

REGULAR ASSEMBLY MEETING 2024-17

DRAFT MINUTES



July 29, 2024, at 7:00 PM

Assembly Chambers/Zoom Webinar

Meeting Number 2024-17: Mayor Beth Weldon called the Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and online, to order at 7:01pm.

A. FLAG SALUTE

Ms. Adkison led the flag salute.

B. LAND ACKNOWLEDGEMENT

Mr. Bryson provided the following land acknowledgment, “We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous 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: Wade Bryson, Wáahlaal Gídaag, Paul Kelly, Ella Adkison, Deputy Mayor Michelle Hale, Mayor Beth Weldon

Assemblymembers absent: Greg Smith, Alicia Hughes-Skandijs

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Robert Palmer, City Clerk Beth McEwen, Finance Director Angie Flick

D. APPROVAL OF MINUTES

1. October 23, 2023, Assembly Reorganizational Meeting 2023-24 Minutes - Draft
2. November 13, 2023, Regular Assembly Meeting 2023-25 Minutes - Draft
3. July 2, 2024, Special Assembly Meeting 2024-15 (Empowered Board Appts) Minutes – Draft

MOTION by Ms. Hale to approve the above minutes and asked for unanimous consent. Hearing no objection, the motion passed.

E. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Koester noted Resolution 3068, which was under “Staff Reports” should have been placed under “New Business”, though the order of the agenda was correct. She also noted Item 13, the School District Recall Petitions, had an updated Manager’s Recommendation, as an informational item only.

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)*

Bonilyn Parker, from North Douglas, said that Juneau was suffering in the wake of the shooting death of Steven Kissack. She said it was traumatizing for Steven’s friends and family, the many eyewitnesses, and the officers involved. She said the following statement was signed by 16 businesses and about 350 community members: “We, the undersigned, are business owners, workers, and residents of Juneau, writing to express in the firmest and most unequivocal terms, that the shooting death of Steven Kissack, by Juneau police and an Alaska Wildlife Trooper, was completely unacceptable. In the days and weeks to come there will be reports issued and important decisions made about how we move forward as a community. We ask that you approach these decisions and

bureaucratic necessities with human life in mind and the spirit of this community at heart. Juneau must not be a place where this kind of thing happens. In Juneau we treat people with dignity and compassion, and we work to deescalate and diffuse potentially problematic situations. As a result of this tragedy, members of our downtown community and visitors to our community are experiencing anger, fear, and loss of trust. We must work to restore that trust and make Juneau a place where people can live safely and without fear. Moving forward requires clear communication, honest self-reflection, and transparency from the CBJ and JPD. We all need the right tools to do our jobs; we should determine what tools, training, and support our police need to better assess the risks and react to complex situations with the safety of the whole community in mind. Please help us make sure this will never happen again on our streets.”

Jessica Gray, from Juneau, said she was addressing the Assembly on behalf of the National Alliance of Mental Health (NAMI) Juneau. She said Steven Kissack’s death had greatly impacted the mental health of our entire community, including Steven’s friends and family, those who witnessed the shooting in person or online, and the officers involved. She said there has been a shift in the sense of safety and security in our community and that Juneau residents, especially unhoused residents, have an increased sense of vulnerability and fear that something similar might happen to them or a loved one. She said there must be systemic change to ensure this tragedy does not happen again. She asked the Assembly to enact a well-rounded plan that addresses the lack of emergency housing and low-cost housing in Juneau, and a plan that includes intensive training for police officers about mental health and mental health services. She said NAMI Juneau strongly advocated for a plan to restore the mental wellness of our community and prioritizing mental health care.

John Covington, who lives in Harris Harbor, said he was sent to talk to the Assembly by Jesus. He said that on July 21, 2024, an Alaska Travel Adventures employee insulted him and called him evil because they thought he was homeless. He said that this wicked and evil attitude towards homeless people exists throughout the community and needs to be quenched. He said it is the responsibility of community leaders to rise up and promote loving kindness, respect towards one another, honor towards each other and to create a culture of life.

Dorene Lorenz, a Vally resident, recently returned from an American 250 meeting, a national initiative to celebrate the 250th founding of the United States. She said Juneau currently has three different memorial events lined up, and room for more. She said that Alaska could see an additional million visitors in 2026 due to initiatives to encourage people to visit every state capital or national park. She asked the Assembly to pass a resolution to become a 250 City to help prepare for the celebration.

Curt Burns, a downtown Juneau resident, thanked JPD and Alaska state law enforcement for keeping Juneau safe. He said he has lived and worked downtown and has seen officers deescalate in an efficient and calming manner. He said the death of Steven Kissack was an isolated incident and not part of a pattern of behavior. He said nobody is to blame and we will get through this as a community.

Marco Hernandez, said he moved to South Douglas in May from Phoenix, Arizona. He said he witnessed the death of Steven Kissack. He said Steven Kissack was running for his life. He said he thinks Juneau is trying its best but that we can do better as a community. He said he believes Mr. Kissack was having a bad day but he wasn’t dangerous. He said Mr. Kissack often walked the local bartenders to their cars. He said what he witnessed was not ok.

William Horton said he became homeless on May 13, 2024, when his boat burned up in the Douglas Harbor. He said he purchased another boat but ran into barriers with Docks and Harbors. He said Docks and Harbors was unfriendly to liveaboards and started impoundment proceedings against him. He said he lived in the harbor for 11 years with no issues and is currently staying at the Mendenhall Campground. He said his son died on May 18 and that Docks and Harbors offered condolences for his son and then threatened to impound his boat.

Salome Starbuck, a Douglas resident, said the following statement was cowritten by multiple community members: “Our community has just been traumatized by a reckless act of violence by executing Steven Kissack in the street. The JPD, and by extension this Assembly, has shown clear disregard for the value of a human life. While I was not a direct eyewitness present at the scene, I have heard eyewitness testimony that Steven did not escalate

at the scene, but at least one of the officers escalated highly. I have heard witness testimony that Steven was trying to run from the police with his hands in the air while shouting ‘Don’t shoot, don’t shoot’. This is recorded on video. Regardless of Steven’s actions on Monday there was no need for this senseless murder of a member of our community. There never needed to be a standoff. There never needed to be a death. The JPD, by their presence with firearms pointed, clearly escalated the situation. Not only did they escalate by the presence of lethal force, they surrounded Mr. Kissack and left him no avenue of egress. He ran from those that shot him with so called less-lethal rounds and found himself victim to the law enforcement officers behind him. There are many examples of other communities who have successfully implemented crisis task units employing the skills of mental health providers to response to calls involving at-risk and vulnerable members of the community, which clearly an unhoused person qualifies as to deescalate and avoid these precise kinds of unnecessary deaths. It is time for JPD to be accountable for the unnecessary violence it commits in this town. We also believe the Assembly should assess the need of their police force to show up willing to use lethal force. These are our friends and neighbors. Surely, we can and must find a better way.”

Rowena Brockway, from Downtown Juneau, said she is incredibly upset. She said she suffers from complex PTSD. She said she is Alaska Native, German, and Scottish. She said the police force needs to know that native people were born with this trauma from their relatives and ancestors, due to colonization. She said she watched the death of Steven Kissack online. She said he had his hands up and that people are supposed to be innocent until proven guilty. She said that officers are not the judge, jury, and executioner all in one, but that is what she saw. She said she did not understand why JPD could not use non-lethal restraints like a net gun or a bola wrap. She said she would like to see cultural training for JPD officers, non-lethal restraints, and an independent investigation.

Phil Moser, a Valley resident, said the last time he was before the Assembly was four years ago at the height of the Black Lives Matter movement when he testified the funding that currently goes towards policing should go to mental health and housing services. He said the Assembly did not take any action to reallocate funding. He said it was a policy choice that allowed Steven Kissack to be murdered. Mr. Moser said that most of JPD was around in 2011 when a former police officer shot at officers at least 75 times and was taken in without injury. He said he wants the full release of the body cam footage, a Community Action Council with subpoena powers in charge of JPD, and a reallocation of JPD funds towards mental health crisis teams. He asked for more public oversight of JPD.

S’eiltin Jamiann Hasselquist said she was born and raised on Tlingit land. She said she never thought she would see something like this happen in our community. She asked if “Stop or I will shoot” sounded like a defensive tactic. She said she never heard the officers tell Steven Kissack to drop his weapon. She said this was a reckless shooting with bullets hitting at least two businesses nearby. She said the entire community is grieving right now, full of passion, fear, grief and in need of healing. She said she would like CBJ to step up and offer the community some healing sessions and a memorial site. She said the impromptu memorial site was taken down and asked why. She said that Steven Kissack’s family will be here for the memorial service. She said community healing requires the police department to show up in a respectful way.

Josh Fortenbery, a Valley resident, said he was here in solidarity with Steven Kissack, with everyone who witnessed his death or saw the video, and the businesses that are now worried about calling for help because they don’t want people being shot. He said he hopes Juneau can find a way back to a place of trust in community and that people will not call the police department if they’re scared. He asked for better mental health training for police officers, more direct funding to people to respond to mental health crisis without guns, and better community policing. He said he knew Mr. Kissack and wished he had been treated with dignity.

Mr. Barr said that the National Alliance of Mental Health (NAMI) Juneau hosts a website with a list of all the mental health resources available for youth and adults in the community, including screening and assessment services, therapy services, crisis stabilization, case management, recovery support, education, and other services.

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. Hale to adopt the Consent Agenda and asked for unanimous consent. Hearing no objection, the consent agenda passed by unanimous consent.

H. Ordinances for Introduction

4. Ordinance 2024-27 An Ordinance Authorizing the Manager to Execute a Lease of the Mayflower Building located at 750 Saint Ann’s Ave to the Juneau Montessori School, an Alaskan Non-Profit Corporation.

The Montessori School has leased the Mayflower Building from the CBJ since 1992. The Montessori School has requested to continue to lease this building at less than fair market value. Section 4 of the current lease states that “the manager is only authorized to renew this lease with a rental rate at the fair market value. If the Lessee seeks to renew the lease at less than fair market value, then the Assembly must first authorize the reduced rental rate.” At the April 15, 2024, meeting, the Lands Housing and Economic Development Committee passed a motion of support to continue to lease property to the Montessori School for less than fair market value at \$2,200 per month.

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

I. Transfers

5. Transfer Request T-2501 A Transfer of \$125,264 from CIPs W75-068 Douglas Water System Assessment and W75-077 Aurora Vault Removal to CIP W75-071 Water Pipeline Assessment.

This request would transfer \$125,264 of Water Funds from the Douglas Water System CIP and the Aurora Vault Removal CIP to the Water Pipeline Assessment CIP. This funding would contribute to the continued mapping and life expectancy testing of older water main piping. During 2023, just under 6 miles of line was tested via soundwaves measuring the wall thickness of each pipe segment, and 8 additional miles of testing is planned this summer with additional testing planned for next summer. The Douglas Water System CIP and the Aurora Vault Removal CIP are ready to be closed and do not require the remaining funds.

The Public Works and Facilities Committee reviewed this request at the July 15, 2024, meeting.

The Manager recommends approval of this transfer.

J. Liquor/Marijuana Licenses

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

Liquor License - Renewal

Licensee: Alaska Cache Liquor d/b/a Alaska Cache Liquor Inc.

License Type: Package Store, Liquor License: #271 Location: 156 S. Franklin St., Juneau

Licensee: Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave’s

License Type: Restaurant/Eating Place, Liquor License: #5482 Location: 356 S. Franklin St., Juneau

Liquor License – Transfer of Ownership & Location

License Type: Restaurant/Eating Place, Liquor License: #5482

Transfer From/Licensee: Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave's

Transfer From/Location: 356 S. Franklin St., Juneau

Transfer To/Licensee: The Crepe, LLC d/b/a The Wagon

Transfer To/Location: 3038 Clinton Drive, Juneau

Staff from Police, Finance, Fire, Public Works (Utilities), and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest these 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 license actions.

K. PUBLIC HEARING

7. Ordinance 2024-11 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 750, for the Purpose of Waterfront Commercial Activities.

This is a new 35-year lease agreement with Trucano Family LLC. This property is located near 3560 N Douglas Hwy. Prior to the existing lease expiring, the Trucano Family LLC requested the CBJ continue leasing the property, which originated from a 55-year lease with the State of Alaska. The fair market value of this parcel was appraised at \$11,267 per year.

At the May 30 regular meeting, the Docks & Harbors Board recommended the Assembly continue leasing the property with a 35-year term and an automatic additional 35-year term. As currently written, this lease provides for a 35-year maximum term (Section 2.B). At the end of that term, the Assembly and Lessee can determine if this parcel should be leased again. The Lands, Housing and Economic Development Committee considered this ordinance at its July 15 meeting and forwarded it to the Assembly with the 35-year maximum term.

The Systemic Racism Review Committee reviewed this ordinance at its June 18, 2024, meeting and had the following comment for the Assembly: *The SRRRC remains concerned and interested in the systemic processes by which the CBJ disposes of and leases land, particularly long-term leases, and believes CBJ should strive towards further opportunities for public engagement and involvement in those processes.*

The City Manager recommends the Assembly adopt this ordinance.

Public Testimony

McHugh Pierre, from Douglas, said he supported consecutive lease opportunities. He said when a tidelands lease is issued for 35 years, having the opportunity to renew the lease automatically allows for greater economic certainty. He encouraged the Assembly to create as much certainty as possible, as it reduces risk and allows for investment. He thanked the Assembly for their consideration.

Jeff Trucano, from the Salmon Creek area, said that when they originally applied for this tideland lease from the State of Alaska the term was for 55 years with an option to renew for another 55 years. He said they have developed the land and built businesses with that timeframe in mind. He said if the city moves forward with putting a maximum of 35 years and no options to renew, it will create a small parcel of property which is

landlocked between private property and another renewable tideland lease. He asked for some kind of assurance that there will be an option to discuss renewal with the city.

Assembly Action

MOTION by Mayor Weldon to move Ordinance 2024-11 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 750, for the Purpose of Waterfront Commercial Activities.

MOTION by Mayor Weldon to amend Ordinance 2024-11 Section 2 (B) to read “The current lease shall be for a maximum term of 35 years (CBJC 53.20.080); the parties, upon mutual agreement and by ordinance, may execute one additional lease for a maximum term of 35 years” and asked for unanimous consent.

OBJECTION to the amendment by Mr. Kelly who asked for clarification on the motion. Mayor Weldon said this would allow the lease to be renewed once, but after that they would have to come back to the Assembly and do the whole process again. Mr. Kelly removed his objection.

Hearing no objection, the amendment passed by unanimous consent.

OBJECTION to the motion as amended by Ms. Woll for purposes of a statement. She wanted to highlight the Systemic Racism Review Committee’s note and said she too is concerned and interested in the systemic process by which CBJ disposes of or leases land. She said a good future activity would be for Lands, Housing and Economic Development Committee to think holistically about the code and make any updates needed to have a fair and equitable process across the board. She removed her objection.

There being no further objection, Ordinance 2024-11 as amended, passed by unanimous consent.

8. Ordinance 2024-12 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 842 Tracts A&B, for the Purpose of Waterfront Commercial Activities.

This is a new 35-year lease agreement with Trucano Family LLC. This property is located near 3560 N Douglas Hwy. The existing 55-year lease expires on August 18th, 2026; however, Trucano Family LLC has requested to place ATS 842 and ATS 750 on the same adjustment of rental schedule. Trucano Family LLC is vacating two years of lease opportunity under this new lease agreement. The fair market value of this parcel was appraised at \$20,909 per year.

At the May 30 regular meeting, the Docks & Harbors Board recommended the Assembly continue leasing the property with a 35-year term and an automatic additional 35-year term. As currently written, this lease provides for a 35-year maximum term (Section 2.B). At the end of that term, the Assembly and Lessee can determine if this parcel should be leased again. The Lands, Housing and Economic Development Committee considered this ordinance at its July 15 meeting and forwarded it to the Assembly with the 35-year maximum term.

The Systemic Racism Review Committee reviewed this ordinance at its June 18, 2024, meeting and had the following comment for the Assembly: *The SRRC remains concerned and interested in the systemic processes by which the CBJ disposes of and leases land, particularly long-term leases, and believes CBJ should strive towards further opportunities for public engagement and involvement in those processes.*

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mayor Weldon to move Ordinance 2024-12 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 750, for the Purpose of Waterfront Commercial Activities.

MOTION by Mayor Weldon to amend Ordinance 2024-12 Section 2 (B) to read “The current lease shall be for a maximum term of 35 years (CBJC 53.20.080); the parties, upon mutual agreement and by ordinance, may execute one additional lease for a maximum term of 35 years” and asked for unanimous consent.

Hearing no objection, the amendment passed by unanimous consent.

Hearing no objection, Ordinance 2024-12 as amended, passed by unanimous consent.

9. Ordinance 2024-09(b) An Ordinance Amending the Parking Notice Requirements, Parking Management Advisory Committee, and Penalties Related to Parking Violations.

With the new parking management system installed in the CBJ parking garages, CBJ staff identified a need for parking code amendments that would do three things. First, this ordinance would repeal the requirement to have a Parking Management Advisory Committee, which has not met for several years. Second, this ordinance would repeal an outdated and inconsistent 1971 law (CBJC 72.22.045) that requires parking tickets to be placed on a car. Since 1971, Alaska law (Civil Rule 4(h)) and CBJC 03.30.075(b)) have been amended to allow parking tickets to be served via certified mail or by placing the ticket on the vehicle. Third, this ordinance would create a tiered parking penalty structure in the parking garages because the existing \$25 parking penalty is not enough of a deterrent for rental car companies illegally occupying spaces.

The Assembly amended this ordinance on July 1 reducing the second offense for a 72.14.020 violation from \$50 to \$35. Due to lack of quorum, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2024-09(b) An Ordinance Amending the Parking Notice Requirements, Parking Management Advisory Committee, and Penalties Related to Parking Violations and asked for unanimous consent. *Hearing no objection, Ordinance 2024-09(b) passed by unanimous consent.*

L. UNFINISHED BUSINESS

M. STAFF REPORTS

10. School Budgets - Information from Superintendent Frank Hauser

Mr. Hauser provided a summary of the School District’s financial standing. He said the FY24 school funding crisis came about due to a combination of decreased enrollment, increased footprint, flat state funding, and inflation. He said these factors had stretched resources and affected academic opportunities for students; in 2008 there were 75 regular high school classroom teachers while in 2023 there were 46 high school teachers between the two schools. He said that high school students were taking classes online or had free periods because there were no classes available for them to take.

He said in November 2023 an audit identified an almost \$2 million carryover deficit from FY23, plus an identified deficit in FY24, and looming structural deficit for FY25. He said the School Board and Administration took actions such as a hiring freeze, aggressive operational savings efforts, and school consolidation to help reduce the deficit; additionally, there was a significant number of resignations that resulted in a reduction of staffing expenditures. Due to these significant savings, the School Board voted not to take the loan previously offered by CBJ.

Mr. Hauser said to avoid similar situations in the future they instituted more staff training on the financial software and an outside review. He said the district was committed to using the demographic projections provided by the demographer to avoid overly optimistic assumptions.

Ms. Adkison asked about one-time funding approved by the Legislature. Mr. Hauser said JSD was going to receive about \$5.2 million in one-time funding for the BSA equivalent and is estimating about \$270,000 one-time funding for pupil transportation for FY25. He said the budget revision before the Assembly (Resolution 3068) is for FY24.

Mayor Weldon asked if a financial staff member, shared between CBJ and JSD, has been hired. Mr. Barr said that they just classified the position and will be meeting with Mr. Hauser to discuss it.

11. Resolution 3068 A Resolution Deappropriating \$4,626,434 from the Treasury for FY24 School District Operations.

Ordinance 2023-15 appropriated the Juneau School District's FY24 budget in the amount of \$96,371,000. Since the adoption of the budget, the district's FY23 audit was finalized and reflected a decrease of nearly \$3 million in fund balance compared to projections. Further challenges were identified in the adopted budget regarding material overstatement of revenue and understatement of expenditures. To address these issues, the JSD Board of Education approved an FY24 budget revision on May 14, 2024, reducing the School District's budget authority by \$4,626,434 for a total revised FY24 appropriation of \$91,690,566.

The City Manager recommends the Assembly adopt this resolution.

MOTION by Ms. Woll to adopt Resolution 3068 A Resolution Deappropriating \$4,626,434 from the Treasury for FY24 School District Operations and asked for unanimous consent.

OBJECTION by Mr. Bryson for purposes of a question. He asked what will happen to the \$4.6 million. Ms. Koester said there is no realized savings of \$4.6 million. Ms. Flick said when the Assembly approved the original school district budget, they thought they needed \$96 million to run the school district, but with all of the actions the school district has taken, they only need \$91.7 million to run the district. This resolution removes the ability of the school district to spend more money than they need. She said this balances the financial books for the audit. Ms. Hale asked if this means that JSD will not take the loan offered by CBJ. Ms. Flick said this action does not have to do with the loan. Mr. Bryson removed his objection.

Hearing no objection, Resolution 3068 passed by unanimous consent.

N. NEW BUSINESS

12. Regulation 20 CBJAC 40.540 Class C Endorsement - Commercial Passenger Vehicle - Pedicab Geographical Area

This regulation would amend the geographic area where pedicabs are permitted to operate downtown. It would expand the area to include the portion of Egan Drive between Main Street and the lighted crosswalk immediately before Glacier Ave that enables access to the Seawalk. Since the last time this geographic area has been looked at, DOT has upgraded this section of Egan to include an extra-wide bike lane that accommodates pedicabs.

A public information and comment meeting was held on July 25th, 2024, and no public comment was received.

The Assembly review of regulations is governed by CBJC 01.60.260.

The Manager recommends the Assembly approve this regulation.

Public Testimony:

William Quayle, from Downtown, said this regulation does not go far enough. He objected that he, as a pedicab driver, was not notified of this regulation change. He asked that lighting requirements conform to state regulations. He requested that pedicabs be allowed to go anywhere in Juneau, not just downtown.

Assembly Action:

MOTION by Ms. Adkison to approve Regulation 20 CBJAC 40.540 Class C Endorsement - Commercial Passenger Vehicle - Pedicab Geographical Area and asked for unanimous consent.

OBJECTION by Mr. Kelly for purposes of a question. He asked about safety and bike lane width on Douglas. Ms. Koester said this regulation change is possible due to physical changes on Egan which include an extra-wide bike lane. She said bike lanes outside this area are narrower and there is faster adjacent traffic. She said there are multiple safety reasons why they did not recommend expanding Pedicabs beyond what is in these regulations. Mr. Bryson asked how much this regulation expanded pedicab operational areas. Mr. Barr said this does not represent an expansion, that it represents a different, safer path that pedicabs can take to get to Overstreet Park. Mr. Kelly removed his objection.

Hearing no objection, Regulation 20 CBJAC 40.540 Class C Endorsement passed by unanimous consent.

13. School Board Recall Petitions (for Deedie Sorensen & Emil Mackey)

On July 11, 2024, the Clerk's office completed its review of the two school board recall petitions for the recall of Board of Education Member Deedie Sorensen and Board of Education Member Emil Mackey and concluded that, with the supplemental signatures submitted on July 1, each petition met the requirement to obtain 2,359 signatures for certification and each petition is therefore considered sufficient. Copies of the recall petition affidavits, Clerk's letters and certifications are included in your packet.

Because State law AS 29.26.320(a) requires the recall petition questions to be on the October 1, 2024, Regular Municipal Election, this was just an informational item.

O. ASSEMBLY REPORTS**Mayor's Report**

Mayor Weldon congratulated Ms. Woll and former Assemblymember Carole Triem on their recent half marathon. She said some Assemblymembers will be in Kodiak August 13-14 for the Alaska Municipal League. She said on August 3 there will be a ribbon cutting ceremony in Capital Park and, separately, a barbeque for the retirement of Fire Chief Ed Quinto who has been with the department for over 40 years. She said there were multiple events happening this upcoming weekend, including a veterans appreciation dinner, a barbeque for Family Promise, and a drag show. Mayor Weldon also reported she attended the Teal Street Center ribbon cutting and a celebration of life for former Assemblymember Karen Crane.

Committee, Liaison Reports, Assemblymember Comments and Questions

Committee of the Whole – Chair Hale said the COW met on July 15 and talked about Bartlett Regional Hospital fiscal sustainability, the gondola for Eaglecrest, and the Grants Pass Supreme Court decision.

Finance – Chair Woll said their July meeting was cancelled but at the next meeting they will be discussing Bartlett's Rainforest Recovery Center and Hospice and Home Health programs.

Public Works and Facilities – Chair Bryson said they discussed the new bus fare app at their last meeting.

Human Resources – Mr. Bryson, on behalf of Chair Smith provided the following motions:

MOTION by Mr. Bryson to appoint Jackie McMaster to the Douglas Advisory Board for an unexpired term beginning immediately and ending September 30, 2025, and asked for unanimous consent. *Hearing no objection, motion passed.*

MOTION by Mr. Bryson to reappoint Jessica Barker and to appoint Griffin Plush and Brennen McCulloch to the Juneau Commission on Sustainability all for terms beginning immediately and ending June 30, 2027, and asked for unanimous consent. *Hearing no objection, motion passed.*

MOTION by Mr. Bryson to forward to the State of Alaska Emergency Response Commission and appoint to the Local Emergency Planning Committee of Jeremy Weske, Peace Officer Seat 2, to a term beginning immediately and ending December 31, 2027; Nathan Rumsey, moving from BRH Hospital Seat 5a to BRH Hospital Seat 5 for a term beginning immediately and ending December 31, 2026; and Theresa Ross, Firefighter/EMS Seat 3 to a term beginning immediately and ending December 31, 2025, and asked for unanimous consent. *Hearing no objection, motion passed.*

Attorney Search Committee – Chair Woll said they interviewed three finalists last week and the board will meet in Executive Session later this evening to discuss next steps.

Mr. Bryson said he attended the Bartlett Regional Hospital Board where they are trying to get labeled as a critical access hospital which would increase reimbursement for Medicaid and Medicare. He said they also talked about replacing mammography equipment. He said The Glory Hall has picked a new executive director, Kaia Quinto.

Ms. Woll said Eaglecrest is recruiting for a new manager with opportunities for public input. She thanked everyone who testified today. She said there is a lot of hurt in our community right now and it's valuable to hear what is on people's minds and how we can move forward. She said, quoting a testifier earlier, that Juneau must not be a place where this kind of thing can happen, and she believed the Assembly owed the public more listening, conversation, and dialogue.

Ms. Adkison agreed with Ms. Woll and had no liaison reports.

Mr. Kelly said the Planning Commission met once and the School Board Finance committee's next meeting will be August 22. He said he attended Steven Kissack's vigil on July 16 and agreed with Ms. Woll about community response.

Ms. Hale said the Parks and Recreation Advisory Committee met and discussed Marine Park performance space and that old playground equipment be given to other communities like Tenakee. She said she attended the Ridgeview ribbon cutting. She challenged the other Assemblymembers, and the public, to ride the bus with her.

Presiding Officer Reports

14. Appeal before the Assembly 2023-AA01 Karla Hart v. PC and Huna Totem, Proposed Decision

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal, which was assigned to the State Office of Administrative Hearings. The Hearing Officer held the oral argument hearing on January 24, 2024. The Hearing Officer issued a draft decision to the parties. The Huna Totem Corp. filed an objection, and Ms. Hart filed a letter of support. A status hearing was held and the parties submitted additional briefing.

On June 21, 2024, the Hearing Officer sent an amended proposed decision, which affirms the Planning Commission's decision. Notably, the amended proposed decision concludes Huna Totem's application "generally conforms" to the Long-Range Waterfront Plan. (CBJC 49.15.330(f)(3)). That conclusion preserves the Assembly's authority to adopt land use plans that provide direction to the Planning Commission when it is reviewing a conditional use permit; it also preserves the Planning Commission's discretion to determine when a specific permit application "generally conforms" to a land use plan.

If the Assembly adopts the Hearing Officer's amended proposed decision, the Assembly would then be in a position to facilitate a robust public process regarding the lease of CBJ property. The Assembly has complete authority whether to issue a lease for the new cruise ship dock. If the Assembly adopts or revises the Hearing Officer's proposed decision, any aggrieved party can appeal the final decision to the Superior Court.

The City Attorney recommends the Assembly adopt the Hearing Officer’s amended proposed decision in open session.

Mr. Kelly declared he had ex-parte communication and recused himself.

MOTION by Ms. Hale that the Assembly adopt the Hearing Officer’s amended proposed decision and asked for unanimous consent.

OBJECTION by Ms. Woll for purposes of a comment. She asked the public not to interpret the decision tonight as a policy decision around the Huna Totem dock and tideland lease. She said this decision is about whether there legally *could* be a new dock not whether there *should* be a new dock. Ms. Woll removed her objection.

Hearing no objection, the Hearing Officer’s amended proposed decision was accepted.

P. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Q. EXECUTIVE SESSION

15. Continued Deliberations on City Attorney Finalists from the 7/25/2024 Special Assembly meeting, if needed.

MOTION by Mr. Bryson to move into executive session to continue deliberating on City Attorney finalists and asked for unanimous consent. *Hearing no objection, the Assembly moved into executive session at 8:56pm. The Assembly came out of executive session at 9:48pm.*

R. SUPPLEMENTAL MATERIALS

16. School Budgets - Presentation by JSD Superintendent Frank Hauser
FY2024 Wrap-Up, Looking Ahead in FY2025

17. *Manager’s Request for Agenda Changes, move this item from New Business to Staff Report.*

School Board Recall Petitions (for Deedie Sorensen & Emil Mackey)

On July 11, 2024, the Clerk’s office completed its review of the two Board of Education recall petitions for Deedie Sorensen and Emil Mackey. With the supplemental signatures submitted on July 1, each petition met the 2,359 signature requirement for certification and each petition is therefore considered sufficient. Copies of the recall petition affidavits, Clerk’s letters, and certifications are included in your packet.

Because state law (AS 29.26.320(a)) requires the recall questions to be on the October 1, 2024, regular municipal election, this is just an information item.

S. ADJOURNMENT

Having no further business to come before the Assembly, the meeting adjourned at 9:50pm.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor