

## REGULAR ASSEMBLY MEETING 2024-21 **DRAFT** MINUTES

September 16, 2024, at 7:00 PM

Assembly Chambers/Zoom Webinar



Meeting Number 2024-21: 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 7:02pm.

### A. FLAG SALUTE

Ms. Woll led the flag salute.

### B. LAND ACKNOWLEDGEMENT

Ms. Adkison gave 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:** Mayor Beth Weldon, Wade Bryson, Paul Kelly, Ella Adkison, Greg Smith, 'Wáahlaal Gídaag (on Zoom), and Deputy Mayor Michelle Hale (on Zoom)

**Assemblymembers absent:** None.

**Staff present:** City Manager Katie Koester, Municipal Clerk Beth McEwen, Minutes Clerk/Tech Kevin Allen, Assistant Attorney Sherri Layne, Airport Manager Patty Wahto, Parks and Recreation Director George Schaaf, Lands Manager Dan Bleidorn, Special Projects Manager Rob Dumouchel, Senior Planner Irene Gallion

### D. SPECIAL ORDER OF BUSINESS

#### 1. Flood Update

City Manager Koester provided an update on the Suicide Basin flood situation and the work that CBJ and others were doing. She gave information on where and how the public can find updated information on the NOAA and NWS monitoring site. She explained the process that is happening with CBJ trying to get the State and Governor Dunleavy to request the assistance of the US Army Corps of Engineers (USACE) for their help, with long-term solutions but also near-term solutions prior to next year's event.

Manager Koester noted that the long-term and short-term goals they were working on included directions received at the last Assembly Committee of the Whole (COW) meeting to introduce two ordinances at tonight's Assembly meeting. She noted that those were set for introduction at this meeting with a recommendation to be set for a special assembly meeting to be held next Monday, September 23 at 12:15 via Zoom only.

Manager Koester said that for a permanent solution, they were working with the USACE on a general investigation study to include the possibility of reservoirs, dams, and all the things discussed at the August 19, 2024 meeting. She said that the Assembly is also introducing an appropriating ordinance at this meeting that will match federal funding for inundation maps. The USACE has the authority to do the work, but CBJ will be putting up \$3 million to match the \$3 million in federal funding so that work could actually happen. She said that Tlingit & Haida Central Council (THCC) will also be putting in a letter of support for that request. Manager Koester then stated that she will be traveling, with Mayor Weldon, to Washington D.C. this week to advocate for those flood fighting plans along with representatives from THCC. There is some disaster relief funding that is being pulled together. There is also the possibility of advocating for that \$3 million to come from Congressionally Directed Spending (CDS). She said that they are also looking at advocating for a more permanent flood fighting plan and funding to be able to

do that. She said that she would anticipate the need for approximately \$5 million for design, engineering, and installation of a more permanent flood fighting solution while still working on the other mitigation measures.

Manager Koester reported that one other item to update the Assembly on is that they are waiting for the state to submit the disaster declaration to the federal government. She said that it is on the governor's desk and it a lot of work and they want to make sure all the t's are crossed and i's are dotted. They are working with THCC to do this with a unified voice and she said that DMVA is working on trying to get that on the president's desk. She said when citizens are asking what they can do to help this along, she suggested that they reach out to the federal delegation to let them know their concerns, questions, and support for these efforts.

Manager Koester then proceeded to answer questions from Assemblymembers.

Mr. Smith and Deputy Mayor Hale asked about the emergency alert systems and other ways to get information out to the public, if there was another release this fall. Manager Koester spoke to all the various ways they are notifying the public and what emergency alert systems will be in place.

## **E. APPROVAL OF MINUTES**

### **1. February 5, 2024 Regular Assembly Meeting 2024-04 Draft Minutes**

**MOTION** by Deputy Mayor Hale to approve the minutes of the February 5, 2024 meeting and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

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

### **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.)*

**Steve Bradford**, a resident of the condos on Riverside Drive, testified via Zoom. Mr. Bradford said those were the condos that were damaged in the 2023 flood. He has been following the event this year and he said, in speaking to fellow homeowners that they need to band together and work together on their own temporary flood solutions. He said that while CBJ is working with the USACE on a long-term solution, there needs to be a greater plan than trying to find solutions individually and would encourage homeowners to organize and move forward with a possible plan.

Mr. Smith asked Mr. Bradford if he was aware of any currently organized group that has been formed that might address this. Mr. Bradford said that he knows of a few households that neighborhood groups may have formed by street but was not aware of a larger groups for all the 300 households that were affected this year. He recommended they may wish to organize as time is of the essence.

Ms. Hale asked if Mr. Bradford was aware of the flood fighting efforts with the USACE on the bigger scale that Manager Koester mentioned. Mr. Bradford said he followed and took notes on her presentation tonight.

**Kathleen Rado**, an Emily Way resident, and someone who was affected by the flood. She said that her street was not originally expected to flood but it did. As a resident of the Mendenhall Valley, she is trying to do what she can do to fight future floods. She is disabled and unable to do the physical work necessary. She also has senior neighbors who also cannot do the physical labor required to manage the work. She urged the State and City to respond with providing resources to protect lives and homes. She said the residents need improved infrastructure such as levies and improved emergency communications. She urged the Assembly to act now and not just in response to the recent disaster but to prevent future disaster.

**Renee Culp**, an Emily Way resident, said that their street was not listed in the original flood maps, they were given little time when the flood occurred and many of the residents did not understand the full threat of what they were facing when the August 5 evacuation notice was received. She said that she had taken precautions to move some of her valuables to the second floor but she was still learning how much more was needed to secure her home and personal safety. In the aftermath of this nature disaster, she witnessed something we often think is impossible, Tribal, City, State, and Federal governments working together seamlessly to work together to recover

from the devastation that shook their neighborhoods; Gunalchéesh! She said the collaboration was swift, efficient and it gave them hope. They received heartwarming support and recovery efforts that reflected the true spirit of Alaska. This year, the flood was larger due to a high tide at the time of the outburst. What will next year, look like? The clock is ticking and we are on borrowed time. While recovery efforts have been strong, she feels they need to look at prevention and she urged the governments to continue to work together to find a path for short-term and long-term solutions for our community. We need accurate inundation maps and a sound warning system and possibly other things. They cannot wait and they need to act now.

**Margaret Katkeek**, a Lake View Court resident, comes from the Klukwan area and a child of the Thunderbird/Eagle people. She said she is a mother, parent, auntie and this is the only home that she has ever owned. That in itself is a big accomplishment to her and her people. To have this happen and not have the foreknowledge or warning that this was even a possibility of it happening to them was shocking. Like many other families and homeowners, they were surprised and are now living in a constant state of stress, not knowing what to do or where to go for help. She and her family and extended neighbors are asking for help. Gunalchéesh!

**Sam Hatch**, a Meander Way resident, said they have been through multiple floods. He said that he wanted to specifically ask the Assembly to sign up to participate in the FEMA community ratings program which is an optional program that takes a letter from the Mayor saying that she wants our community to participate in the program. That connects us to FEMA Region 10 which looks at several aspects of what we are already doing such as looking at whether or not we have inundation mapping, do we have emergency response and all the other things we are doing right now. By signing up for that, everyone that is required to get Flood Insurance could get a reduced rate on flood insurance towards any future events. He said the only practical way to prepare for future events is to buy flood insurance right now. He said they have not been getting much response from CBJ but he knows that is because everyone's attention is a full court press on trying to find other solutions. He said that bringing in FEMA flood experts will be very good for all of them. Many of his neighbors have been talking and they don't know if they should do repairs, if it is worth repairing, and if so-what types of repairs. People have been looking at installing personal flood fighting barriers. He stressed the need for a concerted combined community effort. There are many questions being asked and they don't know what to do and where to spend their money on how best to manage and prepare for future floods. We aren't seeing static flood waters like in a hurricane, we are seeing running water, some things are getting carried away and people can get really hurt.

Ms. Hughes-Skandijs asked Mr. Hatch about the ratings that he was referring to and how the scoring process worked. Mr. Hatch explained the program and scoring process. Mr. Bryson said that he was aware of the NFIP (National Flood Insurance Plan) and that Juneau's participation in that program is providing some discounts for residents, he asked if what Mr. Hatch was referring to was different from the FEMA NFIP. Mr. Hatch said that Juneau is minimally compliant and considered an unrated community. As such, FEMA could chose to remove us. By registering in the ratings program, that shows that we are preparing for this and thereby allowing residents to buy reduced flood insurance.

**James Hauk**, a resident of Douglas Hwy, said he is the business owner of Alaskan Pedicab Tours, LLC. He has had a lone competitor for years and he has not brought this issue to the Assembly before now. He recounted his and his employee's interactions with Mr. William Quayle who has been harassing his pedicab drivers. He said that Mr. Quayle has been known to impersonate Mr. Hauke and getting their customers in his pedicab. He has engaged with tourists to pull them away from other area businesses, specifically Tracy's King Crab Shack. He said that Mr. Quayle is out there becoming a menace to his business and society. Mr. Hauke recounted other experiences he and his staff have had with Mr. Quayle. He asked that the Assembly deny Mr. Quayle's Commercial Passenger Vehicle (CPV) permit and he very much regrets having to come here and publicly air this harassment and the behavior by Mr. Quayle.

Mr. Smith asked Mr. Hauke if he has worked with staff on this issue to which Mr. Hauke answered affirmatively that he has been working with staff on this issue prior to writing his recent letter to the Assembly.

Mr. Bryson asked Mr. Hauke, when they receive their CPV permit if there were clear expectations on how to operate the pedicabs. Mr. Hauke answered that there are many requirements and clear instructions on what those expectations are for operating both on the pier and in town.

**Reef Rubacher**, a North Douglas Hwy. resident and he is the owner of a pedicab business, Rickshaw Reef, and has been able to do so thanks to Mr. Hauke. He was present to answer any questions re: Mr. Quayle's behavior or any other questions.

Mr. Smith asked Mr. Rubacher if, when there have been incidents, harassment, he has reported them to the appropriate authorities. Mr. Rubacher said that he has not reported them, but he has relayed them to Mr. Hauke and Mr. Hauke has reported them to the authorities.

Mayor Weldon asked Mr. Rubacher if he has recorded any of these instances. Mr. Rubacher said that he has taken photos of some of the instances, and he went on to relay some of the encounters with Mr. Quayle such as staring into the women's restroom when he was parked by the Tram public restrooms and other times when he has yelled at their customers. In response to a question from Ms. Hughes-Skandijs, Mr. Rubacher said that their business has been in operation for three years and he and his sister both run the pedicabs for their business and that this type of harassment has happened during that full three-year period.

**Jacaranda Rubacher**, a North Douglas Hwy. resident, is a pedicab operator along with her brother Reef with Rickshaw Rubacker. She spoke to Mr. Quayle's behavior as previously discussed by Mr. Hauk and her brother. Mr. Bryson asked if she has seen Mr. Quayle's behavior escalate and if she has ever been made to feel unsafe as a result of his behavior. Ms. Rubacher said that she has not felt unsafe around Mr. Quayle but that he has been yelling at their customers and telling them that the Rickshaw pedicabs weren't allowed to operate and basically taking their customers away.

**Sandra Edwardson**, a resident of Killewich Dr., spoke as a concerned community member about the need for flood preparation. After the last Assembly COW meeting, she, like many others became anxious when they heard the NWS talk about the potential for a new flood in the fall. They don't know what is coming next and they are all feeling frustration, fear and uncertainty and the reality is "a flood is coming soon." She said that since last week's meeting, she has been speaking to her neighbors and what is clear is that they need help. They are not experts in flood mitigation. Without professional guidance, they are likely to make costly mistakes in trying to repair and prepare for the next event. She is asking the Assembly to hire flood mitigation experts, and she just heard about the potential for partnering with the USACE to flood fight. She came to testify and encourage the Assembly to hire experts who can provide guidance to those who live in the danger zones on what they might do to prepare. She encouraged them not to forget the most vulnerable and elders who may not have the financial means to do this on their own. She stressed the need for Assembly leadership by bringing in experts and creating strategies that will help them. She thanked them all for all the flood work that has been done after the recent flood, they truly felt everyone's assistance.

**Samia Sevell**, an Emily Way resident, said that she was one of the many affected residents from the 2024 flood and she acknowledged those residents of View Drive who have been struggling with this issue for years. She said we are late at working on flood mitigation measures as this is homework that should have been started a while ago. She said that we definitely need an updated flood inundation level model but we need one that is projected to at least a 20-foot inundation level. She said they only received notice of a 16-foot potential level at 9:00 pm the night that it flooded. That is not enough time to prepare a household for what ended up being a complete upending of their lives. They did what they could and while things could have been worse, they did what they could under the circumstances. It has had a huge impact on their household financially, mentally, emotionally, and they have lived at this address for 22 years and until August 6, she didn't have waterfront property. She is the parent of a teenager who is going through transition to a new school under duress and the specter of another flood in another month is very devastating. She agreed with the comments provided by her friends and neighbors and that it is highly likely we will need more than one engineering solution enacted. She said that in the very near term, they need flood fighting measures that can be enacted within the next 30 days. On top of that, they need

repair and maintenance to the storm water conveyance system. She said that the storm drain junction utility belt near the cemetery needs repairs after the most recent event and that they need help not just on an individual basis but on a collective basis.

**Jake Waid**, he said that his Tlingit name is 'Heenid'i and that means "knows where the river flows" so heed his words. He said that this is something that people aren't talking about enough, the entire valley is threatened by the glacier behind the Assembly dais. He said that he couldn't help but stare at that as he listened to everyone's testimony and it engulfs the entire room. There is so much representing this moment in history. Gunalchéesh! These are our neighbors and our community. This is our biggest test, and this will certainly be the biggest test any of them face in their jobs. If they go to sleep tonight and every night until there is a solution to this, if there is a phone call they didn't make or a connection they didn't make, then it is not enough. He said that they will keep trying and these people will too, he has seen them all walking across the street to support their neighbors. He can only imagine that if there was oil or some other mineral resources at risk, it would have already been solved. He said to think that it is just people; we are just people; we are your people. Gunalchéesh!

**Chris Carte**, a resident of Long Run drive, started off by saying a big thank you for all the help that they have given so far. He said that Steve Bradford is a good friend, and she thinks they need to follow his advice. He is a civil engineer, and she doesn't know how it happened, but Steve had permits on day 2 of last year's floods, he started running trucks and equipment constantly and that wasn't happening now. She said that if a civil engineer didn't live in the condos and serve on the condo board, that building would have been hanging for months and they would have been waiting for someone to come and help them. She said that she would like the idea that maybe the city provides guidance and asked if they could maybe have representatives come up from some of the companies that provide flood fighting measures. She is reluctant to pay \$35,000 to put a fence around their house or raise their house for \$150,000 if they don't know whether it will work. She suggested that there might be someone the homeowners affected could work with as a group and maybe someone on the Assembly could help facilitate it bringing professionals here. She said they feel like they are on their own and nothing is going to happen in time for next year.

*The meeting recessed for a break from 8:05-8:16p.m.*

## **H. CONSENT AGENDA**

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

**Assembly Request for Consent Agenda Changes** – Mr. Smith requested that Agenda item #3 **Ordinance 2024-01(b)(C) An Ordinance Appropriating \$500,000 to the Manager for Bartlett Regional Hospital's Rainforest Recovery Center; Funding Provided by General Funds**, be removed from the Consent Agenda and placed under New Business.

### **Assembly Action**

**MOTION** by Mr. Smith to approve the Consent Agenda as amended with the removal of Ordinance 2024-01(b)(C) and asked for unanimous consent. *Hearing no objection, the Consent Agenda passed by unanimous consent.*

## **I. Ordinances for Introduction**

- 2. Ordinance 2023-14(b)(AR): An Ordinance Appropriating \$2,809,082 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2024 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.**

This ordinance would appropriate \$2,809,082 for the State of Alaska's FY2024 3.10% PERS benefit rate paid on behalf of the CBJ and BRH, distributed as follows:

Bartlett Regional Hospital     \$1,483,217

City & Borough of Juneau     \$1,325,865

Funding is provided by the Alaska Department of Administration, authorized by passage of HB39 during the 2024 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

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

**3. \*Ordinance 2024-01(b)(C): An Ordinance Appropriating \$500,000 to the Manager for Bartlett Regional Hospital's Rainforest Recovery Center; Funding Provided by General Funds.**

This ordinance would appropriate \$500,000 of general funds for the Rainforest Recovery Center (RRC) at Bartlett Regional Hospital (BRH). This one-time funding will contribute toward RRC's operational deficit in the current fiscal year and ensure BRH can continue providing these services through June 30, 2025. BRH is actively working to transition services historically provided by RRC to Gastineau Human Services effective in FY26.

The Bartlett Regional Hospital Board of Directors reviewed this request at the June 25, 2024 and July 23, 2024 meetings. The Committee of the Whole reviewed this request at the July 15, 2024 meeting. The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

*\*This ordinance was removed from the Consent Agenda and placed under New Business.*

**4. Ordinance 2024-01(b)(G): An Ordinance Appropriating \$200,000 to the Manager for Bartlett Regional Hospital's Home Health and Hospice Services; Funding Provided by General Funds.**

This ordinance would appropriate \$200,000 for home health and hospice services provided by Bartlett Regional Hospital (BRH). This funding will contribute to these programs' operational deficits in the current fiscal year and ensure BRH can continue providing these services through June 30, 2025. The total anticipated current fiscal year operational deficit totals approximately \$386,000, which will be funded by \$200,000 of general funds and \$186,000 of hospital funds. The BRH funding portion was already appropriated in their FY25 budget.

The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting. The Bartlett Regional Hospital Board of Directors reviewed this request at the June 25, 2024 and July 23, 2024 meetings.

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

**5. Ordinance 2024-01(b)(H): An Ordinance Appropriating \$240,000 to the Manager for the Transit Fare Technology Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.**

This ordinance would appropriate \$240,000 to the Transit Fare Technology CIP. The funds would be used for the purchase and installation of Automated Passenger Counters (APCs). The APCs will improve the accuracy of ridership reports, provide detailed data on passenger boarding and alighting locations, and enable data-drive decision-making for route planning and optimization. The local match requirement of \$60,000 will be met through funds transferred in FY25 Transfer Request T-2503 from the Electronic Fare Boxes CIP. This project's work has been abandoned with minimal costs incurred, and the project is ready to be closed.

The Public Works and Facilities Committee reviewed this at the August 05, 2024 meeting.

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

**6. 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 is expected within the next month. Funding is provided by Hospital Funds.

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 Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

**7. Ordinance 2024-01(b)(K): An Ordinance Deappropriating up to \$505,000 of General Funds and Appropriating up to \$505,000 of Restricted Budget Reserves for the August 2024 Glacier Outburst Flood Response.**

This ordinance would deappropriate up to \$505,000 of General funds previously appropriated under Emergency Resolution 3072 and appropriate up to \$505,000 of Restricted Budget Reserve funds for the August 2024 Glacier Outburst Flood Response. The requested change in funding source only applies to the portion of the appropriation under Emergency Resolution 3072 that is considered reimbursable from State or Federal sources, which includes \$150,000 for debris and waste removal and \$355,000 for stormwater system repairs. The Restricted Budget Reserve will be repaid upon reimbursement from State or Federal sources.

The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

**8. Ordinance 2024-01(b)(L): An Ordinance Appropriating \$938,324 to the Manager for the Planning Phase of the Airport Master Plan Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Airport Revolving Funds.**

This ordinance would appropriate \$911,897 of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds and \$26,427 in local Airport matching funds to the Airport Master Plan CIP. The remaining required local match of \$34,367 is met with previously appropriated sales tax funds in the Airport Master Plan CIP. This appropriation would provide for plan updates for air traffic, cargo, and passenger data and forecasts; changes to proposed aircraft servicing the airport; and layout plans for future expansion of runway, taxiway, and approach corridors.

The Public Works and Facilities Commission reviewed this at the February 26, 2024 meeting. The Airport Board reviewed this request at the September 12, 2024 meeting.

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

**9. Ordinance 2024-01(b)(M): An Ordinance Appropriating \$3,000,000 to the Manager as Local Matching Funds for a United States Army Corps of Engineers Glacier Outburst Flooding General Investigation Study; Funding Provided by General Funds.**

This ordinance would appropriate \$3,000,000 as local matching funds for a United States Army Corps of Engineers (USACE) glacier outburst flooding investigation study. In August 2024, the Mendenhall Vally was flooded by a

glacier outburst flood caused by Suicide Basin. The 2024 flood levels exceeded previous flooding events, damaging over 300 residences in the area. This funding would contribute toward a study with the USACE to determine flood mitigation solutions when the Suicide Basin ice dam releases water in the future.

The Committee of the Whole reviewed this request at the September 9, 2024 meeting.

**The City Manager recommends this ordinance be introduced and set for public hearing at the Special Assembly meeting scheduled for September 23.**

**10. Ordinance 2024-01(b)(N) An Ordinance Appropriating \$100,000 to the Manager for Expanded Inundation Maps and Hydrological Modeling of the Mendenhall River; Funding Provided by General Funds.**

This ordinance would appropriate \$100,000 of general funds for expanded inundation maps and hydrological modeling of the Mendenhall River. In August 2024, the Mendenhall Vally was flooded by a glacier outburst flood caused by Suicide Basin. The 2024 flood levels exceeded previous flooding events, damaging over 300 residences in the area. This funding would contribute toward detailed mapping and hydrological modeling of the Mendenhall River to determine potential flood impacts in the future, with data collected to be used for mitigation solutions.

The Committee of the Whole reviewed this request at the September 9, 2024 meeting.

**The City Manager recommends this ordinance be introduced and set for public hearing at the Special Assembly meeting scheduled for September 23.**

**11. Ordinance 2024-31: An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 12400 and 12410 Glacier Highway from D1(T)D3 to D3.**

At the Regular Planning Commission meeting on June 25, 2024, the Commission voted to recommend approval of a rezone of 1.96 acres from D1(T)D3 to D3 on Glacier Highway west of Auke Bay (12400 & 12410 Glacier Highway). This is an expansion of the D3 zoning district directly south across Glacier Highway. Transition zones are intended for higher density development after public water and sewer have been provided in accordance with CBJC 49.70.700(a). These properties have public water, but not public sewer. The Commission determined that the upzone is in character with parcels in the area that are of comparable size and use that are zoned D3. If zoned D3, these properties could not be subdivided under current code (CBJC 49.35.210(b)(3)). However, given the D3 dimensional standards, the properties could accommodate two single-family dwelling units.

The Lands, Housing and Economic Development Committee reviewed this ordinance at its meeting on September 9, 2024.

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

**J. Resolutions**

**12. Resolution 3069: A Resolution Deappropriating \$50,000 from the Hut to Hut Capital Improvement Project; Funding was Provided by Sales Tax.**

\$50,000 was appropriated in FY18 via Resolution 2791(d) for the Hut to Hut Capital Improvement Project. This project's scope of work has been abandoned with no costs incurred, and the project is ready to be closed. This resolution would deappropriate these funds back to the Sales Tax Fund.

The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

**13. Resolution 3070: A Resolution Deappropriating \$25,000 from the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding was Provided by Airport Revolving Funds.**

\$25,000 was transferred in FY24 via Transfer Request T-1081 to the Airport Runway Safety Area Shoulder Grading Capital Improvement Project. Airport revolving funds were temporarily transferred to this project as local grant



match to cover initial project costs but are now being replaced with Passenger Facility Charge (PFC) fees via Ordinance 2024-01(b)(E), which is typical for PFC collections that are appropriated upon receipt. This resolution would deappropriate funds back to Airport fund balance in a Capital Improvement Project reserve.

The Airport Board reviewed this request at the August 8, 2024 meeting.

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

**14. Resolution 3074: A Resolution Authorizing the City and Borough of Juneau to Participate in the Community Development Block Grant Program from the Alaska Department of Community and Economic Development, with Douglas Indian Association for the Anax Yaa Andagan Ye Daakahidi: Where the Sun Rays Touch First Cultural Historic Education and Language Preservation Center.**

Each year, the City and Borough of Juneau is eligible to sponsor a local project for the U.S. Department of Housing and Urban Development Community Development Block Grant Program (CDBG) facilitated through the State of Alaska Department of Commerce, Community, and Economic Development (DCEED). CDBG competitive grants are single-purpose project grants with a maximum of \$850,000 per community.

Project ideas for the CDBG program were solicited from the general public. This year one proposal was received from the Douglas Indian Association to use CDBG funds to construct a new cultural historic education and language preservation center for Elders, Families and Youth.

The Assembly Lands Housing and Economic Development Committee reviewed the proposal at the meeting on September 9, 2024, and made a recommendation to the Assembly to support the Douglas Indian Association application for the CDBG grant.

Printed grant applications, with original signatures must be received in Fairbanks by 4:30 p.m. December 6, 2024.

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

**K. Transfers**

**15. Transfer Request 2502 A Transfer of \$600,000 from Various CIPs to CIP P41-114 Dimond Park Riverbank Armoring.**

This request would transfer \$600,000 of Sales Tax funds and General funds from the Sports Field Repairs CIP, Treadwell Arena Roof Replacement CIP, and Sports Field Resurfacing and Repairs CIP to the Dimond Park Fieldhouse Riverbank Armoring CIP. This funding would contribute to riverbank stabilization and armoring after significant erosion occurred during the 2024 glacial outburst flood. During the flooding event, 40 feet of riverbank was scoured away, leaving the riverbank within 50 feet of the building. If the riverbank is not stabilized and armored, the remaining riverbank would most likely be compromised during the next flooding event. The Sport Field CIP and Treadwell Arena Roof Replacement CIP are ready to be closed and do not require the remaining funds. The Sports Field Resurfacing and Repairs CIP will retain sufficient funding for current project work. Once the riverbank armoring is complete, any remaining funds would be returned to the Sports Field Repair and Resurfacing CIP.

The Public Works and Facilities Committee reviewed this request at the September 9, 2024 meeting.

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

**16. Transfer Request T-2503 A Transfer of \$152,876 from CIP D71-090 Electronic Fare Boxes to CIP D71-094 Transit Fare Technology.**

This request would transfer \$152,876 from the Electronic Fare Boxes CIP to the Transit Fare Technology CIP. \$60,000 of this funding would fulfill the required local match for the Fare Technology grant that is introduced as Ordinance 2024-01(b)(H) at tonight's Assembly meeting. The remaining funds will be used for future transit fare technology projects. The scope of work under the Electronic Fare Boxes CIP has been abandoned with minimal costs incurred, and the project is ready to be closed.

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 July 15, 2024 meeting.

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

**L. Liquor/Marijuana Licenses**

**17. 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: South of the Bridge LLC d/b/a Louie's Douglas Inn**

License Type: Beverage Dispensary, Liquor License: #3695 Location: 915 3rd St., Douglas

**Licensee: Up the Creek, Inc. d/b/a Twisted Fish Company**

License Type: Beverage Dispensary, Liquor License: #4842 Location: 550 S. Franklin St., Juneau

**Licensee: Tailwind, Inc. d/b/a Hanger on the Wharf**

License Type: Beverage Dispensary, Liquor License: #3755 Location: 2 Marine Way Suite 106, Juneau

**Licensee: Hospitality Group LLC d/b/a Frontier Suites Hotel**

License Type: Beverage Dispensary Tourism, Liquor License: #3824 Location: 9400 Glacier Hwy, Juneau

**Licensee: Tailwind JNU LLC d/b/a Tailwind Concessions (at Juneau International Airport)**

License Type: Beverage Dispensary Tourism

Liquor License: #5631 Location: 1873 Shell Simmons Dr. Suite 220 AREA B, Juneau

Liquor License: #5649 Location: 1873 Shell Simmons Dr. Suite 220 AREA A, Juneau

**Licensee: Gfa Corporation d/b/a Co-Ho Imports**

License Type: General Wholesale, Liquor License: #5924 Location: 2092 Jordan Ave. Suite 550, Juneau

**Licensee: Triangle Club, Inc. d/b/a Triangle Club**

License Type: Beverage Dispensary, Liquor License: #1166 Location: 251 Front St., Juneau

**Licensee: Juneau's Waterfront Restaurants LLC d/b/a Alaskan Brewing Public House**

License Type: Beverage Dispensary, Liquor License: #673 Location: 406 S. Franklin St. Suite Retail B & Adjoining Pier, Juneau

**Licensee: V's Grinders LLC d/b/a V's Cellar Door**

License Type: Restaurant Eating Place, Liquor License: #848 Location: 222 Seward St., Juneau

**Licensee: The Valley Restaurant LLC d/b/a The Valley Restaurant**

License Type: Restaurant/Eating Place, Liquor License: #3049 Location: 9320 Glacier Hwy., Juneau

**Marijuana License - NEW**

**Licensee: The Mason Jar LLC d/b/a The Mason Jar LLC**

License Type: Retail Marijuana Store, License: #38398, Location: 5690 Glacier Hwy Unit 19, Juneau

CBJ's Community Development Department is in communication with The Mason Jar LLC to make sure they are compliant with requirements for receiving a CBJ marijuana business license prior to opening. 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.**

#### **M. PUBLIC HEARING**

##### **18. Ordinance 2024-20: An Ordinance Amending the Parking Requirements of the Land Use Code by Extending the No Parking Requirements Area to Include the Telephone Hill Area.**

In 2022, the Assembly adopted a No Parking Required Area in downtown Juneau to support residential and commercial development efforts. This ordinance would continue that policy and extend the no parking requirement to the Telephone Hill area for multiple reasons including the following: construction cost of underground parking, availability of an adjacent parking garage, and the walkability of downtown Juneau.

The Assembly Committee of the Whole supported this ordinance on April 15 and August 5, 2024. The Lands Housing and Economic Development Committee supported this ordinance on July 15, 2024.

The Systemic Racism Review Committee reviewed this ordinance at its August 20, 2024 meeting.

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

#### **Public Comment**

*None.*

#### **Assembly Action**

**MOTION** by Mr. Bryson to adopt **Ordinance 2024-20: An Ordinance Amending the Parking Requirements of the Land Use Code by Extending the No Parking Requirements Area to Include the Telephone Hill Area.** and asked for unanimous consent.

Objection by Mr. Kelly for purposes of a comment. He said that if we are extending the no parking zone to the Telephone Hill area with the idea of building a new residence area, the downtown parking situation is already congested as it is. He suggested that when they look at this, they do so while pairing it with looking at improvements to public transportation and making it easier for people to get around to the places they need to go. Mr. Kelly removed his objection.

Mayor Weldon objected for purposes of a question. She asked Manager Koester if moving this into the no parking required zone, if that also eliminated the fee in lieu of parking system. Manager Koester stated that the no parking required zone does not include a fee in lieu of parking system. Mayor Weldon removed her objection.

*Hearing no further objections, Ordinance 2024-20 was adopted by unanimous consent.*

##### **19. Ordinance 2024-04(b)(D) An Ordinance Appropriating \$50,000 to the Manager for a Civic Engagement and Communications Strategy; Funding Provided by General Funds.**

This ordinance would appropriate \$50,000 of general funds for City and Borough of Juneau communication strategy planning. Upon appropriation of funds, an RFP will be issued seeking a qualified consultant to provide professional Strategic Civic Engagement and Communications planning services.

The Systemic Racism Review Committee (SRRC) reviewed this ordinance at its August 20, 2024 meeting and provided the following comments with respect to Ordinance 2024-04(b)(D): *As the city moves forward with the creation of a civic engagement/communications strategy, the SRRC strongly encourages staff and contractors to specifically and clearly include a strategy directed at traditionally marginalized communities in Juneau. The SRRC intends to do its own review of CBJ protocols surrounding outreach to the various marginalized communities about optimizing boards and commission vacancies/involvement.*

The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Ms. Hughes-Skandijs to adopt **Ordinance 2024-04(b)(D)** *An Ordinance Appropriating \$50,000 to the Manager for a Civic Engagement and Communications Strategy; Funding Provided by General Funds* and asked for unanimous consent.

Ms. Hughes-Skandijs then objected for purposes of a question about the SRRC comments.

Ms. Hughes-Skandijs asked Manager Koester if the SRRC's comments will be communicated with the contractor when this moves forward. Manager Koester responded that trying to reach groups that have not traditionally been reached is one of the overarching goals of this project. She said that they have received specific feedback from that community and that is being shared with the contractor so they can see the concerns through those lenses as well. Ms. Hughes-Skandijs removed her objection.

*Hearing no further objections, Ordinance 2024-04(b)(D) was adopted by unanimous consent.*

**20. Ordinance 2024-01(b)(E): An Ordinance Appropriating \$547,353 to the Manager for the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Passenger Facility Charge Fees.**

This ordinance would appropriate \$574,353 for the design phase of the Runway Safety Area (RSA) Shoulder Grading CIP. This CIP is intended to regrade existing runway areas to Federal Aviation Administration (FAA) specifications. Funding for this ordinance is provided by an FAA Airport Improvement Program (AIP) grant in the amount of \$422,353, and Passenger Facility Charge (PFC) fees funds in the amount of \$125,000. The PFC funds will reimburse amounts that were forward funded from other sources, which is typical for PFC collections that are appropriated upon receipt.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting. The Airport Board reviewed this request at the August 8, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its August 20, 2024 meeting.

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

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Ms. Woll to adopt **Ordinance 2024-01(b)(E)** *An Ordinance Appropriating \$547,353 to the Manager for the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Passenger Facility Charge Fees.* and asked for unanimous consent.

Mayor Weldon noted that Airport Manager Patty Wahto was present should any of the Assemblymembers have any questions.

*Hearing no objections, Ordinance 2024-01(b)(E) was adopted by unanimous consent.*

**21. Ordinance 2024-01(b)(F): An Ordinance Appropriating \$1,017,116 to the Manager for the Airport Rescue and Fire Fighting Truck Capital Improvement Project; Funding Provided by the Federal Aviation**

**Administration (FAA) Airport Improvement Program (AIP) Grant, Airport Revolving Funds, and Airport Funds.**

This ordinance would appropriate \$1,007,116 of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds and \$10,000 in local Airport matching funds for the Airport Rescue and Fire Fighting (ARFF) Truck Capital Improvement Project. This funding provides for the replacement of a 1993 ARFF truck that was permanently taken out of service last year.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting. The Airport Board reviewed this request at the August 8, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its August 20, 2024 meeting.

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

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by 'Wáahlaal Gídaag to adopt **Ordinance 2024-01(b)(F)** *An Ordinance Appropriating \$1,017,116 to the Manager for the Airport Rescue and Fire Fighting Truck Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant, Airport Revolving Funds, and Airport Funds.* and asked for unanimous consent.

*Hearing no objections, Ordinance 2024-01(b)(F) was adopted by unanimous consent.*

**22. Ordinance 2024-01(b)(J): An Ordinance Appropriating \$35,025 to the Manager for a Grant to St. Vincent de Paul; Funding Provided by General Funds.**

St. Vincent de Paul's low-income housing at 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave do not qualify for CBJ's low-income housing 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 St. Vincent de Paul. This is an unanticipated financial burden for St. Vincent de Paul. This grant would, in effect, acknowledge the intended low-income housing purpose of the 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave properties, even though it did not meet the strict legal criteria to be exempted.

The Systemic Racism Review Committee reviewed this ordinance at its August 20, 2024 meeting.

The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

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

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Ms. Adkison to adopt **Ordinance 2024-01(b)(J)**: *An Ordinance Appropriating \$35,025 to the Manager for a Grant to St. Vincent de Paul; Funding Provided by General Funds.* and asked for unanimous consent.

*Hearing no objections, Ordinance 2024-01(b)(J) was adopted by unanimous consent.*

**N. NEW BUSINESS**

**3. \*Ordinance 2024-01(b)(C): An Ordinance Appropriating \$500,000 to the Manager for Bartlett Regional Hospital's Rainforest Recovery Center; Funding Provided by General Funds.**

This ordinance would appropriate \$500,000 of general funds for the Rainforest Recovery Center (RRC) at Bartlett Regional Hospital (BRH). This one-time funding will contribute toward RRC's operational deficit in the current fiscal year and ensure BRH can continue providing these services through June 30, 2025. BRH is actively working to transition services historically provided by RRC to Gastineau Human Services effective in FY26.

The Bartlett Regional Hospital Board of Directors reviewed this request at the June 25, 2024 and July 23, 2024 meetings. The Committee of the Whole reviewed this request at the July 15, 2024 meeting. The Assembly Finance Committee reviewed this request at the September 4, 2024 meeting.

***The City Manager recommended the Assembly discuss this ordinance and decide what to do with it since they pulled it from the Consent Agenda.***

***\*This ordinance was removed from the Consent Agenda and placed under New Business.***

Mayor Weldon noted that they could do several things with this ordinance: they could discuss it, they could pull it and not introduce the ordinance, or they can introduce the ordinance and refer it to committee. She also noted that the new BRH CEO Joe Wanner and BRH COO Kim McDowell were in the audience and available to answer questions if the Assembly had any.

Mr. Bryson asked if RRC was going to be open the next day or not and that will help him know if they are trying to fund a closed business or not.

BRH CEO Joe Wanner said that at that time, they had four patients and that RRC was going to be open through the 23<sup>rd</sup> of the month. They were actively discharging patients due to staffing shortages in the program. He said that shortly after the AFC meeting, they had a resignation that caused a staffing shortage for the program. This was precipitated by the review that had been done over the course of 3-4 months to determine if this was a core or non-core program. He said that roughly 25% of the staff of RRC resign over that time and they have gotten to the point that they can no longer staff it adequately to care for the licensure required services.

Mr. Wanner and Ms. McDowell then proceeded to answer questions by Assemblymembers about the program, current staffing, and how it has recently changed and how they have filled the holes in the meantime and the anticipated transition to Gastineau Human Services. Ms. Woll asked for them to explain how they got from "not having enough staff in the current moment" to "closing the program entirely" as she said it was not the intent of the Assembly when they took a vote at the AFC meeting to close RRC with that vote.

Ms. McDowell said that whenever there is uncertainty, staff are going to make decisions based on what is best for them and their families. She said they saw this with other programs such as the crisis program. She said that when staff saw what the directive was coming out of the September 4 AFC meeting, they decided to move on in that direction. She said that since June, they have had 9 staff members resign from the RRC program so they have barely been able to staff it as it was. The extra people that had been filling in and providing relief in those roles have now also resigned. She said that while it wasn't BRH's intent and it wasn't the Assembly's intent to close the program, this was not an easy decision. They spent time between September 4 and 12<sup>th</sup> talking with staff to get a feel if there was some way they could pull other staff and back fill those positions. With the staffing being so tenuous, when they received the ninth resignation the day after the September 4 AFC meeting, was the one that tipped the scale towards having to shut down.

Mr. Smith asked if they had an estimate as to how much they have spent on RRC so far this year as that will help him to evaluate whether or not to provide these funds. Mr. Wanner said that through the month of August, the program had already lost \$308,000 and that was for the first two months of operation in the current fiscal year. He said that due to the labor rules, they will need to pay the remaining staff until mid-October as well as pay for the closing costs of shutting the facility down so, while he doesn't have a hard number to provide, it will be in excess of the \$500,000 that might be provided by this ordinance.

Mayor Weldon asked if, when they shut down on September 23, all of the current patients will have completed the program by that time. Ms. McDowell said that some of the patients will be going elsewhere to complete the

program. She said that it was her understanding that the three remaining patients who would not have completed their program will be able to complete their program at a different facility.

Mr. Wanner and Ms. McDowell then answered additional questions from Assemblymembers.

**MOTION** by Ms. Hughes-Skandijs to refer this ordinance back to the Assembly Finance Committee for the Wednesday meeting and asked for unanimous consent.

Mr. Kelly asked if there was enough time for public notice of this being added to the Wednesday AFC agenda. Ms. Layne said that yes, this constituted enough public notice for it to appear on the AFC agenda. Mr. Kelly withdrew his objection.

Mayor Weldon noted that this ordinance was being referred to the AFC and not being introduced at this time.

### **23. Hardship and Senior Citizen/Disabled Veteran/Non-Profit Late-Filed Real Property Tax Exemption Applications**

There are 13 property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

**The City Manager recommends the Assembly act on each of these applications individually.**

#### **Public Comment**

None.

#### **Assembly Action**

Mr. Bryson noted that the Assembly is considering each of these applications individually and he moved to forward the applications of John Matheson, Luis Hernandez, Kurt E. Milnes, Fred Wiley, Marvin J. Picotte Jr., Michael Elstad, Scott T. Blume, and Andrew Massey for the Late file Senior & Disabled Veteran Exemptions and the applications of Rita George, Barbara Hyde, Luis Hernandez, Richard Hofmann, and Andrew Massey for the Late File Senior & Disabled Veteran Hardship Exemptions to the Assessor for additional review and resolution and asked for unanimous consent. ***Hearing no objection, those applications will be forwarded to the Assessor's office for additional review and resolution.***

### **24. Notice of Appeal #2024-AA01 Hali Duran v. Planning Commission re: PWP2004-0003**

The Clerk's Office received a timely filed appeal from Hali Duran regarding the Planning Commission's decision on PWP 2024-0003 related to a parking waiver request.

In accordance with CBJ 01.50 - Appeal Procedures, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal. If the Assembly rejects the appeal the Assembly may consider returning the filing fee.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed. In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

**The City Attorney recommends the Assembly reject the appeal as it does not state grounds upon which any of the relief requested may be granted.** Ms. Duran has failed to provide information that meets any of the three

stated grounds for appeal. Even taking the information provided by Ms. Duran in the light most favorable to her, there are no legal or factual errors presented by Ms. Duran. If the Assembly rejects the appeal, I recommend that the Assembly return Ms. Duran's filing fee.

Mr. Smith asked if Ms. Duran could reapply with new grounds. Attorney Layne responded that yes, she could reapply tomorrow. Ms. Layne answered a number of other questions from Assemblymembers regarding the appeal process.

**MOTION** by Mr. Smith to reject the appeal and return the appeal filing fee and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

*Deputy Mayor Hale excused herself and 'Wáahlaal Gidaag also dropped off the Zoom feed at 9:06p.m. A quorum of seven members were still present for the remainder of the meeting.*

## **O. STAFF REPORTS**

### **25. Municipal Clerk reminder about Election timing and voting options/locations (verbal report)**

Complete Election details are available online at <https://juneau.org/clerk/elections>

Ms. McEwen shared the PSA that was recently sent out. She noted that the ballots had been mailed out the previous week and the vote centers opened earlier that day. She reported that they have deployed five ballot drop boxes and shared the dates/times/location of the vote centers and CBJ ballot drop boxes.

### **26. Title 49 – Land Use Code Rewrite**

Manager Koester shared that the packet contained a memo outlining the process they will be undertaking with respect to the Title 49 Land Use Code rewrite. Project Manager Rob Dumouchel was also in attendance to provide any additional information/answer questions if they have them.

## **P. ASSEMBLY REPORTS**

### **Mayor's Report**

Mayor Weldon then distributed copies of the **Ad Hoc Title 49 Rewrite Advisory Committee** document establishing the committee and its membership which is to be made up of seven members and not five members as was incorrectly mentioned in the first paragraph. She noted that the committee will work until the work is done so that is why it is a committee rather than a task force since it doesn't have a certain end date. She said that in addition to Mr. Dumouchel providing staff support to the committee, the proposed members of the committee were:

Chair Assemblymember **Greg Smith**, Planning Commissioner **Mandy Cole**, Juneau Chamber of Commerce Executive Director **Maggie McMillian**, Tlingit-Haida Regional Housing Authority **Lorraine DeAsis**, Building Trades member **Corey Baxter** and two land/housing developers **Rich Harris** and **Bill Heumann**.

Ms. Hughes-Skandijs asked Manager Koester that as she looks at Phase 1 of the committee's tasks with the review and recommend stages, where the staff from CDD and Manager's office fit into those pieces. Manager Koester explained that staff would work on the preliminary concepts and the committee will review and recommend their ideas/opinions on the code rewrites but the committee would not have veto power over what the staff puts forward. She said that she felt that was cared for with the words "review and evaluate" but if the Assembly wanted to put stronger language in there, they could. Ms. Hughes-Skandijs said that as long as it was operating that way and the flow doesn't stall out, she was OK with leaving the wording as is.

Ms. Woll asked Mayor Weldon about the membership and said there were a lot of changes to the make up of the Juneau Chamber of Commerce and that they have restructured their housing committee recently. She said that she recognized four names on this list, all of whom are part of that committee. She was concerned that they might be meeting as a subcommittee and that might become an Open Meetings Act concern.



Mayor Weldon noted that Ms. McMillian was not part of that JCC committee and she also noted that she has spoken with Mr. Baxter, Mr. Harris, and Mr. Heuman stressed that if they are a part of this committee, they cannot be members on the JCC housing committee – they would have to choose one or the other but can't serve on both.

**MOTION** by Mr. Smith to accept the proposed Ad Hoc Title 49 Rewrite Advisory Committee with the amendment of seven members instead of five members to the first line of the first paragraph and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon apologized for the delay in creating the **Short-Term Rental Task Force (STRTF)** but life ended up throwing some curve balls from the time she first started working on this. She distributed copies of the document establishing the Task Force and its membership, which consisted of eleven members and in addition to Mr. Barr providing staff support to the committee, the proposed members of the STRTF were:

Chair Assemblymember **Wade Bryson**, along with Assemblymembers **Greg Smith** and **Alicia Hughes-Skandijs**, and public members **Eric Pedersen, Dan Coleman, Meilani Schijvens, Patty Collins, Joyce Niven, Carole Triem, Ryan Kauzlarich, and Adam Dordea.**

Mayor Weldon noted that this was a community task force structured similar to the Visitor Industry Task Force (VITF). Ms. Hughes-Skandijs asked some questions about the charge of the task force in conducting a review of the Short Term Rentals (STRs) here in Juneau. Mr. Smith asked Mayor to provide additional details about the members she was suggesting serve on this STRTF. Mayor Weldon gave a brief description and the reason for putting forward each of the individuals listed.

Members then discussed the policy-setting language of this charge and agreed to look at this wording and structure further and decided to bring this back for Assembly action at the October 21 Reorganizational Assembly meeting to finalize/approve the task force. Ms. Hughes-Skandijs and Ms. Woll were assigned to wordsmith any changes.

In other matters, Mayor Weldon reported that she attended the Filipino Community board meeting and dinner at which they awarded \$18,000 in scholarships to students and she congratulated all the student recipients of those awards.

### **Committee and Liaison Reports**

**Assembly Finance Committee (AFC) Chair Woll** reported that the committee met two weeks ago, and they introduced three ordinances at tonight's meeting from the AFC meeting.

Ms. Woll noted that the next AFC meeting was scheduled for September 18 at which they received an update from Eaglecrest but that the Mayor and City Manager will not be present at that meeting.

**Public Works & Facilities Committee (PWFC) Chair Bryson** reported that they met and discussed SAIL transportation, the Dimond Park Field House, and the North Douglas second crossing.

**Lands, Housing & Economic Development Committee (LHEDC) Chair Hughes-Skandijs** reported that they discussed rezones, the neighborhood and Planning Commission public meetings that were scheduled, the air quality monitoring program, and a foreclosure that was done on a home on 6<sup>th</sup> Street.

**Human Resources Committee (HRC) Chair Smith** reported that they met earlier this evening and received some board annual reports and reviewed the Parks and Recreation Advisory Committee's naming policy. Chair Smith then forwarded the below names for the following board appointments and asked for unanimous consent:

**Juneau Human Rights Commission (JHRC)** – Reappointment of Mary Wegner and the appointment of Alison Gottschlich both for terms beginning immediately and ending May 31, 2027, and the appointment of Paige English to an unexpired term beginning immediately and ending May 31, 2026 and asked for unanimous consent. *Hearing no objection, motion passed.*

**Douglas Advisory Board (DAB)** – Appointment of Benjamin Rubenstein to the Douglas Advisory Board to a term beginning immediately and ending September 30, 2025 and asked for unanimous consent. ***Hearing no objection, motion passed.***

**Historic Resources Advisory Committee (HRAC)** – Appointment to the Historic Resources Advisory Committee of Cheryl Jebe to a term beginning immediately and ending June 30, 2027 and Robin Brenner to a term beginning immediately and ending June 30, 2026 and ask for unanimous consent. ***Hearing no objection, motion passed.***

**Q. ASSEMBLY COMMENTS & QUESTIONS**

**Mr. Bryson** shared that he was concerned about the BRH finances since they have only turned a profit three months in a row since 2019. Mr. Bryson said that he attended a meeting of the Southeast Alaska Waste Authority and they received a Denali Commission Grant for \$500,000 to address tire disposal. Mr. Bryson reported that he participated in a valley neighborhood group discussion regarding the issues related to the homeless individuals who are concentrated in the valley and the impacts that is causing on the area businesses.

**Ms. Hughes-Skandijs** shared that there was a municipal candidate forum scheduled for 7pm on September 17 for Assembly candidates and another forum scheduled for September 18 for School Board candidates. She also reported that Travel Juneau will be holding its regular meeting soon. She said that the Juneau Housing and Homelessness Coalition recently held a meeting at which they had invited JPD to speak about the recent shooting incident and the need for continued community healing from that incident. She said that she was not able to attend the last meeting of the SRRC. She is currently working with the City Attorney's office on an ordinance related to developing a policy for the release of body worn camera videos and if any other Assemblymembers wanted to collaborate with her on that to please let her know.

**Ms. Woll** shared that she attended the Juneau Chamber of Commerce (JCC) board meeting the previous week and it was Laura Martin's last meeting as President and Ben Brown was the incoming President. She noted that there has been a lot of turnover on the JCC board. She reported that the Eaglecrest Board met and there will be an update on the AFC meeting on September 18. She said that she agreed that the body worn camera release policy was needed for some consistency and they need to continue to focus on community healing after the recent police-involved shooting. She said that it is CBJ's responsibility on preventing a similar situation from happening again.

**Ms. Adkison** reported that at the September 4 Juneau Commission on Sustainability meeting, they received updates on various grants. She also noted that the Climate Action Plan needs to be updated. She echoed the need for a community listening session.

**Mr. Kelly** reported that he attended the August 27 Planning Commission (PC) meeting; the September 10 (PC) meeting was cancelled. He also attended the August 28 School Board Finance Committee meeting where they are leveraging technology to be more visible. He said that the Local Emergency Planning Committee (LEPC) did not meet on September 11, they directed the usual attendees to the Tlingit & Haida Public Safety Open House. He said that he worked at the State of Alaska Primary Election as a poll worker and it was a very educational process and he encouraged anyone who was skeptical about the election process to volunteer to work in an election to find out all about it. He also agreed that a discussion around community healing and while he doesn't know what exactly it should look like, he said he feels that something needs to be held. He noted that he was also discussed legislation regarding a policy for the release of bodycam footage with Chief Bos and he volunteered to work with Ms. Hughes-Skandijs on the legislation she and the attorney were working on.

**Mr. Smith** said that he attended the School Board meeting last week at which they discussed the challenges with the IEP (Individual Education Plan) Plans at Thunder Mountain Middle School. Mr. Smith reported that

the Downtown Business Association (DBA) met and welcomed new members and they had a conversation about Proposition #2 and will be electing the new DBA leadership at the next meeting.

Mr. Smith said that he has been in discussions with Mr. Barr about trying to organize a community response ACT Team for a community mental health response rather than police responses in certain crisis situations.

**Mayor Weldon** noted that she forgot to report about an event that Deputy Mayor Hale and she had attended a ceremony on the *Carnival Miracle*. The Carnival Miracle had partnered with Allen Marine Tours and for every person booked on an Allen Marine Tour, Carnival donated \$1 dollar towards the Alaska Carbon Reduction Fund and they were able to raise \$50,000 for Alaska Carbon Reduction, which is a subsidiary of Alaska Heat Smart. With that \$50,000 they can help low-income households try to get away from fossil fuels.

**Mayor Weldon** also reported that she and Manager Koester were leaving to go to Washington D.C. on Wednesday morning and returning to Juneau on Friday evening. CBJ Lobbyist Katie Kachel has been setting up meetings for them to attend with the Alaska Delegation as well as with a number of agencies. She stated that Jackie Peta from THCC and Sabrina Guitierrez who is the Incident Commander with the Joint Emergency Operations Center.

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

*None.*

**S. EXECUTIVE SESSION**

*None.*

**T. SUPPLEMENTAL MATERIALS**

**27. Red Folder Item: CBJ Short Term Rental Task Force**

**28. Red Folder Item: CBJ Ad Hoc Title 29 Rewrite Advisory Committee**

**U. INSTRUCTION FOR PUBLIC PARTICIPATION**

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

**V. ADJOURNMENT**

*There being no further business to come before the Assembly, the meeting was adjourned at 9:55pm.*

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

Signed: \_\_\_\_\_  
Beth Weldon  
Mayor