and changes to state law since the existing Juneau property tax appeal code was adopted in the 1970s.

The Juneau Board of Equalization reviewed this ordinance on September 20, 2022. The Assembly Committee of the Whole reviewed this ordinance on September 26, November 7, and November 28, 2022.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Mr. Dave Hanna, a valley resident, said that he has sent emails and spoken on this subject to them before. He stressed that we need more fairness in the situation with the Board of Equalization (BOE) hearings. He is asking for one change and one addition to this ordinance. The change would be with respect to the time limit. At this time, it is at the discretion of the BOE chair at the meeting to decide. He said that last year, he attended in excess of 50 and closer to 100 BOE hearings so he has a good understanding of what goes on there and how they are conducted. He said that he saw some personality conflicts and possibly some bias. Mr. Hanna provided an example of one of the meetings/appeals and said that if there was a complex case, the appellant should have a minimum of 30 minutes which would give them enough time to present their case and to provide time for rebuttal. Mr. Hanna said that the addition he would suggest would be with respect to training the BOE members. He stated that he believes the BOE would benefit from receiving training from an industry professional and preferably a reputable industry appraiser. He said that he thinks the BOE was given incorrect information such as if a sale occurred after the close of the assessment period, they had to ignore that. He said that if you go to the International Association of Assessing Officer standards, it states in section 9, that when testing the resulting valuations, it is appropriate to use sales data after the last date for changing the assessments. It also says to use the most current information available. He said he thinks training by a professional would clarify some of these standards.

Mayor Weldon asked Assemblymembers if they had any questions for Mr. Hanna.

Ms. Gladziszewski asked where it states the amount of time is limited to 15 minutes.

Mr. Palmer noted that on page 10 of the draft ordinance, line 25 states that "each party shall be allowed a total of fifteen minutes to present evidence..." He also noted that on page 11, starting at the end of line 4, it states: "Upon finding good cause, the presiding officer may extend both the appellant's initial presentation and the assessor's presentation by equal amounts..."

Mayor Weldon asked Assemblymembers if they had any additional questions for Mr. Hanna.

Mr. Smith asked Mr. Hanna how much time people have to present now. Mr. Hanna said that they currently have fifteen minutes which is not near enough if they need to rebut incorrect information.

There being no further questions for Mr. Hanna, Mayor Weldon thanked him for his testimony.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2022-21(b) and asked for unanimous consent.

Ms. Hale objected for purposes of a question. She said that she looked through the ordinance for information about training but that the ordinance appears to be silent with respect to training.

Assistant Attorney Adam Gottschalk said that the ordinance is silent on training. He said that they do try to conduct training every year with the Board but this past year, they were not able to hold training due to lack of quorum.

Ms. Hale asked for clarification that lack of quorum meant that they were not able to meet to hold a training.

Mr. Gottschalk said that was correct. He noted that the 2021-2022 appeal cycle ended in April and then they started conducting appeal hearings again in June. He said the BOE membership consisted of all veteran members who had conduct approximately 100 appeal hearings during the past year.

Ms. Hale said that she spoke with Mr. Palmer earlier in the day about a different ordinance that will be coming before them to address process for assessments and training. She asked Mr. Palmer if he could elaborate on what that might look like. Mr. Palmer said that is correct, he is working on a subsequent ordinance that would prescribe standards for the assessor to follow. He said that might touch on what Mr. Hanna was referring to with respect the industry professional component and training.

Mr. Smith asked if the attorneys could provide clarity with respect to the current practice and time allowed for each party to present and have time for rebuttal and how that would compare to the language in Ordinance 2022-21(b).

Mr. Gottschalk explained that currently, parties are given fifteen minutes each. In advance of the hearing, they are all given information stating that they will have fifteen minutes to present and that there will be board questioning. He said that at beginning of each hearing, the presiding officer lets them know that they have fifteen minutes and if they choose to reserve some of that time for rebuttal, they can do so and that time will be reserved for them for rebuttal. He said that if the chair finds that there is good cause to extend that, they will. He said that the language in the ordinance before them on pages 10 and 11 just codifies that current practice.

Mayor Weldon asked Mr. Gottschalk to speak to the question/answer period between the BOE members and the parties. Mr. Gottschalk explained that they discussed this at the previous Committee of the Whole meeting. He said that the time used by the BOE members to ask questions and receive responses from the parties does not count against the fifteen minutes that each parties has allocated to them. He said that there is almost always board questions for the parties and those can be extensive Q&A timeframes depending on the points raised during the parties' presentations.

Ms. Gladziszewski asked Mr. Gottschalk has been to most of these hearings. Mr. Gottschalk said he attended every single one of them this past year. Ms. Gladziszewski asked if he ever saw someone denied time to speak or discouraged from finishing their presentation. Mr. Gottschalk said that in his experience, he has seen a few occasions for which that may have happened. Those would primarily been during which parties were represented by a particular attorney or in which they had several thousand pages of materials. He said that it does occasionally happen, however, none of them should feel blindsided and this also makes clear that if there is a complicated issue or they want to do a summary of thirty years of income, they can always submit a memo or briefing to the board ahead of the hearing.

Ms. Hale and Mr. Gottschalk asked and answered additional questions about times involved in previous appeals. Ms. Hale removed her objection.

Hearing no further objection, the ordinance was adopted by unanimous consent.

20. Ordinance 2022-40 An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipment.

The Federal Aviation Administration (FAA) is updating safety controls for aircraft collision avoidance. A contractor for the FAA, L3Harris submitted an application to lease cabinet and antenna space at the Juneau Police Station located at 6255 Alaway Avenue. L3Harris would use the leased space to

improve the Wide Area Multilateration surveillance system for the airport. Fair market value has been determined by appraisal to be \$540 per year.

The Juneau International Airport Manager reviewed this application and is in favor of granting this lease. The Juneau Police Department Radio Electronics Specialist reviewed this application and is in favor of granting this lease. The LHED Committee reviewed this request at its meeting on June 27, 2022, and provided a motion of support for leasing this property to L3Harris. On August 1, 2022, the Assembly authorized the Manager to negotiate with L3Harris.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-40 and asked for unanimous consent.

Objection by Ms. Hughes-Skandijs for purposes of a question. Ms. Hughes-Skandijs said that she isn't the second or third thing that they have seen and asked if they anticipate any additional leases as she thinks that JPD may be running out of potential space to lease.

Mr. Palmer said that he believes this is the last item like this that will be coming before the Assembly.

Mr. Barr said that he wouldn't say that this is "it" for these types of leases but he said this would be the last of them with respect to this particular topic.

Ms. Hughes-Skandijs removed her objection.

Hearing no further objection, the ordinance was adopted by unanimous consent.

21. Ordinance 2022-54 An Ordinance Amending the Investments and Collateral Chapter of Title 57 Related to Investment Policies.

This ordinance, and a companion resolution (#3022) that will be presented on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this ordinance would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy. The Systemic Racism Review Committee reviewed this request at the November 22, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2022-54 and asked for unanimous consent.
Hearing no objection, the motion passed by unanimous consent.

P. UNFINISHED BUSINESS

Q. NEW BUSINESS

R. STAFF REPORTS

22. Affordable Housing Fund Recommendations - 2022

At the November 28, 2022 Lands, Housing, and Economic Development Committee meeting, the Committee forwarded recommendations for Round Two of the Juneau Affordable Housing Fund.

Mr. Watt reported that the Affordable Housing Fund recommendations for 2022, at the November 28 Lands, Housing, Economic Development Committee (LHEDC) meeting, the LHEDC forwarded recommendations for round two of the Juneau Affordable Housing Fund. The LHEDC recommended funding for four applications: AWARE, Tlingit Haida Regional Housing Authority, Rooftop Properties LLC, and St. Vincent DePaul and the motion passed without objection. He said they are looking for a motion from the Assembly to endorse that recommendation from the LHEDC.

Mr. Bryson declared a conflict saying that prior to November 28, he had not looked at any of the properties involved in this matter. Since that time, he has looked at one of the properties that was denied during this process so asked to be recused from participating and voting in this matter.

Mayor Weldon asked for any objection in recusing Mr. Bryson, hearing none, she recused Mr. Bryson from this matter.

MOTION by Ms. Gladziszewski to endorse the recommendations as presented by the Lands, Housing and Economic Development Committee for awards from the Affordable Housing Fund and asked for unanimous consent.

Ms. Hale objected for purposes of a question. She said that her memory was that there was \$2M available for this action but that the Assembly recently put \$5M into that fund. She said that given the urgency of the need, she asked why we are capping it at \$2M this year.

Mr. Watt noted that the Assembly during the budget cycle identified the \$2M that would be made available for this round of the Affordable Housing Fund awards.

Ms. Hale thanked him for the clarification. She also noted that there was discussion during the retreat about the possibility of doing two rounds of the Affordable Housing Fund during the year rather than just one.

Additional discussion took place about the LHEDC review process and recommendation and the final amount identified by the Assembly. Ms. Hale removed her objection.

Hearing no objection, the motion passed by unanimous consent.

S. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon congratulated Mr. Watt for receiving the Alaska Municipal League Employee of the Year award for 2022. She also congratulated Mr. Rogers for being elected the President of the Alaskan Government Financial Officers of America.

Mayor Weldon noted that most of the Assembly and senior staff attended the Alaska Municipal League annual conference in Anchorage. She noted that they are becoming some of the older Assemblymembers and were moving into moderation segments of the AML process. She thanked all those involved in putting it on and especially Ms. Hughes-Skandijs and Ms. Triem for their work with AML.

Mayor Weldon reported on the Assembly retreat that was held on Sunday, December 11 from 10am-4:30p.m. She said that they changed things up at this year's retreat. They started out with great cheers and slogans for CBJ. Ms. Woll then facilitated a great conversation and process on Housing and lots of great ideas came out of that. She has graciously agreed to put together the results of those discussions and those will be coming to the next COW meeting on 12/19/22. She said they also had good discussions on the budget and those will continue to be ongoing. They gave direction to the City Manager on the budget that if he needed to spend a little bit more, to hold the line where he could, but go ahead and spend a little bit more on the goals the Assembly has tasked staff with accomplishing. She thanked Ms. Hughes-Skandijs for leading that discussion. Mayor Weldon noted that they also had a discussion during the retreat on the Visitor Industry Task Force recommendations and they stopped that due to time constraints and those will be taken up again during a COW meeting. She said that they looked at the rest of the Assembly goals and that Mr. Barr will be finalizing those to be sent out in an email to the Assembly and those will be discussed at a COW in the near future.

Committee and Liaison Reports

Assembly Committee of the Whole (COW) Chair Gladziszewski reported that they last met on November 28 and had some of the same discussion on items that were covered during the Assembly retreat including hearing a cruise ship industry updates and they talked about the Visitor Industry Task Force recommendations and received the tourism survey results from McKinley. She said they also discussed the Eaglecrest Gondola installation funding and a proposed agreement with Goldbelt that was forwarded to the Assembly. Lastly, they talked about the ordinance they just adopted codifying some of the Board of Equalization procedures as they relate to property tax appeals. The next COW meeting is scheduled for Monday, December 19 and hopefully it will include the Assembly goals if they are ready. Other possible topics include Hazard Mapping, Gondola Financing, Fee to Trust Lands, and Docks & Harbors Land Management. She said they likely won't cover all those topics but those are the pending items before the COW.

Assembly Finance Committee (AFC) Chair Triem reported that the AFC last met on November 30 at which they received an overview of the budget picture to inform the retreat and how much money we have to "send it" in the words of Mr. Watt. She said that they will have another AFC meeting coming up but she was unsure on which date.

Public Works & Facilities Committee (PWFC) Chair Bryson reported on the PWFC meeting that was held on November 28 at which they discussed the Gondola financing, the PEL study, and Juneau being an Age Friendly Community.

Lands, Housing, & Economic Development Committee (LHEDC) Chair Hughes-Skandijs reported that the LHEDC also met on November 28 at which they discussed the Juneau Affordable Housing Fund recommendations that were just acted upon by the Assembly. They also talked about the Telephone Hill pending lease request. She said that the neighborhood association and the folks that had been managing that for many years had been working with Mr. Bleidorn on a draft lease. She said that when they were consulting with a lawyer about it, it seemed like it was really close but then they ultimately

decided it was just too much for a variety of reasons but it now looks like CBJ will need to be acquiring a property manager since that structure will no longer be in place. They also heard about the Christmas tree and firewood harvesting policy and they received a map for those.

Ms. Hale said that she appreciated the update on Telephone Hill and she asked for clarification about CBJ hiring a property manager and if there will be individual leases for each of the tenants as a result of that neighborhood association dissolving. Ms. Hughes-Skandijs said that they will be continuing to receive updates in the LHEDC but also asked Mr. Watt to speak to the specifics.

Mr. Watt stated that all the Telephone Hill residents deserve one point of contact and with the neighborhood association dissolving itself, it was not going to be practical for Lands Manager Dan Bleidorn to be that point of contact. He said that they need somebody and a professional property manager seems the best solution. Ms. Hale asked if the Telephone Hill residents are aware of this and if anyone from staff has reached out and notified them individually. Mr. Watt said that he absolutely believes so and on Friday, December 16, there will be a number of staff members will be going up for a property tour and inspection. He said they are trying to communicate as often as they can to the neighborhood association.

Human Resources Committee (HRC) Chair Smith reported that the regular HRC meeting scheduled for this evening was cancelled but that there is a meeting of the Full Assembly sitting as the HRC scheduled for Wednesday, December 15 to conduct interviews of applicants for the Planning Commission and Bartlett Regional Hospital Board of Directors. Mr. Smith noted that there are three open seats on the Planning Commission and only two applicants at this time. With respect to the Bartlett Regional Hospital Board, there are three applicants for the two open seats on that board with two of the three applicants being physicians who have both applied for the one open physician seat on the board. Mr. Smith said that he would be in favor of cancelling the meeting on Wednesday and reopening the application period for those seats with the interview/appointment process to take place in January instead of December, provided the incumbents in those seats becoming vacant are willing to continue to serve past their term ending date until new members are appointed.

Assemblymembers then discussed the scheduling and their preferences. It was decided that the Deputy Clerk will reach out to the outgoing incumbents to determine their willingness to serve beyond their term ending date and Mr. Smith will reschedule the Wednesday meeting and extend the application period. Mr. Smith asked for the Wednesday to stay as scheduled for now but that he/Clerk would notify the Assembly tomorrow if they are in fact cancelling it.

Presiding Officer Reports

None.

T. ASSEMBLY COMMENTS & QUESTIONS

Mr. Bryson said that he attended the UAS Campus Council for the first time and he reported that their one need is that they need Board of Regent members. Mr. Bryson said that he attended the AML annual conference. Just prior to tonight's meeting, he attended the North Douglas Second Crossing PEL presentation.

Ms. Hughes-Skandijs reported that the Eaglecrest Board met on December 1 and they had a similar presentation on the gondola issue, they discussed the overage on the shipping of the gondola and also the funding and Goldbelt draft agreement. The board renewed the Segway AK Tours commercial use permit. She said that she is still waiting to connect with Juneau Chamber of Commerce board. She said it

was a very positive experience at the Alaska Municipal League annual meeting and it gave her a greater appreciation for what it takes to put that on.

Ms. Woll asked Ms. Hughes-Skandijs if the Eaglecrest Board took action to make a recommendation on the Goldbelt agreement before the Assembly takes action on it. Ms. Hughes-Skandijs said that there had been a little awkwardness due to the order of it coming to the Assembly before going to the Eaglecrest Board. She noted that the Assembly had substantially more questions when they looked at it. She said that what struck her was the lack of questions at the Eaglecrest Board meeting about it but at the end of the presentation, they did pass a motion of support for the draft agreement.

Ms. Triem reported that the Bartlett Regional Hospital Board met on November 22 and it was the last regular board meeting for Mark Johnson who is coming to the end of the final year of his three terms on the board. Ms. Triem asked if he'd be interested in applying to serve on the Planning Commission but he politely declined. She said that the board meeting was lengthy and full of discussion, mostly about their budget, in that they are losing money. Similar to the school district, their federal COVID funding is running out, but unlike the school district, they have more control of their revenue streams. For now, they have put in place some new management practices to control spending. She spoke to the consequences of this funding issue and wanted to be sure the Assemblymembers were all aware of these concerns. She asked Mr. Watt or Director Koester if they could provide a brief update for the Assembly and listening public on snowplowing efforts and where we stand currently.

Director Koester thanked Ms. Triem for the question and said that they are still down four equipment operators at Streets. The last time she reported on this they had five openings, one of which is now filled. She said that the Assembly funded additional part-time equipment operators in the budget this year to help with plowing. She said that some of those are positions they aren't necessarily having a hard time filling but some of those operators are switching seats. They have a total of four, which means that they will be having supervisors with their butts in plow seats. They have a goal of plowing streets within 24 hours here at CBJ. They don't always reach that goal depending on conditions but they start with the artery streets and go from there. She said that the Assembly also included in their budget funding for two year-round laborers and those positions are filled. They are responsible for managing the sidewalks downtown so in the winter that means those sidewalks are plowed and during the summer, they are kept clean and tidy. She said they are still working on filling some open positions but she is hoping depending on conditions, they will be able to keep things cleared. Mayor Weldon thanked Director Koester for the work of her team and noted that during AML, there was record snowfall and it was surprising to see that it took over two days before their main downtown streets were plowed.

Ms. Hughes-Skandijs asked Ms. Hale as the former liaison to the BRH Board, if the financial concerns that Ms. Triem reported on where something that the board has been aware of and monitoring for awhile or if this is something that has come from 'out of nowhere' as characterized by a citizen who asked Ms. Hughes-Skandijs about it. Ms. Hale said that this has been on the radar scene for several months but not a really long time. She said that with the hiring of the new CEO, Mr. Keith, it has come into ultra-sharp focus. She said that he is doing a really good job and the measures that were proposed are ones he is pushing through. She said that the BRH Board has a good Finance Committee Chair. She said that they are aware of it and it is coming into sharper focus as improvements are made. Ms. Gladziszewski noted that she had served as the liaison and during that period, BRH was never flush with cash but being a rural hospital, they did receive federal rural grant funding but that funding may have stopped since she was liaison. Ms. Hale said that she believes they did get the most recent round of the federal rural grant funding and, Ms. Triem also spoke to it, but that they are also coming to the end of the COVID funding.

With the changes in CEO and the federal funding ending, they have been looking at all things and it will likely take a little while to sort things out.

‘Wáahlaal Gíidaak reported that the Planning Commission (PC) met on November 22 and denied a request for a conditional use permit for Bayhouse Properties and also denied a non-administrative variance for Jordan creek streamside setback. Both those were denied in accordance with variance and access rules. She said the next PC meeting is scheduled for tomorrow. The last meeting of the Systemic Racism Review Committee (SRRC) worksession was cancelled but the previous meeting was held on November 22 did meet and had a good conversation with next steps. She said that she will not be able to meet tomorrow as she will be in a different session but she is in contact with one of the members so she will get an update at what happens at tomorrow’s meeting.

Ms. Woll reported that the School Board has not met since the last Assembly meeting but their next regular meeting is tomorrow and they will be discussing their deficit issue so she will report on that at the next Assembly meeting. She said that the Aquatics Board has not met since late October. They were hoping to have their annual planning retreat but they have not yet found a date that they would be able to achieve quorum. She said that she attended the Juneau-Douglas crossing (PEL study) meeting today but a couple of weeks ago, she and Mr. Bryson attended the stakeholder meeting which included discussion on the 8 location alternatives. She said they will be getting more information on those 8 options in the future but her take away is that the further away from the current bridge, the more complex and expensive the various options become.

Mayor Weldon noted that there were a number of Assemblymembers attending at today’s presentation.

Mr. Smith said that he also attended the PEL study presentation. With respect to liaison reports, the Parks and Recreation Advisory Committee (PRAC) met earlier this month and their main discussion being on the CIP list. He said that he is working with Mr. Schaaf to make sure board members affected by the proposed legislation changing the PRAC and other committee consolidation have a chance to see the ordinance in advance of any Assembly action and have a chance to discuss it in their meetings. He said that Travel Juneau has not met but that they did receive the sad news that Iron Man was cancelled for 2023 and potentially 2024. He said that sounds like more of a nationwide/corporate wide decision rather than how the Juneau event came off. He said that he visited the Glory Hall last month and that the warming shelter is very full. He noted that there are some concerns about emergency housing potentially falling off the emergency cliff as they start to lose federal COVID funding. He said that it was great to see so many CBJ staff and leadership up at AML. He attended a lot of great sessions on Housing, Land Use & Economic Development, Broadband. He said that with respect to broadband, there is an opportunity for the city to get the word out to the community about the \$50B in the federal infrastructure bill. He said that it is important that they feedback on the maps from people about levels of connectivity. He will work with staff on trying to get a press release out. He shared that the Governor is holding the annual open house tomorrow from 2-6pm. He said that the Alaska Committee has been meeting and planning for the annual Legislative Welcome Reception on the first day of session, January 18. He wished everyone happy holidays in whatever way they celebrate them.

Ms. Hale reported that said that the Airport Board met on December 8 and this was the second meeting of theirs that she attended. They discussed hangar leases, flooding, and long-term janitorial services contracts. She noted that Coastal Helicopters will be conducting their Mendenhall Valley Light Flights on December 16. Ms. Hale reported that she also attended the PEL crossing study and the process that has been going through. She said that she did not go to AML but that she stayed home and cut firewood for

her mother instead. She noted that Hannukah starts on December 18 and wished everyone a happy Hannukah.

Ms. Gladziszewski reported that the Juneau Commission on Sustainability (JCOS) held its retreat on December 3 and then a regular meeting on December 7. She noted that they finished up their Climate Actions and Sustainability Report that they have been working on the past few months and that will be coming to the Assembly in the next few days. She said they also have recommendations on the marine passenger fee spending. Ms. Gladziszewski congratulated Mayor Weldon on her ascension to the Vice-Presidency of the Alaska Municipal League and thanked her for her service in that role. Ms. Gladziszewski commented on the snowplowing in Anchorage and said it was shocking and she thanked CBJ staff for their work on clearing our streets.

Mayor Weldon wished all members of the public happy holidays in whatever way they chose to celebrate them. She noted that Mr. Smith and the Clerks will let the members know if they will be meeting on Wednesday, otherwise they will next meet at the COW meeting on Monday, December 19.

U. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. EXECUTIVE SESSION

W. SUPPLEMENTAL MATERIALS

X. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 8:10 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor