

# REGULAR ASSEMBLY MEETING 2025-03

## **DRAFT** MINUTES

February 03, 2025 at 7:00 PM



### Assembly Chambers/Zoom Webinar

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Meeting No. 2025-01: the Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 7:04 p.m.

**A. FLAG SALUTE** – Led by Mr. Kelly

#### **B. LAND ACKNOWLEDGEMENT**

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

#### **C. ROLL CALL**

**Assemblymembers present:** Deputy Mayor Greg Smith, Paul Kelly, Ella Adkison, Neil Steininger, Maureen Hall, Wade Bryson and Mayor Beth Weldon

**Assemblymembers absent:** Christine Woll, Alicia Hughes-Skandijs

**Staff present:** City Manager Katie Koester, City Attorney Emily Wright, Deputy City Manager Robert Barr, Municipal Clerk Beth McEwen, Meeting Tech/Minutes Clerk Kevin Allen, Port Director Carl Uchytel

#### **D. SPECIAL ORDER OF BUSINESS**

##### **1. Proclamation: Teen Dating Violence Awareness and Prevention Month - February 2025**

Mayor Weldon read the Teen Dating Violence Awareness and Prevention Month Proclamation. (Packet pg. 13)

##### **2. Proclamation: National Engineers Week - February 16-22, 2025**

Deputy Mayor Smith read the National Engineers Week Proclamation. (Packet pg. 14)

#### **E. APPROVAL OF MINUTES**

##### **3. July 1, 2024 Regular Assembly Meeting 2024-14 Minutes-DRAFT**

##### **4. July 29, 2024 Regular Assembly Meeting 2024-17 Minutes-DRAFT**

##### **5. December 16, 2024 Regular Assembly Meeting 2024-26 Minutes-DRAFT**

##### **6. December 17, 2024 Special Assembly Meeting for BRH Board/PC Appointments Minutes-Draft**

**MOTION** by Ms. Hall to approve the minutes of the above meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

#### **F. MANAGER'S REQUEST FOR AGENDA CHANGES**

Manager Koester explained that agenda items 31 and 32 were removed from the published packet as the entities had become current on their taxes. Stoned Salmon Farms LLC and Alaska Coffee Pot LCC were moved to the consent agenda. She informed members that Bartlett Regional Hospital did get a certificate of need from the Department of Health and Social Service for its Emergency Department Addition so that item was also removed from the packet.

**G. 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.)*

**Dylan Hay**, a valley resident, via zoom, shared that he has been a full-time firefighter paramedic with the fire department for the past five years and is a member of IAFF Local 4303. His testimony was on behalf of the Union's Executive Board which was asking the city to address their recruitment and retention concerns. He said that his wife works for the school district, and they have a young child, but life has become untenable for several reasons. He said the low wages offered at Capital City Fire and Rescue (CCFR) are compounded by the increasing burden of making up for an understaffed department. He stated that he and his wife have made the decision to relocate their family. He referred to the 2024 compensation survey commissioned by CBJ, which had showed that firefighter EMTs at CCFR Start at \$20 an hour, below the regional average. He said that call volume stretched CCFR beyond a reasonable capacity, and he has been on scenes where there were vastly inadequate staffing or volunteer response, which leaves on-duty crews to respond. He stated that they are not adequately staffed and are all tired.

**Logan Balstad**, an out the road resident and President of Juneau Career Firefighters Association IFF Local 4303, testifying via Zoom, said that today was the 33<sup>rd</sup> year anniversary since the borough combined the five volunteer departments into one career/volunteer fire department. He said that throughout that time, call volume has increased significantly from between 1 and 2,000 calls per year, to over 5,000 (9-1-1) responses per year. He stressed that volunteer numbers have decreased, and their 24-hour career staffing has not increased to compensate. He thanked the public for their support in response to the testimony at the last meeting from the union's Vice President. He said they anticipate that vacancies will continue to increase over the coming months as multiple members will be retiring, resigning, and even taking extended leave of absences from military service this next year. He said it is crucial that they have competitive starting ranges for recruitment. He asked that the Assembly give the City Manager directions to assist them with the recruitment and retention crises affecting CCFR.

**Greg Chaney**, a downtown resident, said he was dismayed that the good relationship Juneau has had with its sister city Whitehorse, YK, Canada has been tarnished by federal shenanigans. He suggested that the Assembly send a goodwill message to affirm the long historical bond shared between the citizens of Whitehorse and Juneau.

Mayor Weldon responded that, after her discussion with Mr. Chaney earlier today, she had already directed the City Manager to work on such a letter.

**H. CONSENT AGENDA**

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

**Assembly Request for Consent Agenda Changes**

**MOTION** by Deputy Mayor Smith to move item #21 from the Consent Agenda to New Business and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

**Assembly Action**

**MOTION** by Deputy Mayor Smith to approve the consent agenda as amended. *Hearing no objection, the motion was approved by unanimous consent.*

**I. Ordinances for Introduction**

**7. Ordinance 2024-01(b)(AD) An Ordinance Appropriating \$50,000 to the Manager for the Departure Lounge ADA Elevator Capital Improvement Project; Funding Provided by Airport Revolving Funds.**

This ordinance would appropriate \$50,000 to the Departure Lounge ADA Elevator CIP. The funds would be used to hire an architect to conceptually identify locations and associated costs for an elevator in the Departure Lounge. This elevator would serve the Departure Lounge to the 121 Air Carrier apron and would facilitate ground boarding

for passengers who are unable to navigate stairs to board at Gate 6 or when ground boarding is necessary. The total cost of the design and installation is currently estimated at \$2.5M and has been deemed eligible for Federal FAA funding.

The Airport Board of Directors reviewed this at the December 12, 2024 meeting.

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

**8. Ordinance 2024-01(b)(AE) An Ordinance Appropriating \$3,000,000 to the Statter Harbor Improvements Phase III Capital Improvement Project; Funding Provided by Docks Funds.**

This ordinance would appropriate \$3,000,000 to Phase III-D of the Statter Harbor Phase III CIP. Phase III-D of the project would provide for the installation of new curb, gutter, lighting, paving and landscaping at the excursion bus parking lot around the restroom facilities. These improvements primarily serve cruise tourism at Statter Harbor, therefore the use of Docks funds for this phase is appropriate.

The Docks and Harbors Board of Directors reviewed and recommended approval of this ordinance at the January 30, 2025 regular Board meeting.

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

**9. Ordinance 2025-15 An Ordinance Amending the Title 49 Land Use Code Relating to Rules of Construction, Permits, Equivalent Use Determinations, Determination of Minor Versus Major Developments, Accessory Dwelling Units, Caretaker Units, and Transition Zones.**

The rewrite of Title 49 – Land Use Code is a multi-phase project. Phase 1 began in August 2024 and is focused on updates that are not dependent on the upcoming rewrite of the Comprehensive Plan.

This ordinance modernizes accessory dwelling unit (ADU) code to encourage gentle density through the construction of ADUs; defines caretaker units in industrial zones and creates a framework for their administration; reduces permitting time by allowing certain decisions to be made by the Director instead of the Planning Commission; encourages greater density by allowing Director approval of transition zones that have been identified in planning documents; and develops rules of construction to make interpretation of code more accessible and uniform.

The Ad Hoc Title 49 Advisory Committee discussed the concepts included in Ordinance 2025-15 at its October 28 and November 13, 2024, meetings and passed a motion to support the development of an ordinance. [The Assembly Committee of the Whole reviewed Ordinance 2025-15 at its January 27, 2025, meeting.](#)

**The City Manager recommends the Assembly introduce the ordinance, refer it to the Planning Commission for a 60-day comment period and set it for public hearing at the April 7, 2025 regular Assembly meeting.**

**10. Ordinance 2025-09 An Ordinance Amending the City and Borough Code Relating to Assessing Standards of Property Tax.**

This ordinance was drafted in response to the passage of SB179 by the State. It was reviewed by the Assembly Finance Committee (AFC) on January 8, 2025, and forwarded for introduction to the full Assembly.

**In order to clarify the Assembly's position on 69.10.023, as drafted, the City Manager recommends that this Ordinance be introduced and referred back to AFC for consideration on February 5, 2025.**

**11. Ordinance 2025-14 An Ordinance Amending the City and Borough Title 29 Code Relating to Election Processes and Procedures.**

In 2024, the Clerk's Office received four petitions from citizens trying to engage in direct democracy. About 15% of the signatures initially turned in were rejected. Of those, more than half were rejected due to the strict, and outdated, requirements laid out in 29.10.090 about what is an 'adequate' address. This section of code was

written before Clerk staff had real-time access to the State Division of Elections Voter Database (VREMS) which allows staff to quickly verify if a person is a Juneau resident who is eligible to sign a petition.

This led Clerk staff to propose Ordinance 2025-14, with the help of the Law Department. This ordinance removes many technical or procedural actions throughout the entire election code and places them into Rules of Procedure, which will allow election staff to better adapt to changing technologies. It also requires that the Rules of Procedure be available to the public online. This ordinance removes redundancies, rewrites complex language, and updates terminology definitions to make the code more readable by the public.

Additionally, this ordinance provides some minor changes in timing, including the candidate filing period and when ballots are mailed out. The Municipal Clerk recommends the below timing so the ordinance, if adopted by the Assembly, would take effect before the April 2025 initiative/referendum cycle begins.

**The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Committee of the Whole meeting of February 24 and set it for public hearing at the next regular Assembly meeting on March 3.**

#### **J. Resolutions**

##### **12. Resolution 3084 A Resolution Expressing Support for the United States Department of Justice, Office of Justice Program, FFY24 Edward Byrne Memorial Justice Assistance Grant (JAG).**

The Juneau Police Department has been awarded \$34,305 in grant funding from the U.S. Department of Justice for equipment. This grant will provide funding for truck storage vaults and truck uplifting equipment. No local match is required for this grant.

The required 30-day public comment period for the FFY24 JAG grant spending plan ended January 18, 2025. One public comment was received.

**The City Manager recommends the Assembly adopt Resolution 3084.**

##### **13. Resolution 3085 A Resolution to Dissolve the Sister Cities Committee and Repealing Resolutions No. 1986, 2420(c), and 2508.**

This resolution was requested by and approved by the Assembly Human Resources Committee at its January 6, 2025 meeting.

**The City Manager recommends this resolution be adopted.**

##### **14. Resolution 3086 A Resolution to Dissolve the Americans with Disabilities Act Committee and Repealing Resolutions No. 1585, 1769, 1928, 2204, 2359, and 2429.**

This resolution was requested by and approved by the Assembly Human Resources Committee at its January 6, 2025 meeting.

**The City Manager recommends this resolution be adopted.**

#### **K. Bid Awards**

##### **15. Bid Award - DH25-161 Purchase and Delivery of 60 Ton Marine Hydraulic Yard Trailer**

In October 2024, Docks & Harbors advertised for a new boatyard trailer to replace the SEALIFT self-propelled hydraulic boatlift which was procured through a US DOT MARAD (Maritime Administration) TIGER grant for \$529,500 in 2012. The SEALIFT no longer met the operational needs of the commercial boatyard at the Auke Bay Loading Facility and was sold through the CBJ public surplus process for \$225,100 (net) in December 2021. MARAD was kept abreast of Docks & Harbors actions to surplus the SEALIFT and to procure a new apparatus using the proceeds of the sale. Typically, MARAD manages grants into perpetuity with annual reporting required from the grantee. In this case, using proceeds from the sale would require meeting the grant requirements issued in the original TIGER grant agreement.

The procurement for a new boatyard trailer resulted in only one submission, Kropf Industrial Inc of Ontario, Canada for \$319,700 (fob Juneau). Docks & Harbors consulted with other US companies who manufacture similar equipment but Kropf Industrial was the only one who could meet the unique specifications needed at the steep incline at the Auke Bay Loading Facility. Under most circumstances, procurement of equipment not manufactured in the USA would not be consistent with MARAD grant requirements; however, consultation with MARAD resulted in a January 6th, 2025 letter stating: This letter serves as notification to the Port that DOT is hereby relinquishing its Federal interest in the boat lift, thereby authorizing the Port to retain the proceeds of the boatlift with no further obligation to DOT, on the condition that the Port purchase a comparable boat lift as originally purchased under the TIGER grant for use at the Port.

**The Port Director recommends the Assembly approve RFB #DH25-161 (Purchase and Delivery of 60 Ton Marine Hydraulic Yard Trailer) award to Kropf Industrial Inc for \$319,700. Funding is provided by \$225,100 from previous sale with proceeds in Fleet Reserve and \$94,600 FY25 Fleet Reserve funds.**

**L. Transfers**

**16. Transfer Request T-2505 A Transfer of \$92,876 from CIP D71-094 Transit Fare Technology CIP D71-095 Bus Barn Improvements.**

This request would transfer \$92,876 from the Transit Fare Technology CIP to the Bus Barn Improvements CIP. These funds would be used for the replacement of two new bus barn garage doors to allow for electric buses to be stored. Two of the twelve existing garage doors at the Capital Transit Bus Barn are not functioning properly and are unable to be opened to their full height, which is needed to accommodate the taller electric buses. CBJ Facility Maintenance was unable to fix the doors. It has been determined that replacing the 30-year-old doors will be a more cost-effective long-term solution. The project will retain sufficient funds for intended work.

This transfer of project funding is consistent with the intent of the 2012 1% Sales Tax initiative approved by voters in the October 2, 2012 municipal election.

The Public Works and Facilities Committee reviewed this request at the January 27, 2025 meeting.

**The City Manager recommends approval of this transfer.**

**17. Transfer Request T-2506 A Transfer of \$1,399,586 from Various CIPs to CIP R72-181 Starlite Court Reconstruction.**

This request would transfer \$1,399,586 from various Capital Improvement Projects (CIPs) to the new Starlite Court Reconstruction CIP. This funding would provide for Starlite Court reconstruction which was a priority request for the Water and Streets departments during the FY25 CIP buildout; however, at the time of the FY25 CIP planning, funding was not available for the project. This project would replace and update water, sewer, and storm drainage infrastructure as well as road base and asphalt surfacing. Funding would be provided by projects that are ready to be closed or projects that would retain adequate funds for the remainder of work in the projects. The Starlite Court Reconstruction CIP is ready to bid for construction during the summer of 2025, with an estimated project cost of \$1.4 million.

This transfer of project funding is consistent with the intent of the 2007 1% Sales Tax initiative approved by voters in the October 2, 2007 municipal election

The Public Works and Facilities Committee reviewed this request at the January 27, 2025 meeting.

**The City Manager recommends approval of this transfer.**

**18. Transfer Request T-2507 A Transfer of \$1,700,000 from CIPs U76-119 Mendenhall Wastewater Treatment Plant and U76-124 Wastewater SCADA Improvements to CIP U76-128 Biosolids Crusher Project.**

This request would transfer \$1,700,000 of Wastewater Funds from the Mendenhall Wastewater Treatment Plant and the Wastewater SCADA Improvement CIPs to the Biosolids Crusher CIP. Project costs increased after design investigations identified necessary plant modifications and additional equipment needed for a safe and efficient

crusher operation and due to inflationary increases since the inception of this project in FY22. The Wastewater SCADA Improvements CIP is nearing completion and will retain sufficient funds for remaining work in the project. The Mendenhall Wastewater Treatment Plant Improvements CIP will retain sufficient funding for current project work.

The Public Works and Facilities Committee reviewed this request at its January 27, 2025 meeting.

**The City Manager recommends approval of this transfer.**

**M. Liquor/Marijuana Licenses**

**19. Liquor & Marijuana License Actions**

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

**Liquor License - Renewal**

**Licensee: Midnight Ninja Ventures d/b/a The Rookery Cafe**

License Type: Restaurant/Eating Place License: #5153 Location: 111 Seward St.

**Licensee: Breeze-In Corporation d/b/a Breeze-In Liquor**

License Type: Package Store License: #176 Location: 2200 Trout St.

**Licensee: Breeze-In Corporation d/b/a Douglas Island Breeze-In**

License Type: Package Store License: #662 Location: 3370 Douglas Hwy.

**Licensee: Breeze-In Corporation d/b/a Breeze-In**

License Type: Package Store License: #4543 Location: 5711 Concrete Way.

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

License Type: Brewery Manufacturer License: #5729 Location: 11798 Glacier Hwy.

**Licensee: Fraternal Order of Eagles Aerie No. 4200 d/b/a Fraternal Order of Eagles #4200**

License Type: Club License: #3313 Location: 2055 Jordan Ave. #1

**Licensee: Waterfront on Glacier Restaurant d/b/a Arabella**

License Type: Beverage Dispensary/Tourism License: #175 Location: 1711 Glacier Ave.

***Additional Staff Note for License #175: Community Development Staff and the Fire Marshal are working with this licensee to make sure they are compliant in building permits and inspections prior to opening for business.***

**Marijuana License - Renewal**

**Licensee: ForgetMeNot Enterprises Inc. d/b/a Glacier Valley Shop**

License Type: Retail Marijuana Store License #:13217 Location: 8505 Old Dairy Rd. Suite 1

**Licensee: ForgetMeNot Enterprises Inc. d/b/a Green Valley Enterprises**

License Type: Standard Marijuana Cultivation Facility License #:13221 Location: 8505 Old Dairy Rd. Suite 2

**Licensee: ForgetMeNot Enterprises Inc. d/b/a Southeast Essentials**

License Type: Marijuana Product Manufacturing Facility License #:13222 Location: 8505 Old Dairy Rd. Suite 3

**Licensee: Alaskan Kush Company LLC. d/b/a Alaskan Kush Company**

License Type: Retail Marijuana Store License #:16213 Location: 159 S. Franklin St.

**Licensee: Always Redeye LLC d/b/a Stoned Salmon Farms**

License Type: Standard Marijuana Cultivation Facility License: #11605 Location: 2005 Anka St.

**Licensee: Tree Logic LLC d/b/a Tree Logic**

License Type: Standard Marijuana Cultivation Facility License: #27531 Location: 5763 Glacier Hwy.

**Clerk's Note:** License #11605 & #27531 had previous protests from Finance Dept. removed on 1/31/2025

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 and marijuana license actions.**

## **N. Other**

### **20. Central Council Tlingit and Haida Indian Tribes of Alaska request to lease CBJ property at Floyd Dryden**

Central Council Tlingit and Haida Indian Tribes of Alaska (T&H) responded to a 2024 solicitation for proposals to lease space in the former Floyd Dryden Middle School. T&H was the top-rated proposal by the Public Works and Facilities Committee. The Assembly Committee of the Whole reviewed the proposals and PWFC rankings at the August 5, 2024, meeting and passed a motion to direct staff to proceed with T&H Early Education to use up to 2/3 of the space in Floyd Dryden. At its January 27, 2025, meeting the Lands, Housing, and Economic Development Committee (LHEDC) provided a motion of support to the Assembly for leasing space in Floyd Dryden for T&H Early Education. In Accordance with CBJ Code 53.09.260 the next step in this public process will be for the Full Assembly to provide a motion to negotiate with T&H Early Education. CBJ leases are authorized by ordinance after a LHED Committee review and Assembly public hearing.

**The City Manager requests a motion of support to work with Central Council Tlingit and Haida Indian Tribes of Alaska towards the disposal of City property through a negotiated lease.**

### **\*21. University of Alaska Southeast request to lease CBJ property at Floyd Dryden for less than fair market value**

The University of Alaska Southeast responded to the 2024 solicitation for proposals to lease space in the former Floyd Dryden Middle School. University of Alaska Southeast requested this lease be at no cost. If the Assembly leases space for less than the costs to maintain the facility, additional funds will need to be appropriated in order to cover the budget deficit. The Assembly Committee of the Whole reviewed the proposals and PWFC rankings at the August 5, 2024, meeting and passed a motion to authorize staff to negotiate with the proposers on space as per the ranking by PWFC. On January 27, 2025, the Lands, Housing, and Economic Development Committee provided a motion of support to the Assembly for leasing space in Floyd Dryden for the University of Alaska Southeast. In Accordance with CBJ Code 53.09.260 the next step in this public process will be for the Full Assembly to provide a motion to negotiate with UAS. CBJ leases are authorized by ordinance after a LHED Committee review and Assembly public hearing.

The memo in the packet for the previous agenda item also includes the information and recommendation for this lease negotiation request.

**The City Manager requests a motion of support to work with the University of Alaska Southeast towards the disposal of City property for less than fair market value.**

***(\*This item was moved to New Business from the Consent Agenda.)***

## **O. PUBLIC HEARING**

### **22. Ordinance 2024-40(am) An Ordinance Creating a Local Improvement District No. 210 HESCO Barrier Project Phase 1 and Appropriating the Sum of up to \$7,830,000.**

In response to the recent Mendenhall River flooding, and in coordination with the US Army Corps of Engineers, the CBJ is pursuing advance flood fighting measures in the form of HESCO barriers to safeguard homes in the Mendenhall Valley. This Ordinance creates a Local Improvement District (LID) which contains all benefited homes in the Phase 1 installation of the HESCO barriers along the Mendenhall River. Using the 16 ft inundation maps, CBJ has identified 466 properties which would be specially benefited from Phase 1. The project costs are estimated at \$7,830,000. The project costs will split 40%/60% between property owners and the CBJ.

The Assembly discussed this project on October 21, 2024, and directed that an ordinance be presented. This Ordinance was introduced on November 18, 2024 and initial public testimony was heard on December 16, 2024. A public meeting was held at Thunder Mountain Middle School on January 3, 2025.

Included with the Ordinance is a map of included homes, an assessment roll, a list of written objections to the LID by the affected owners received in writing by the Municipal Clerk's office as of 2:00p.m. on January 30 and copies of those objections. Any additional objections received will be included in an updated version of the list and added under Supplemental Materials in the packet after 4:30p.m. on Monday, February 3.

**The City Manager recommends the Assembly take public testimony and at the close of public testimony take an at ease to count all written objections to the formation of the LID. If more than 50% of the property owners who would bear 50% or more of the cost of the improvement do not object, the City Manager recommends proceeding with adoption of the ordinance.**

#### **Public Comment**

**Joseph Liddle**, a valley resident, said there are concerns about the assessment of the HESCO barriers along the river. He explained that the structure has become narrower with less curves because of the glacial sand and fallen trees in the river, and the barriers could possibly cause more danger by narrowing the river further. He said the project stops at River Court Way, yet down river there are multiple public buildings that would be potentially threatened and are not covered by barriers. He suggested that the properties downriver in the Vintage Park area pay for a barrier along that area. He said the 60/40 split between CBJ and homeowners is unfairly slanted towards homeowners, since there are many school and city properties next to the river. He stated that property values in the flood zone have decreased since the summer of 2023 and CBJ still uses the obsolete property values in order to ask people to pay high property taxes, while most houses require thousands in repair. He suggested that CBJ pay at least 90% of the barrier project.

**Sam Hatch**, a valley resident, said that, due to negligence in floodplain management, he has tried to retrofit his home for survival. He stated that he does not have enough money to finish. He asked if he should have to pay for life-saving emergency work, and that the city should shoulder the burden. He stressed that he paid his taxes that go to the 60%, but now has to also pay 40%. He said he supports safe, responsible, permitted flood fighting, but the LID is wrong.

**Venetia Bingham**, a valley resident, said it seems like the Assembly can redirect some money. She asked that the Assembly stop funding losing projects as the money could be redirected in order to help save expenses for families as it seems extreme to pay \$6,000 on top of everything that's happened. She urged that others continue to write to the Assembly and stand for what's right.

**Greg Chaney**, a downtown resident, said he owns a vacant lot that is in the LID. He explained that, pursuant to the LID, the owner is to receive a benefit in order to be included in a LID. He outlined that, first, the lot is vacant, so there is zero risk from a flood, and second, the property is about four feet higher than the neighboring property; there is no benefit to him, so he would like to be excused from the LID. He said he'd be willing to let the barriers be installed on the property. He praised CBJ engineering for their customer service through this.

**Michelle Hale**, a valley resident, stated that the HESCO barriers are the best solution the city has right now. She said the city does need longer term solutions, but those can't be done in time for the 2025 flood. She shared that she would have advocated for something different than the 60/40 share, like more people in the valley paying. She said it is a hard balancing act but the city did the best job it could.



**Bill Diebels**, a valley resident, stated that, of the approximately 84 properties planned for HESCO installation, roughly 25% submitted objections by last Thursday. He said objections due to aesthetics are short-sighted and selfish, and objections regarding a desire to move quickly on a permanent solution are not practical, but objections relating to CBJ overreach or irresponsible allocation of resources might have merit. He said he believes CBJ is doing as much as possible to provide the most protection with the least risk at a reasonable cost.

**Jack Marshall**, a valley resident, said that the proposed LID does not meet the definition of LID and it is just a way to pay for a temporary fix. He stressed that people asked for a permanent fix. He suggested that CBJ seek a federal grant whether through FEMA or the Corps. He said that the Corps has failed on several occasions, like at Vanport in Portland where 10,000 people lost their homes. He suggested that the Assembly needs an RFP with guidelines to develop a permanent fix, and consider that only Alaskan engineering companies do the work.

**Steve Bauer**, a valley resident, said his house is located about 21-22 feet above flood stage, so he objects to being included in the LID. He said he thinks the decision should be made by those who have suffered financially from this. He added that he also objects to the LID. He explained that the proposed HESCO barrier would bisect his property, dividing the area that's lower close to the river and letting it flood as it did previously and offering no protection at the level he is at. He said it's proposing to put it at 18, 19 feet above flood stage, and that he doesn't see how that would help anything.

**Debbie Fisher**, a valley resident, said she is unconvinced that the city and the USACE have done their homework before going ahead with the HESCOs. She explained that the water that jumped the banks and flooded the valley last summer will now be held back by the barriers, traveling faster and higher because it's contained. She said she is concerned about the homes, condos and businesses at the end of the river. She stressed that, from the library down to the wastewater treatment plant, businesses will hold the city accountable for the decisions made tonight. She said the cost is also a concern, and that the LID is not the right mechanism. She asked whether the city is ready for the legal battles over eminent domain reimbursement and validity of the LID. She said everyone loses in this ordinance, and that she will be laser focused with the congressional delegation to fast-track a long-term solution.

**Elizabeth Figus**, a valley resident, urged the Assembly to remove any interest rate on any amount that is charged to homeowners in the LID. She stated that this should be funded by the city. She said her biggest concern is that there has been five months of delay due to the LID process. She explained that her home was not eligible for several grants, and that the valley is not eligible for EPA pollution prevention grants to raise fuel tanks throughout the valley. She was told by residents that their insurance companies informed them that they weren't eligible for National Flood Insurance Program (NFIP), and that there are split level homes that only have partial coverage. She asked that interest rates be removed from the charges.

*The Assembly took an at-ease for the Clerk staff to have an opportunity for final tabulation of the LID objections.*

### **Assembly Action**

Mayor Weldon asked Ms. McEwen for the tally of objections.

Ms. McEwen reported that the clerk's office has received 117 property objections to the LID, which is below the 51% required to override the LID.

Mayor Weldon asked Manager Koester to address rumors regarding many undelivered packets. Manager Koester pointed to the affidavit on packet page 3, which covers certified mail and outreach efforts. She reported that, of the 458 certified mailers were sent to residents, 13 were returned undelivered. She said door hangers were delivered to those homes on January 17. She said one more undelivered mailer was able to be contacted via phone. She further reported that CBJ had 33 certified mailers that were not marked as delivered by USPS, so doorhangers were also delivered to those addresses. 17 of the residents were contacted via email.

Mr. Kelly asked Attorney Wright about Mr. Cheney's testimony and whether there is a mechanism that could be put in place to allow someone to be excluded from the LID if they meet certain conditions, and would that need to be done today. Attorney Wright explained that this is a two-step process. She said the LID assessment rules say

the Assembly can make an amendment to exclude properties if that's what it wishes to do, but it does not have to do that tonight, and the rules don't preclude making changes later. She explained that there's a second process after the project is completed where all of the receipts and costs are put together and a second assessment roll is created with notices sent out. She said there is another hearing with another opportunity for the public to object. She explained that there's another hearing where the Assembly can correct, revise, raise, lower, change, or modify the roll and do a resolution covering those aspects. She said the Assembly could do that tonight, or it could do it at that second step for the assessment roll.

**MOTION** by Deputy Mayor Smith to adopt Ordinance 2024-40(am) for purposes of an amendment.

**MOTION** by Deputy Mayor Smith to adopt Amendment 1.

Deputy Mayor Smith explained that Amendment 1 reduces the interest rate to zero, and for the four properties that had the \$50,000 assessment, the interest rate be zero for the first 10 years and increase to 4.78 percent thereafter.

Mr. Kelly asked about the 4.78 percent interest rate increase. Mayor Weldon explained that not having an interest rate, while it helps homeowners, does hurt because the city wasn't getting an interest rate on the money, so she felt 30 years was too long to let money go and not accrue interest. She said that she was hopeful that somewhere down the line some money comes to lessen the burden.

*Hearing no further objections, Amendment 1 passed by unanimous consent.*

Deputy Mayor Smith objected to passage of the ordinance for the purpose of making a comment. He said this has been a challenging issue and that this is an imperfect solution, but it's the project that was presented to the Assembly by the U.S. Army Corps of Engineers that could be done before the 2025 flood to protect homes. He stated that he'll support the ordinance that adds additional costs reluctantly, but he thinks it is the best the Assembly can do before the next flood. Mr. Smith removed his objection.

*Hearing no further objections, Ordinance 2024-40(am) as amended, passed by unanimous consent.*

Mayor Weldon stated that work was continually being done on a long-term solution, as well as on identifying other funding mechanisms.

Manager Koester explained that the flood website has a list of the grants and their status. She said they were working with Tlingit & Haida on HUD grant funds, and one grant was recently awarded. She reported that the city was working with the Forest Service, and they got \$1 million to advance work on the LID. She said the city and the Alaska District of the U.S. Army Corps of Engineers were advocating for \$10 million to do a general investigation study towards a long-term solution. She explained that HUD was working with the city on disaster recovery funds that would be funneled through the state. She added that a low-interest loan was being worked out with DEC, which would allow savings on the interest rate because it would be below the market rate, as well as possible forgiveness for a portion of it. She stressed that the city was looking everywhere for funding for short- and long-term mitigation.

Mr. Kelly asked what the public could do to help in these efforts. Manager Koester said the city would try to reach out to people as it seeks out various grant sources.

**23. Ordinance 2024-01(b)(AA) An Ordinance Appropriating up to \$100,000 to the Manager for a Loan to BroKo Holdings, LLC for 220 Front Street; Funding Provided by the Affordable Housing Fund.**

During the Fall 2024, Round Four competition of the Juneau Affordable Housing Fund (JAHF), two projects were awarded funding through a competitive funding round. The awardees were announced at the November 4, 2024, Lands Housing and Economic Development Committee meeting. The 220 Front Street apartment project was approved at the December 16, 2024, Assembly meeting.

This project is seeking to build 20 units affordable to households making 80% of the area median income (AMI). During the initial competition, this project placed second and was awarded the remainder of the available

competitive funds in the amount of \$1 million. Because the original request for funding was \$1.1 million, it was not fully funded. The Assembly, at its December 16 meeting, requested full funding of this project by awarding the additional \$100,000 to meet the \$1.1 million request.

This project meets the intent of the JAHF award guidelines document and the 2016 Housing Action Plan.

The Systemic Racism Review Committee reviewed this ordinance at its January 7, 2025 meeting.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

None

**Assembly Action**

**MOTION** by Mr. Bryson to adopt Ordinance 2024-01(b)(AA) and asked for unanimous consent. *Hearing no objections, the motion was adopted by unanimous consent.*

**24. Ordinance 2024-01(b)(AB) An Ordinance Appropriating \$5,000,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.**

This ordinance would appropriate \$5 million of grant funds from the Alaska Department of Transportation and Public Facilities' Harbor Facility Grants Program. This funding would provide support for the Phase IV of the Aurora Harbor project. Phase IV project work includes the installation of new main walks J and K in the north end of the basin, completing the headwall float to reconnect the north parking lot to the harbor; updating the gangway, electrical system, lighting, potable water, and fire suppression systems; and installing a new Tee float on main walk H. The local match requirement will be met with existing 2017 and 2022 1% Sales Tax and Harbor Enterprise fund balance. Docks and Harbors anticipates a bid award in February 2025.

The use of 2017 1% Sales Tax funds is consistent with the intent of the of the proposition approved by voters in the October 4, 2016 municipal election. The use of 2022 1% Sales Tax funds is consistent with the intent of the of the proposition approved by voters in the October 4, 2022 municipal election.

The Systemic Racism Review Committee reviewed this ordinance at its January 7, 2025 meeting.

The Docks and Harbor Board reviewed and recommended approval of this request at the January 30, 2025 regular meeting.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

None

**Assembly Action**

**MOTION** by Ms. Adkison to adopt Ordinance 2024-01(b)(AB) and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

**25. Ordinance 2024-01(b)(AC) An Ordinance Appropriating \$7,520 to the Manager for a Grant to Juneau Economic Development Council; Funding Provided by General Funds.**

Juneau Economic Development Council's (JEDC) property at 612 W. Willoughby Ave. Suite A does not qualify for CBJ's non-profit property tax exemption in 2024 because they did not submit their exemption application timely. As a result, property taxes cannot be exempted for 2024, and must be paid by JEDC. This is an unanticipated financial burden for JEDC. This grant would, in effect, acknowledge the intended non-profit purpose of 612 W. Willoughby Ave. Suite A, even though it did not meet the strict legal criteria to be exempted.

The Systemic Racism Review Committee reviewed this request at its January 7, 2025 meeting.

The Assembly Finance Committee reviewed this request at the January 8, 2025 meeting and forwarded it to the Assembly for public hearing and Assembly action.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

None

**Assembly Action**

**MOTION** by Mr. Steininger to adopt Ordinance 2024-01(b)(AC) and asked for unanimous consent.

Mr. Bryson objected for purposes of a statement. He said JEDC has been in that building for a while, and opined that this is not the best use of the Assembly's time. He removed his objection.

Mayor Weldon stated that she finds it appalling JEDC had let this fall through the cracks, so she also objected.

**Roll Call Vote**

**Yeas:** Mr. Steininger, Ms. Hall, Mr. Kelly, Mr. Smith

**Nays:** Ms. Adkison, Mr. Bryson, Mayor Weldon

*Motion Failed, 4-3*

**26. Ordinance 2024-01(b)(I) An Ordinance Appropriating \$8,900,000 to the Manager for the Bartlett Regional Hospital Emergency Department Addition Capital Improvement Project; Funding Provided by Hospital Funds.**

This ordinance would appropriate \$8.9 million of hospital funds for the Emergency Department Addition Capital Improvement Project. This appropriation is required to move the project forward to meet the desired spring 2025 construction start date. This funding is considered restricted until a Certificate of Need (CON) is obtained from the Alaska Department of Health, which is a requirement for renovation and new construction projects expected to exceed \$1.5 million. A determination by the Alaska Department of Health on the CON was expected in August 2024 but was not yet received as of the publication of this packet.

The Hospital Board approved this request at the July 23, 2024 meeting. The Public Works and Facilities Committee reviewed this request at the August 5, 2024 meeting. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024 meeting.

The Assembly Finance Committee (AFC) reviewed this request at the September 4, 2024 and January 8, 2025 meetings. At the January 8, 2025 AFC Meeting, the motion was to refer the ordinance back to the Assembly for public hearing and Assembly action upon receipt of the Certificate of Need from the State of Alaska. If the CON is not received in time for this meeting, the City Manager will request it be removed from the agenda until such time the CON is received.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

None

**Assembly Action**

**MOTION** by Ms. Hall to adopt Ordinance 2024-01(b)(I) and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

**27. Ordinance 2025-08 An Ordinance Authorizing the Manager to Execute an Agreement with Alaska Electric Light & Power Company and AJT Mining Properties, Inc. for the Purpose of an Access Easement for the Christopher Trail.**

Parks and Recreation has been working with AEL&P and AJT Mining Properties to improve recreational access between Cope Park and the Gold Creek Flume. By relocating an 86-foot long timber bridge from Kaxdigoowu Héen Dei (Brotherhood Bridge Trail) to Cope Park, a new trail connection can be made. This connection will require crossing approximately 250 feet of property owned by AJT. AJT has offered an easement at no cost. Alaska Statute 09.65.202 provides for a level of indemnification for landowners that allow recreational use of their land without charge. Ordinance 2025-01 allows the Manager to execute an agreement and allows an exception to the general prohibition on indemnification.

The Systemic Racism Review Committee reviewed this ordinance at its January 7, 2025 meeting.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

None

**Assembly Action**

Mr. Kelly asked what the plan would be to replace the trail bridge. Mr. Barr said it was an ongoing project, the old bridge was being moved and the new bridge was being constructed.

**MOTION** by Mr. Kelly to adopt Ordinance 2025-08 and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

**27. Ordinance 2025-12 An Ordinance Amending Ordinance Serial No. 2024-42 Regarding the Proposed Refinancings by the Alaska Municipal Bond Bank of Various Revenue Bonds of the City and Borough Authorized Thereunder.**

This ordinance is an amendment to Ordinance 2024-42 which authorized the refinancing of three bonds through the Alaska Municipal Bond Bank (AMBB). The amendment is necessary as the AMBB is consolidating principal due dates to the month of December which changes the payment schedule from March to December and alters the years of maturities in CBJ's issuances. This ordinance adjusts the maturity years for AMBB's due date changes.

Ordinance 2024-42 authorized the issuance of up to \$13.5 million in bonds to refund (refinance) the 2014A Port, 2015 Harbor, and 2021 Port bonds. The original bonds were sold through the Alaska Municipal Bond Bank and financed harbor improvements, seawalk construction, and cruise ship berth enhancements. Ordinance 2024-42 was approved on December 16, 2024.

**The City Manager recommends the Assembly take public testimony and adopt this ordinance.**

**Public Comment**

**Heather Marlow**, an Auke Bay resident, said the payoff date of the 16b dock/seawalk may be affected by this. She said there was large interest assigned with this bond and that it was her idea to capture the interest with an early payoff of 16b and use that to buy Merchant's Wharf in order to continue the seawalk to Centennial Hall.

**Assembly Action**

**MOTION** by Deputy Mayor Smith to adopt Ordinance 2025-12 and asked for unanimous consent.

Mr. Bryson asked how much money the city saves by refinancing. Manager Koester answered it would be about \$20,000 from what the city saved when the Assembly passed the ordinance a month ago.

*Hearing no objections, the motion was adopted by unanimous consent.*

**P. UNFINISHED BUSINESS**

**28. 2024-2025 Assembly Goals**

Deputy Manager Barr explained that the final draft of the Assembly's goals were in the packet, and that there had been some language tuning on three goals. He reported that, under goal number 1D on Housing, the wording

changed to “continue aggressive use of the affordable housing fund review and potentially adjust fund guidelines to set affordable housing criteria, support successful projects, and meet community housing needs.” He said goal 3E under sustainable budget had new wording as well, “examine purpose and effectiveness of city tax code and policies resulting in tax exemptions, tax credits, or any foregone revenue. He pointed to goal 4F with the new wording, “advocate for programs that strengthen families with children aged zero to three.” He outlined that the Assembly could either adopt the language, send it back to committee, or further revise it.

**MOTION** by Mr. Bryson to adopt the 2024-2025 Assembly goals, as amended. *Hearing no objection, the motion was adopted by unanimous consent.*

## **Q. NEW BUSINESS**

### **29. Baptiste Application to Purchase CBJ Property on Taku Blvd.**

In July 2024, Allen Baptiste submitted an application to the Lands Office with the request to purchase CBJ property adjacent to his house, which was located at 4128 Taku Blvd. The application noted that the “land would be 7 feet wide and 100 feet long.” The land is located near the headwaters of Duck Creek and is managed by the Parks Department. The sale of the land would resolve an encroachment issue for Mr. Baptiste.

CDD reviewed this request and provided the following information. The boat shed building permit was not in the electronic system and imagery shows no sheds in 2006, a rear shed in 2013, and full rear and side shed (5' into CBJ land) in 2023. Since the owner purchased around 1988, it appears he built the sheds. His boats are parked on CBJ park land. Duck Creek is less than 50 feet from the boat shed. Duck Creek has a 50-foot setback requirement. Since there does not appear to be a building permit, the shed cannot be certified nonconforming.

This property was dedicated by the Assembly as part of the Juneau Parks & Open Space System and is managed as a Conservation Area due to its proximity to Duck Creek. It is not consistent with CBJ adopted Master Plan or the Comprehensive Plan to resolve the encroachments by disposing of parks managed property. The 2016 Land Management Plan designates this property as to be retained. If the Assembly determines that this application should be further considered, then the application would be forwarded to the PRAC and the Planning Commission for review prior to the Assembly authorization. The Lands, Housing and Economic Development Committee reviewed this application and recommended that this property be retained by the CBJ.

**The City Manager recommends the Assembly adopt a motion to deny this application to purchase the property adjacent to Duck Creek in accordance with the motion passed at the December 2, 2024 Lands, Housing and Economic Development Committee meeting.**

### **Public Comment**

**Lawton “Dutch” Knight**, shared that he has been in the people helping business all his life in various jobs, and that he believes his client, Mr. Baptiste, needs a bit of help. He explained that they discovered, during the sale of the home, that their regional survey was off 10 feet, and they have a structure on their property that's one and a half feet over the property line, so the Baptistes request seven feet from the city so they can have a normal side yard with a setback of five feet. He said surveys are sometimes off, and that the original survey should have been verified by the city when they did the final certificate of occupancy. He said the city failed and the original surveyor failed but asked whether the homeowner failed here. He informed the Assembly that they have a buyer and would like to close on this home by the end of April. He urged approval of the application and advised that this land grant will end up benefiting the future owners and future buyers and sellers of the property.

Mr. Bryson asked Mr. Knight about a petition for neighbors around the property. Mr. Knight responded that the petition stated, “To Mayor Beth Weldon, Assembly representatives, regarding Baptiste's application for 700 feet of CBJ land, we support and recommend the granting of 700 square feet of CBJ land to the Baptistes to help solve their encroachment problem at 4128 Taku Boulevard due to extenuating circumstances which will benefit future buyers and sellers of the property.” He said they had 40 signatures on their petition.

Deputy Mayor Smith acknowledged that it has been a long time since the survey was conducted and asked if there was any recourse on someone for doing improper surveying. Mr. Knight stated that he was not an attorney, but said someone could sue the surveyor and the city for not certifying that the survey was accurate.

**Allan Baptiste**, a valley resident, said he hopes the city can help him. He said that he found out four and a half months ago that there was a property line problem, and he had no idea for the 37 years he has been living there. He explained that, when he bought the property from the state and according to Toner and Nordling as built from his existing two-car garage, it's 22 feet over on the other side of his boat that was on his property line, which led him to believe that where the boats are was on his property, which is now not the case. He said that, according to the John Bean survey, his boats are on the city's property now. He said he is hoping the city can help him in his application to purchase the 7x100 feet space to settle the problem.

Mr. Bryson asked for an explanation on how the shed got to be in the location it was in. Mr. Baptiste stated that, when he bought the property in 1989, the boat shed was there, but was in ill-repair. He said he made repairs over the years and added a carport in front of the boat shed. He had set up tents, but those caved in due to snow, so he had put up walls, and later a roof, which is how the carport evolved. He stated that he did it without a permit but did go to the city six months ago to get a permit after the fact; they told him he could not get a permit until the property line issue was corrected.

Deputy Mayor Smith asked what the estimated cost would be to fix this situation, like tearing down the shed and putting up one that is within the appropriate setbacks. Mr. Baptiste said what he has there now cost \$75,000, a new shed would be about \$40,000.

**Bill Diebels**, a valley resident, said that, after listening to the situation, he feels like a waiver to grant the 7x100ft land was appropriate in this case.

#### **Assembly Action**

Mr. Bryson asked if the Assembly has any mechanisms available for redress. Attorney Wright said the main mechanism would be the negotiated sale or lease. She said the Assembly could direct the manager's office to negotiate the sale and could give guidance on what that looks like, how much space. She said there may be other land use options, but since Mr. Baptiste is trying to sell his property, the most straightforward way is to do a negotiated sale.

Mr. Kelly asked Attorney Wright, assuming the Assembly authorizes the sale today, whether Mr. Baptiste would be able to retroactively get a permit to build the shed, and would it be necessary to do so. Attorney Wright said there are problems with the permit and its location in proximity to the creek. She said it would get one step closer in solving the permit problem with CDD, but she could not say whether CDD would approve the permit.

Deputy Mayor Smith asked if there were other options to help remedy the situation. Attorney Wright answered that the options came down to a negotiation to sell the land, or tearing down the shed since the property cannot be sold with that problem.

Mr. Kelly said, assuming the city negotiated the sale and the sale was successful, would the lack of a permit be an obstacle in selling the home. Attorney Wright said she is not sure she can answer the question, but her first thought is that it would not prohibit the sale, but it just kicks the can down the road for the next person since they would need to go to the Planning Commission for a variance.

Mr. Bryson asked if it would be legal to sell them the land that the shed rests on and have zero setbacks. Attorney Wright explained that it would not be legal, since one cannot take a non-conforming situation and make it more non-conforming, it must be more conforming, and this requires the full 7x100ft.

**MOTION** by Deputy Mayor Smith that the Assembly deny the application to purchase the property adjacent to Duck Creek, in accordance with the motion passed at the December 2, 2024, Lands Housing and Economic Development Committee meeting and asked for unanimous consent.

Mayor Weldon said the Assembly feels for Mr. Baptiste, and normally it would help if there was just one problem, but there are three main problems: 1) the boat shed is illegal as there were no building permits, 2) it's over the property line, and 3) it was within the Duck Creek setback. She said all this was unfortunate but the motion needs to move forward.

*Hearing no objection, the motion was adopted by unanimous consent.*

*The Assembly took an at-ease.*

**\*21. University of Alaska Southeast request to lease CBJ property at Floyd Dryden for less than fair market value**

The University of Alaska Southeast responded to the 2024 solicitation for proposals to lease space in the former Floyd Dryden Middle School. University of Alaska Southeast requested this lease be at no cost. If the Assembly leases space for less than the costs to maintain the facility, additional funds will need to be appropriated in order to cover the budget deficit. The Assembly Committee of the Whole reviewed the proposals and PWFC rankings at the August 5, 2024, meeting and passed a motion to authorize staff to negotiate with the proposers on space as per the ranking by PWFC. On January 27, 2025, the Lands, Housing, and Economic Development Committee provided a motion of support to the Assembly for leasing space in Floyd Dryden for the University of Alaska Southeast. In Accordance with CBJ Code 53.09.260 the next step in this public process will be for the Full Assembly to provide a motion to negotiate with UAS. CBJ leases are authorized by ordinance after a LHED Committee review and Assembly public hearing.

The memo in the packet for the previous agenda item also includes the information and recommendation for this lease negotiation request.

**The City Manager requests a motion of support to work with the University of Alaska Southeast towards the disposal of City property for less than fair market value.**

***(\*This item was moved from the Consent Agenda to New Business)***

**Assembly Action**

Mr. Smith offered his understanding that there was more information forthcoming, so believed there was a need to slow action on this.

Mayor Weldon said that was correct and that she and Mr. Steining spoke with President Pitney and it sounded like President Pitney was needing to get more information.

**MOTION** by Deputy Mayor Smith to send this to the Assembly Committee of the Whole and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

**31. Recommended Protest of AMCO Marijuana License #25190 - Alaskan Coffee Pot LLC d/b/a Alaskan Coffee Pot**

The CBJ Finance Department is recommending protest of the renewal of a retail marijuana store license #25190 for Alaskan Coffee Pot LLC d/b/a Alaskan Coffee Pot. This recommended protest of license #25190 is for the following unpaid 2024 Sales Tax Quarters: 2ndQ \$32,334.37, including penalties and interest, and 3rdQ \$30,023.88, including penalties and interest, for a total due: \$62,368.25 as of January 31, 2025; **4thQ sales tax is due January 31, 2025 and is yet to be paid at the time this packet was published.** Copies of the notice sent to the licensee is included in the Assembly HRC and the regular Assembly meeting packets.

This recommended protest went before the Assembly Human Resources Committee to review and make recommendations to forward to the full Assembly for final action.

The State of Alaska Alcohol & Marijuana Control Office (AMCO) allows local governing bodies a 60-day comment period on all liquor and marijuana licenses throughout the borough. CBJ's comment period to recommend protest or to waive protest ends February 10, 2025.



**Assembly Action**

Manager Koester reported that the Alaskan Coffee Pot did pay the \$62,368.25, so now they only owe 4<sup>th</sup> quarter sales tax. She said HRC made a motion to remove the protest if they pay the 4<sup>th</sup> quarter taxes.

**MOTION** by Ms. Adkison to uphold the protest unless the final quarter of sales taxes were paid by Monday and asked for unanimous consent.

Ms. McEwen asked if the motion was to also include the requirement for payment of all interest and late filing penalties. Ms. Adkison answered yes. *Hearing no objection, the motion passed by unanimous consent.*

**R. STAFF REPORTS**

Manager Koester spoke on future listening sessions on the Huna Totem lease process. She reported CBJ hosted two open houses with Huna Totem and NCL at both. She said there were 170 members of the public who attended, and staff are collecting comments for members. She reminded that the Assembly talked about having listening sessions, and so the clerk polled members with some dates for such a session. She said that February 18 is on top, but the Committee of the Whole is another date for a listening session. She asked for guidance on holding a listening session and whether to combine it with a committee or make it separate.

Ms. Adkison said it couldn't hurt to have another listening session, and that she could do either option.

Mayor Weldon suggested holding the session in the Lands, Housing, and Economic Development committee. Mr. Bryson said he would be happy to hold a session within LHED.

Manager Koester said she confirmed with the Lands Manager that the agenda could be shifted. She informed members that she had suggested March 6<sup>th</sup> to hold an Eaglecrest Joint Meeting, but with the meetings that week, she asked Acting Finance Chair Bryson if it was possible for the Finance Committee to meet with Eaglecrest on March 5. Mr. Bryson answered yes.

**S. ASSEMBLY REPORTS**

**Mayor's Report**

Mayor Weldon reported that she attended the Filipino Community board swearing-in, which had a good group of young to old people.

**Committee and Liaison Reports**

Mr. Smith, Chair of the Committee of the Whole, reported that he was not at the recent meeting.

Mr. Bryson, Chair of the Lands Housing and Economic Development Committee, reported that the meeting included a request from Tlingit & Haida and a request from UAS for use of Floyd Dryden.

Ms. Hughes-Skandijs, Chair of the Public Works Committee, said she had no report.

Ms. Adkison, Chair of the Human Resources Committee, said that the committee looked at the Historic Resources Advisory Committee and directed staff to work on their charge to make them more effective. She said that the committee also discussed the Airport Board and concerns that may be followed up on in a joint meeting with the Assembly. She reported that the committee also introduced, for information only, an ordinance establishing ranked choice voting for municipal elections in Juneau. She said the committee reviewed applications for the Youth Activities Board and forwarded the following names for appointment:

**MOTION** by Ms. Adkison to appoint Missouri Smythe to the Youth Activities Board general public seat for a term beginning immediately and ending August 31st, 2025, and to a full term beginning September 1st, 2025 and ending August 31st, 2028. She also moved the appointment of Lindsey Wold to the Youth Activities Board general public seat for a term beginning immediately and ending August 31, 31st, 2026 and asked for unanimous consent. *Hearing no objection, the motions were adopted by unanimous consent.*

Mr. Bryson, reported that the Hospital Board discussed their emergency room certificate of need, which came in today.

Mr. Bryson, as chair of the Short-Term Rental Task Force, reported that they had a data dump on housing and what other communities are doing.

Ms. Adkison reported that the Juneau Chamber of Commerce met and are talking about a letter to oppose the Board of Fish proposal the Assembly passed a resolution against last month. She said the LEPC met to talk about emergency manager hiring for Bartlett as well as CCFR fire management hiring as well.

Mr. Steininger reported that the Parks & Recreation Advisory Committee met and discussed updating their fee schedule to bring them in line with other fees charged. He said they also had a discussion on their budget request to go to the manager's office, as well as discussion on how they would like to propose to use the increased revenues. He said the Eaglecrest Board had several meetings over the last month to discuss the Duncan report, which was heard at the last Committee of the Whole meeting.

Ms. Hall reported that the School Board met several times, including for a Joint Facilities Committee meeting to discuss the DZ playground. There were also work sessions on the budget. She said the Juneau Commission on Aging gave their presentation to the HRC committee and are advocating to move forward with utilizing the Marie Drake building. She asked members about a possible resolution to advocate for parental leave for younger adults, and if it were to pass, then it could be advocated at the state level.

Mr. Kelly reported that the Southeast Conference Committee on Solid Waste met, which featured things happening in other communities. He said Sitka has 27 per 1,000 people driving EVs and are now consulting with Juneau on how to dispose of EVs that reach their end of life. He said the next meeting will be in person when the conference comes to Juneau. He said the Juneau Coalition on Housing and Homelessness met and talked about the Crisis Now pilot program where they have a clinician available for field work. He said Travel Juneau met and discussed their budget and plans for the coming year. He said there was some discussion about advocacy since Travel Juneau attempted to weigh in on the Ship-Free Saturday ballot initiative but were asked to refrain. He said they are looking for a new chair since McHugh Pierre is termed out as chair but may stay as in an ex-officio role. He said he also attended the re-entry simulation.

Deputy Mayor Smith reported that the Docks and Harbors Board made recommendations on ordinances that passed at this meeting. He said the board also forwarded the Docks and Harbors budgets. He reported that JEDC met and appointed officers.

**Presiding Officer Reports**

**T. ASSEMBLY COMMENTS & QUESTIONS**

**U. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**V. EXECUTIVE SESSION**

**W. ADJOURNMENT**

*Having no more business to come before the Assembly, the meeting adjourned at 9:30 pm.*

Signed: \_\_\_\_\_

Elizabeth J. McEwen,  
Municipal Clerk

Signed: \_\_\_\_\_

Beth A. Weldon,  
Mayor