

# ASSEMBLY COMMITTEE OF THE WHOLE

## **DRAFT** MINUTES

September 09, 2024 at 6:00 PM

Assembly Chambers/Zoom Webinar

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**Assembly Committee of the Whole Worksession - No Public Testimony will be taken.**

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

### A. CALL TO ORDER

### B. 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:** Ella Adkison, Paul Kelly, Greg Smith, Wade Bryson, Alicia Hughes-Skandijs, Deputy Mayor Michelle Hale, Mayor Beth Weldon, 'Wáahlaal Gidaag (via Zoom), and Christine Woll (via Zoom)

**Assemblymembers absent:** None

**Staff present:** City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Emily Wright, Municipal Clerk Beth McEwen, Clerk Tech Kevin Allen, Lands Manager Dan Bleidorn, Engineering and Public Works Director Denise Koch, Planning Manager Scott Ciambor, Senior Planner Minta Montalbo, Planner II Forrest Courtney

### D. APPROVAL OF AGENDA

### E. APPROVAL OF MINUTES

1. September 18, 2023 Assembly COW DRAFT Minutes
2. December 18, 2023 Assembly COW DRAFT Minutes

*Hearing no objections, the minutes of September 18, 2023 and December 18, 2023 Committee of the Whole meetings were approved by unanimous consent.*

### F. AGENDA TOPICS

#### 3. Flood Mitigation Update

Manager Koester noted that there was a red folder memo at the back of the room and added to the online packet under Supplemental Materials that gave an overview of the multi-agency meeting that was held in Anchorage on September 6 related to the proposed flood mitigation strategies. As mentioned in the memo, there were a wide range of attendees at that meeting including engineers, hydrologists, representatives from the National Weather Service (NWS), AK Department of Transportation (AKDOT), Natural Resource Conservation Service (NRCS), US Army Corps of Engineers (USACE), US Geological Survey, US Forest Service, Tlingit & Haida, staff from the offices of US Senators Lisa Murkowski and Dan Sullivan, and CBJ staff.

That group reviewed the list of mitigation options presented at the August 19, 2024 Assembly COW meeting plus other proposals that had been suggested by the public. Each option was vetted through the following criteria: timelines, constructability, funding, community acceptance, and risk/unintended consequences.

After those discussions, it underscored the importance of the need for action both in the long term and short term and that they could not pursue any of the options without pursuing additional study of the river, how it behaves and to expand the inundation maps.

Deputy Manager Barr then shared photos of the present situation at the Suicide Basin as it was starting to fill up again. He shared photos from the NWS website showing the images to see the filling of the water in the basin over time. He noted that at the current rate of filling, the basin fills in two ways 1) precipitation and 2) from the waterfall from Suicide Glacier and that we were approximately 1 month or so out from the basin being refilled. The fact that we have seen partial releases in the past, when the water releases, it stops before we see the full amount reduced down to what we think of as its base. The likely scenario is when/if it releases again this season, it will release down to its base and where it was approximately on August 7. He stated that if it releases right now, that would be a better scenario as it will not be at the full flood stage.

Manager Koester stated that as the ice decreased in suicide basin, the volume of water increases. She explained the unique situation that Juneau faces which is very different from flooding that occurs in other communities. She stressed the huge volume of water that this type of event causes in a very short period of time but that it is also reoccurring on a not necessarily predictable basis. It could happen during the middle of an atmospheric river or at any other time with strong water systems. She said at that meeting CBJ staff reviewed the jökulhlaup event and wanted to drive home to everyone at the meeting the severity of what has happened in our community and the need for urgency to address it. There were a wide range of options at the August 18 Assembly meeting. They reevaluated those options to see what/if might be able to be completed in 10-20 months, ranging from \$10,000 to a half billion dollars. They also weighed the various risks involved and some options were surprising such as potential tunneling. They also discussed multipronged approaches with potential combinations of things such as a levy, channelizing, bank hardening, etc.... She noted that it was all hard to determine what were good solutions without additional mapping of the river and she suggested they move forward with new hydrological study and new mapping as part of the short and long term solutions.

She also noted that the flood mapping and congressional spending doesn't meet with the urgency and timeline needed in advance of next year's flooding season. It became obvious that there is no short-term construction solution trenching, drilling, solution that could be done successfully by next summer. That required them to pivot the discussion to flood fighting. She said an example would be sandbags placed 6 feet high on riverbanks that have been filled by loaders strategically placed and then hardening of the bank on the opposite side. She noted that USACE has to deal with flooding across the nation so she feels that leaning into flood fighting in the near term will be the best short-term solution to get them to a long-term solution.

She noted that it would cost approximately \$100,000 of additional funding to be able to issue an RFP, they are working with AKDOT on a scope of work for the RFP, to do a hydrological study and mapping. They already have \$300,000 which is a combination of the emergency appropriation that they had appropriated and there is a \$150,000 appropriation in this year's CIP to deal with Glacial Lake Outburst Flooding (GLOF) mitigation efforts. She said that together with those funding sources, they will be able to do a robust RFP along with funding some incidental things such as travel to lobby for some of the longer and mid-term projects. There will be a local commitment involved in whatever flood fighting model(s) move forward. Senator Murkowski is working on a continuing resolution for emergency funding. The White House released an "anomaly" over the weekend which allows for an extension of federal budget authority to help with emergency response. She said they are hopeful to get funding within that legislation to help with flood fighting, planning, etc.... Manager Koester noted that there will also need to be an appropriation for a longer-term solution.

For the near-term solution, to pursue flood fighting, it will require a request from the Governor Dunlevy and the State of AK to request USACE support as well as Tlingit & Haida Central Council (THCC) to request USACE support. Manager Koester acknowledged the partnership and key role that THCC has had in this response as well as planning for mitigating future events.

Manager Koester and Deputy Manager Barr then answered questions from Assemblymembers. They discussed inundation maps, flood fighting resources, what the frequency of these types of flooding might look like in the future, and potential mitigation efforts that they can do in advance of the next flood. They did say that they don't know what they might be able to do in advance of additional flooding in October, if that were to occur, but they will be watching it closely. Mr. Barr said that the forecasting is being done daily by the NWS, and he didn't want to give unnecessary pessimism and/or unnecessary optimism. They need to see what this looks like in the weeks to come and what they may be able to do to the extent that they can respond.

There was a question about what measures CBJ was doing prior to this year's flood, and if we were fixing those ourselves or was that something USACE was doing. Manager Koester said that CBJ was already working on repairing the duck bills. She noted that there were some lessons learned about public notice and they have identified a number of things that can be improved on that and other things for future events. They then discussed the potential of the next flooding happening this fall vs. next summer. Manager Koester shared some of the data that had been experienced with past events but there is no crystal ball to really know and predict if it will follow those same patterns going forward. They then discussed the need for outreach efforts in keeping the public informed.

Manager Koester said that they have been compiling a list of contacts from those individuals who have reached out to the [floodresponse@juneau.gov](mailto:floodresponse@juneau.gov) contact over the past two years and they will be providing a summary of this meeting to the individuals on that list. She said that when they have a better idea of what flood fighting looks like, they will also be holding neighborhood meetings. It will be important to have those conversations, depending on what the flood fighting process includes, it may become very invasive on individuals' private property and CBJ will be providing an outline of a plan. She said that they can bring the experts to engage with the community much better.

Mayor Weldon and Deputy Mayor Hale made suggestions for some types of notifications that could occur if the basin continues to fill up and release again in the next month or so. Mayor Weldon noted that people will likely be paying more attention to it now and Deputy Mayor Hale asked if staff might be able to include messaging on what people might be able to do with their houses and how to respond in those types of situations.

Manager Koester reiterated that staff are requesting an additional \$100,000 to do the hydrological study and inundation maps. They are also requesting that Gov. Dunlevy submit a letter to the USACE for assistance with flood fighting since that request must come from the state. She said that they are also sending letters to Senators Murkowski and Sullivan to request money towards planning and implementation for flood fighting and also to match a general investigation study for the USACE for a long-term solution.

Manager Koester, in speaking to the long-term solutions, said that there have been several ideas that have been discussed in a wide range of venues. They want to be able to engage the USACE in that effort. The USACE is prepared and they came to Juneau last week and took some high-water mark measurements to begin that process. The general investigation study is for the feasibility, planning, and design for that effort. The general investigation study is a \$6M dollar project with a \$3M commitment from a non-federal, local sponsor, CBJ in this case, and then a \$3M from the federal government. She said that we initiate that request by sending them a letter. It doesn't commit CBJ to funding until they actually have an agreement in place but it allows them to start on the project to begin the general investigation study. Manager Koester said that it was her intention, provided the Assembly approves this request, to send that request. It would also require CBJ to find federal funding along with their own \$3M funding. She noted that the letters she is hoping they will send to Senators Murkowski and Sullivan will include a request for federal funding in the amount of \$3M to fund the USACE side of that project match.

**MOTION** by Mayor Weldon to ask staff to draft an appropriating ordinance in the amount of \$3M with funding sources to come from a deappropriation of \$2M from the purchase of the UAS land by the High School and deappropriate \$900,000 from the Affordable Housing Fund that was tagged for Wayne Coogan's project that has

not yet begun. In the meantime, Ms. Wright and Ms. Koester will find the remaining \$100,000. Mayor Weldon asked for that ordinance to be drafted and introduced at the next Assembly meeting.

Ms. Woll asked if it was the Mayor's intent to introduce multiple ordinances to deappropriate those funds or if all that legislation would be coming as one piece from her motion. Attorney Wright said that it would be coming to the Assembly as one complete packet but they are still working on the vessel whether that would be one ordinance or one ordinance with two accompanying resolutions.

Ms. Woll said she felt this was happening pretty quickly and the Assembly is not opposed to committing the \$3M but she is hesitant to specify sources until they have had more conversation about those.

**AMENDMENT #1** by Ms. Woll to simplify the Mayor's motion to introduce only the ordinance for the \$3M without identifying the sources of funding. Mayor Weldon said that she understands the funding source has to be identified when they write the legislation.

Manager Koester said that they would need to identify some fund source and for the purposes of starting this, they would default to using the Fund Balance as the funding source and later on they could backfill those funds by deappropriating other funds to replace those dollars in the Fund Balance.

*Hearing no objection, Ms. Woll's amendment #1 passed by unanimous consent.*

*Hearing no objection, Mayor Weldon's main motion, as amended, passed by unanimous consent.*

**MOTION** by Mayor Weldon to direct staff to draft an appropriating ordinance for \$100,000 for the mapping, modeling, and incidentals for introduction at the September 16 meeting.

Additional discussion to answer clarifying questions.

*Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon polled the members for their availability to attend a Special Assembly meeting on September 23 at Noon in order to hold a public hearing and take action on those pieces of legislation they just requested be introduced at the September 16 meeting. All members agreed upon their availability to attend a September 23 Special Assembly meeting via Zoom.

Additional discussion took place regarding the resources needed and/or funding sources that might be available in the event of a near-term flood if one should happen this fall prior to next summer. Manager Koester then answered questions regarding the federal funding processes.

Deputy Mayor Hale recessed for a 10-minute break at 6:53pm and resumed the meeting at 7:05p.m.

#### **4. Adding an Emergency Management position to the budget**

Manager Koester said that the next item doesn't require Assembly action but it does require Assembly guidance and comfort because it is a policy pivot. They are asking to repurpose the JSD position that was included in the budget for monitoring JSD finances and through some juggling of positions to use that money towards an additional emergency management position. Manager Koester provided some background info on this policy change and the reasons it would work and she proceeded to answer questions from Assemblymembers.

Manager Koester said that while this type of pivot does not require an ordinance to be passed, it does need approval by the Assembly to make that significant of a staffing change.

Mayor Weldon said that she discussed this with School Board President Elizabeth Siddon and she was OK with this change. They have hired a Finance Director and an Administrative Services Director so the same person isn't trying to do two different jobs. She said that if we did have that position and that individual did work for JSD, JSD would then need to pay for their services out of their budget and that would mess up their budget.

Assemblymembers then discussed the role for which the position overseeing the JSD finances was formed and if they pivot these funds to an emergency management position how that would potentially reduce the oversight of the JSD budget as they would like assurances that the information they are receiving on JSD finances are accurate.

Ms. Hale noted that 'Wáahlaal Gidaag had to leave the meeting to catch a plane.

In response to Assemblymembers' concerns about the JSD position, Manager Koester said she was trying to find solutions that do not increase FTEs. She said that it would not be part of the manager's position to bring the JSD position forward as part of the Manager's proposed budget for next year.

Mr. Kelly noted that the hiring of Ms. Pierce was to replace Ms. Olin the previous finance director and in his role as the liaison to the JSD Finance Committee, the committee has had discussions about being more transparent and putting more of the financial information online.

Mayor Weldon noted that she also shares concerns about the JSD budget and wasn't making comments lightly. When they look at the audits, they will be looking at 3 separate audits and the JSD has a special auditor.

Mr. Smith said he was in support of this shift because of the immediate need for the emergency management and even if we don't have a JSD oversight position as a result of this, there will still be some type of review of the JSD finances via the audit.

Manager Koester said that Mr. Smith was correct that the audit is the venue for that oversight. She and Mayor Weldon have a standing monthly meeting with Superintendent Hauser and she said that Finance Director Angie Flick also meets with JSD Finance Director Pierce and they do have more collaboration partnership than in the past.

Ms. Woll said that she was very supportive of this change and that meeting disaster relief is one of our most critical needs at this time. She expressed her appreciation for staff working this into the budget.

Other members also expressed their agreement with Ms. Woll's comments.

Ms. Hughes-Skandijs requested that as we approach the JSD financial budget cycle, if there were any delays, if the Manager could bring that information to the Assembly right away.

## **5. Blueprint Downtown**

Staff memo re: AME18-07 A Text Amendment to adopt the Blueprint Downtown Area Plan as part of the CBJ Comprehensive Plan

Attachment A: Blueprint Downtown Draft Plan - *Hardcopies already provided to Assemblymembers* [\(link only\)](#)

Attachment B: Plan Appendices [\(link only\)](#)

Attachment C: Answer to Planning Commissioner questions

Attachment D: Proposed Revisions

Attachment E: Agency Comments to Lands, Housing & Economic Development Committee (LHEDC)

Attachment F: PowerPoint Slides to LHEDC

Planning Manager Scott Ciambor gave a presentation on the Blueprint Downtown Plan. Small area plan that has been in the works for quite a while. This is the same slide show that was presented to the Planning Commission, the Planning Commission Committee of the Whole and the Lands, Housing, and Economic Development Committee.

Mr. Ciambor discussed the various meetings/public process that has taken place since this began. He also gave an overview of the various amendments to the Comprehensive Plan "Comp Plan" which was last adopted in 2013. The Downtown Blueprint was to take what was developed in the Comp Plan and provide updated information for this area to the present. He noted that Plans A – O have been adopted and incorporated into the Comp Plan via Title 49 ordinances since 2013. This would be adopted via ordinance. Alternatively, the Assembly could chose to

adopt only a portion of the plan if that was their desire. He noted that was what they did when they only adopted Chapter 5 of the Willoughby Area plan.

Following his presentation, Mr. Ciambor answered questions from Assemblymembers about the plan, the work of the Steering Committee, and that it was the Steering Committee's and Planning Commission's recommendations to adopt the plan by ordinance. In answer to the potential for increased restrictions if the plan was adopted by ordinance, Mr. Ciambor noted that the

Assembly has an opportunity to adopt ordinances that might change specifics in the plan. All CBJ plans themselves are visionary and provide guidance tools. He noted that an example of this would be that any rezone ordinances would still need to be adopted separately from the plan even if the plan was recommending a change of zone to particular areas.

Additional discussion re: restrictions if this were to be adopted by ordinance.

**MOTION** by Ms. Woll that the Assembly direct staff to draft an ordinance to be introduced to adopt the Blueprint Downtown Plan as part of the Comprehensive Plan and asked for unanimous consent.

Ms. Woll said that while she appreciates the conversation, she doesn't feel strongly about whether this is adopted by ordinance or a resolution. She thinks that the Steering Committee did a good job in assuaging any issues. This document is being put into place to provide more guidance for staff and the Planning Commission.

Mr. Smith objected for purposes of a question. He noted that on page 28 of the COW packet, there are agency recommendations, he asked if the spelling/revisions being suggested in the packet had been incorporated into the draft plan. Mr. Ciambor said the Assembly would need to consider whether to take the recommendations and decide if they want to keep the recommendations or strike them from the plan.

Mr. Smith removed his objection.

Ms. Hale objected and said that she believes they should adopt this via resolution and not an ordinance. It is an excellent plan, but she believes that in Juneau it is really hard to develop and there are many rules and layers that makes things like getting housing through the pipeline. If there is something the Assembly can do to ease that burden, she would prefer to go in that direction.

**ROLL CALL VOTE:**

**Yeas:** Ella Adkison, Paul Kelly, Greg Smith, Wade Bryson, Alicia Hughes-Skandijs, Mayor Beth Weldon, and Christine Woll (via Zoom)

**Nays:** Deputy Mayor Michelle Hale

**G. STAFF REPORTS – None.**

Mayor Weldon noted that this was Ms. Hale's last Assembly Committee of the Whole meeting. She acknowledged Ms. Hale's leadership as Deputy Mayor and thanked her for leading the COW as Chair.

**H. NEXT MEETING DATE - November 4, 2024, 6:00p.m.**

**I. SUPPLEMENTAL MATERIALS**

**6. RED FOLDER - Memo re Flood Mitigation Meeting**

**J. ADJOURNMENT**

*There being no further business to come before the body, the meeting was adjourned at 8:00p.m.*