

REGULAR ASSEMBLY MEETING 2023-23 MINUTES

September 11, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



Meeting No. 2023-23: The Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and by Zoom and called to order by Mayor Beth Weldon at 7:00pm.

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, Greg Smith, Loren Jones, Alicia Hughes-Skandijs, Wáahlaal Gídaag, Wade Bryson, and Christine Woll

Assemblymembers Absent: None

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Andi Hirsh, Human Resources and Risk Management Director Dallas Hargrave, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Assistant Municipal Attorney Emily Wright, Assistant Municipal Attorney Nicole Lynch, Senior Planner Teri Camery, Grants Manager Ashley Heimbigner, Planning Manager Scott Ciambor

D. SPECIAL ORDER OF BUSINESS

1. Riverview Senior Living

Carrie Pusich with Riverview Senior Living provided an update to the Assembly. She said that CBJ gave Riverview Senior Living facility a 12-year tax abatement and a land grant which helped the project become a reality. She said their first residents moved in on May 15, they currently have 28 residents with 12 more to move in by the end of the month and expect to be at about 70% capacity by the end of the year. She said they have been approved for Medicaid and will have 26 Medicaid beds in the building, half for assisted living and half for memory care. She said they currently have 27 employees and expect to reach between 50 and 60. She thanked the Assembly for their support.

2. Honoring City Manager Rorie Watt

Mayor Weldon read a proclamation honoring City Manager Rorie Watt for his hard work and dedication to the people of Juneau and the City and Borough of Juneau. Mr. Watt started working for the CBJ in 1993 as a seasonal inspector, working his way up through the Engineering and Public Works department to eventually be the director, before stepping into the role of City Manager. Mr. Watt was retiring on September 30, 2023 and the Assemblymembers and staff expressed their appreciation for his many years of service and wished him well during his retirement.

E. APPROVAL OF MINUTES

4. August 2, 2023 Special Assembly Meeting 2023-19 Draft Minutes

5. August 7, 2023 Special Assembly Meeting 2023-20 Draft Minutes

6. September 6, 2023 Special Assembly Meeting 2023-22 Draft Minutes

MOTION by Ms. Hale to approve the Special Assembly Meeting minutes for August 2, August 7, and September 6 as amended in comments to the Clerk and asked for unanimous consent.

Hearing no objection, the minutes were approved by unanimous consent.

F. MANAGER'S REQUEST FOR AGENDA CHANGES

The Manager requested adding a staff report on the cold weather emergency shelter after unfinished business.

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

Albert Shaw, from downtown Juneau, came to testify on two different topics. The first was the new city hall. He recommended that the new city hall should be on the front end of Telephone Hill. He said they would have to carve off a little bit of rock, two or three stories, but that the City Manager and Mayor could both have a window and the Assembly could have an Assembly room that wasn't a converted fire station. He said that the current city hall was 70 years old and badly needs water and electrical work done. Second, he said that he's testified for 60 years to try and get the northern end of Admiralty Island included in the Borough. He said he was part of the process that drew the Borough boundaries. He said he's testified in front of state committees on this issue.

AsaJonathan ZoesMan, age 71, congratulated Rorie Watt on his retirement. He said he is making a movie which is a major motion picture intended for worldwide distribution. He said the purpose of this movie is to educate and improve humanity, uniting people in a common purpose and to be able to move forward into a beautiful future. He said his sponsors, collaborators, and his intuition all agree that he should stay in Juneau to complete the movie using local talent. He said Juneau was the nicest, prettiest, most loving and lovely city he could ever imagine.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

MOTION by Ms. Hughes-Skandijis to pull Resolution 3029 A Resolution Amending the City and Borough of Juneau Personnel Rules.

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda as amended to remove Resolution 3029 and asked for unanimous consent.

Hearing no objection, the consent agenda as amended was adopted by unanimous consent.

I. Ordinances for Introduction

7. Ordinance 2022-06(b)(BA) An Ordinance Appropriating \$2,478,745 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2023 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$2,478,745 for the State of Alaska's FY2023 2.79% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau	\$1,228,053
Bartlett Regional Hospital	\$1,250,692

Funding is provided by the Alaska Department of Administration, authorized by passage of HB281 during the 2023 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 the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

8. Ordinance 2023-14(b)(F) An Ordinance Transferring \$264,110 from CIPs W75-048 Back Loop Rd. Auke Bay Waterlines and W75-054 Douglas Highway Water Replacement to CIP R72-169 10th, F, W 8th Streets Reconstruction.

This request would transfer \$264,110 of previously appropriated areawide sales tax and 1% sales tax funds from two completed Water CIPs to the 10th, F, W 8th Streets Reconstruction CIP. This project is ongoing and is in need of additional funds due to exponential cost increases from inflation. The Douglas Highway Water Replacement and Back Loop Road Auke Bay Waterlines CIPs are complete and in the process of being closed.

This transfer of 1% sales tax project funding is consistent with the intent of the 2005 1% Sales Tax initiative approved by voters in the October 4, 2005 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

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

9. Ordinance 2023-14(b)(G) An Ordinance Transferring \$1,853,000 from CIP P44-090 Deferred Building Maintenance to CIP F22-027 Juneau Police Department Roof Replacement.

This ordinance would transfer \$1,853,000 from the Deferred Building Maintenance CIP to the Juneau Police Department Roof Replacement CIP. This project funding was allocated to the Deferred Maintenance CIP in the FY24 CIP Resolution 3016(b). The project is scheduled to advertise for bids in mid-November 2023 and will begin construction in summer 2024. This request would transfer funding from the Deferred Building Maintenance CIP to the project for clear financial accounting. The Deferred Building Maintenance CIP will retain sufficient funding for ongoing projects.

This transfer of project funding is consistent with the intent of the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

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

10. Ordinance 2023-14(b)(L) An Ordinance Appropriating \$312,500 to the Manager as Funding for the Ramp Improvement Capital Improvement Project; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate \$312,500 of Airport CARES Act funding for the Ramp Improvements CIP. This funding would support the construction of a new remain overnight (RON) large aircraft parking ramp, rehabilitate deteriorating pavement for large and commercial aircraft parking ramps, repair failing ramp drainage and catch basins, and upgrade ramp lighting. This funding would contribute to the local match requirement for grant funds appropriated under Ordinance 2022-06(b)(I).

The Airport Board reviewed this request at the June 8, 2023 meeting.

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

11. Ordinance 2023-14(b)(M) An Ordinance Appropriating \$213,506 to the Manager for the Terminal Construction Capital Improvement Project; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate \$213,506 of Airport CARES Act funding for the Terminal Construction Improvements CIP. This funding would provide for the replacement tiles in the suspended ceiling which was a component of the reconstruction of the Juneau International Airport terminal. Funding is provided by previously received Airport CARES Act grant funding.

The Airport Board reviewed this request at the April 14, 2022 meeting.

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

J. Resolutions

12. Resolution 3029 A Resolution Amending the City and Borough of Juneau Personnel Rules. *This item was pulled from the consent agenda by Ms. Hughes-Skandijs. (See Public Hearing section for Assembly Action.)*

This resolution would approve an addition to the City and Borough of Juneau (CBJ) Personnel Rules, which, along with the collective bargaining agreements, govern the rights and responsibilities of CBJ employees, supervisors, and managers. The revised rules are set forth in the resolution and would apply to bargaining unit members and unrepresented employees.

The Assembly is being asked to adopt the changes to the CBJ Personnel Rules so that a paid parental leave policy can be implemented. These changes were approved by the Assembly Human Resources Committee, and the costs associated with these changes have been previously approved and incorporated into the fiscal year 2024 budget by the Assembly.

The Assembly Human Resources Committee reviewed this request at its August 21, 2023 meeting and recommended forwarding it to the full Assembly for action.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

L. Transfers

13. Transfer Request T-1060 A Transfer of \$275,334 from Various Capital Improvement Projects to CIP W75-078 Water Systems SCADA Upgrades.

This request would transfer \$275,334 to CIP W75-078 Water Systems SCADA Upgrades. The funding is provided by completed projects that are ready to be closed. Funding is provided by Water Funds.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

14. Transfer Request T-1064 A Transfer of \$1,155,423 from Various Capital Improvement Projects to CIP R72-169 10th, F, W 8th Streets Reconstruction.

This request would transfer \$1,155,423 of temporary 1% sales tax, general sales tax and bond proceeds from completed Streets CIPs to the 10th, F, W 8th Streets Reconstruction CIP. This project is ongoing and significant cost escalation has contributed to the need for additional funding. The funding is provided by completed projects that are ready to be closed.

The transfer of temporary 1% sales tax project funding is consistent with the intent of the 2005 1% Sales Tax initiative approved by voters in the October 4, 2005 municipal election. The transfer of bond funding is consistent with the intent of the \$15 million general obligation bond package approved by voters in the October 6, 2020 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

15. Transfer Request T-1065 A Transfer of \$150,000 from CIP R72-158 Teal Street Reconstruction to CIP R72-157 Spruce Lane Reconstruction.

This request would transfer \$150,000 of general sales tax from the Teal Street Reconstruction CIP to the Spruce Lane Reconstruction CIP. This project is underway and during construction, underlying soils beneath the road

surface were found to be unsuitable. This soil condition was not evident during the road surface review during the design process and was not included in the construction bid. The road base must be repaired, resulting in elevated project costs. The proposed transfer is reallocating funds from the Teal Street Reconstruction CIP, an ongoing project that will retain sufficient funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

16. Transfer Request T-1066 A Transfer of \$100,000 from CIPs P44-090 Deferred Building Maintenance and P41-108 Parks and Playground Major Maintenance to CIP P46-115 Eagle Valley Center Improvements.

This request would transfer \$100,000 from CIPs P44-090 Deferred Building Maintenance and P41-108 Parks and Playground Major Maintenance to CIP P46-115 Eagle Valley Center Improvements. The 2020 voter approved general obligation bond funding for energy efficiency improvements partially fulfilled the local match requirement for grant funds appropriated under Ordinance 2022-06(b)(H). This transfer would fulfill the remaining local match requirement for the grant. The proposed transfer is reallocating previously appropriated funds from ongoing projects that will retain sufficient funding to cover the remaining work.

This transfer of project funding is consistent with the intent of the 2017 1% Sales Tax initiative approved by voters in the October 3, 2017 municipal election and the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

17. Transfer Request T-1067 A Transfer of \$108,906 from CIP R72-139 7 Mile Shop Yard Security System to CIP R72-163 7 Mile Fleet Canopy Additions.

This request would transfer \$108,906 from the 7 Mile Shop Yard Security System CIP to the 7 Mile Fleet Canopy Addition CIP. This funding would provide for the installation of canopies on the Streets and Fleet facility garage doors. Cost escalation and the need for additional work has increased the project estimates above available funding. The funding is provided by a completed project that is ready to be closed.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

18. 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 - Renewals

Licensee: El Sombrero Inc., d/b/a El Sombrero Mexican & American Food

License Type: Restaurant/Eating Place, License: #816 Location: 157 S. Franklin St., Juneau

Licensee: Crystal Saloon LLC d/b/a Crystal Saloon

License Type: Beverage Dispensary, License:#2533 Location: 216 Front St., Juneau

Licensee: Juneau Hospitality LLC d/b/a Ramada by Wyndham Juneau & TK Maguires

License Type: Beverage Dispensary, License: #313 Location: 375 Whittier St., Juneau

Licensee: The Narrows Bar LLC d/b/a The Narrows Bar

License Type: Beverage Dispensary, License: #76 Location: 148 S. Franklin St., Juneau

Licensee: Juneau Yacht Club d/b/a Juneau Yacht Club

License Type: Club, License: #5747 Location: 1301 Harbor Way, Juneau

Marijuana License - Renewals

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

License Type: Retail Marijuana Store, License: #15246 Location: 5310 Commercial Blvd 2B, Juneau

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

License Type: Retail Marijuana Store, License: #13279 Location: 2771 Sherwood Lane Unit E, Juneau

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

License Type: Retail Marijuana Store, License: #28012 Location: 613 & 619 W. Willoughby Ave., Juneau

Licensee: Top Hat Concentrates LLC d/b/a Top Hat Concentrates LLC

License Type: Marijuana Product Manufacturing, License: #10271 Location: 2315 Industrial Blvd Suite B, Juneau

Licensee: Alaskan Coffee Pot LLC d/b/a Alaskan Coffee Pot

License Type: Retail Marijuana Store, License: #25190 Location: 2219 Dunn St., Juneau

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

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

N. PUBLIC HEARING

12. Resolution 3029 A Resolution Amending the City and Borough of Juneau Personnel Rules. *(Pulled from the Consent Agenda)*

This resolution would approve an addition to the City and Borough of Juneau(CBJ) Personnel Rules, which, along with the collective bargaining agreements, govern the rights and responsibilities of CBJ employees, supervisors, and managers. The revised rules are set forth in the resolution and would apply to bargaining unit members and unrepresented employees.

The Assembly is being asked to adopt the changes to the CBJ Personnel Rules so that a paid parental leave policy can be implemented. These changes were approved by the Assembly Human Resources Committee, and the costs associated with these changes have been previously approved and incorporated into the fiscal year 2024 budget by the Assembly.

The Assembly Human Resources Committee reviewed this request at its August 21, 2023 meeting and recommended forwarding it to the full Assembly for action.

The City Manager recommends the Assembly adopt this resolution.

This item was pulled from the consent agenda by Ms. Hughes-Skandijs. She said they had approved this concept during the budget process for FY24 but that it is still not in place. She asked if there were any CBJ staff who would have been eligible for this benefit if it had started on July 1. Mr. Barr said there were at least 4 staff members who would have been eligible. Ms. Hughes-Skandijs asked Ms. Layne how to backdate this resolution. Ms. Layne said that because this was funded starting July 1, Ms. Hughes-Skandijs could change the effective date to July 1, 2023.

MOTION by Ms. Hughes-Skandijs to adopt Resolution 3029 with an effective date of July 1, 2023 and asked for unanimous consent.

OBJECTION by Ms. Hale for purposes of a comment. She said this is a great program and she supports paid parental leave. She also said that CBJ may want to look at paid leave too for people who needed to care for other family members. She said she felt like this process was rushed and said they only had one meeting to discuss it. She removed her objection.

Mr. Smith asked if they could change the effective date on items anytime. Ms. Layne said the key difference in this case was the funding, which was adopted in the FY24 budget. She said the Assembly cannot change the effective dates when there is no funding available.

Hearing no further objection, Resolution 3029 passed by unanimous consent.

19. Ordinance 2022-07(b)(B) An Ordinance Appropriating \$3,680,701 from the Central Treasury for FY23 School District Operations; Funding Provided by State Revenue and Private Grants.

This ordinance would appropriate \$3,680,701 in grant awards for Juneau School District (JSD) FY23 operations. The Alaska Department of Education and Early Development provided funding for Project AWARE (Advancing Wellness and Resiliency in Education) and the American Rescue Plan Act Evidence-Based Summer Learning and Enrichment Programs. Thread issued grant funding for RALLY as a part of the State’s Phase 3 – COVID-19 Child Care Stabilization Grant. In addition to the State grants, JSD received multiple private grants from Sealaska Heritage Institute (SHI) for indigenous education programs and a grant from Juneau Community Foundation providing support for Title 1 Elementary School Social Service Workers and Advocates. Grant funds are allocated as follows:

RALLY (JSD Fund 399)	\$ 789,810
AWARE (JSD Fund 348)	\$ 601,007
SHI Raven Writes (JSD Fund 383)	\$ 503,486
SHI At Koowahaa-TCLL (JSD Fund 389)	\$ 467,474
SHI Steam-Making (JSD Fund 381)	\$ 430,000
SHI Box of Treasures (JSD Fund 378)	\$ 333,843
SHI TEK STEAM (JSD Fund 388)	\$ 290,000
ARPA Summer School (JSD Fund 342)	\$ 164,316
<u>JCF Social Worker (JSD Fund 391)</u>	<u>\$ 100,765</u>
Total Changes	\$ 3,680,701

The Systemic Racism Review Committee reviewed this legislation at its August 22, 2023 meeting and forwarded it to the full Assembly. The Assembly Finance Committee reviewed this at the September 6, 2023 meeting.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Bryson to adopt Ordinance 2022-07(b)(B) An Ordinance Appropriating \$3,680,701 from the Central Treasury for FY23 School District Operations; Funding Provided by State Revenue and Private Grants and asked for unanimous consent.

OBJECTION by Ms. Hughes-Skandijs for purposes of a statement. She highlighted the amount of grant funding provided by Sealaska Heritage Institute and said she is grateful for the partnership. She removed her objection.

Hearing no objection, Ordinance 2022-07(b)(B) passed by unanimous consent.

20. Ordinance 2023-14(b)(K) An Ordinance Appropriating \$600,000 to the Manager for the Gate K Culvert Reconstruction Capital Improvement Project; Funding Provided by Airport Funds.

This ordinance would appropriate \$600,000 of Airport Funds for the Gate K Culvert Reconstruction CIP. This funding would provide for the DEC testing requirements related to the Storm Water Pollution Prevention Plan (SWPPP). To begin Gate K culvert reconstruction, the Airport must fulfill the requirements recently brought forth by the Department of Environmental Conservation (DEC) for dewatering, PFAS, and monitoring, testing and filtration. It is anticipated that this CIP will be receiving a CARES Act grant later this year. In order to fulfill this DEC requirement and take advantage of the construction season, the Airport is requesting to use Airport Funds. If the grant funding becomes available and these costs are eligible for the grant, these appropriated funds will be returned to the Airport Fund.

The Airport Board reviewed this request at the August 10, 2023 meeting. The Systemic Racism Review Committee reviewed this legislation at its August 22, 2023 meeting and forwarded it to the full Assembly.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-14(b)(K) An Ordinance Appropriating \$600,000 to the Manager for the Gate K Culvert Reconstruction Capital Improvement Project; Funding Provided by Airport Funds and asked for unanimous consent.

Hearing no objection, Ordinance 2023-14(b)(K) passed by unanimous consent.

O. UNFINISHED BUSINESS

Staff report on Cold Weather Emergency Shelter, agenda changes by the Manager.

Mr. Barr reported that he visited Resurrection Lutheran Church (RLC) on Sunday to talk to and answer questions from the congregation. He said that the congregation decided against hosting the warming shelter again this year. Mr. Barr thanked the RLC congregation for their work, noting their great passion to serve members of the community who are struggling. He said their decision was not an easy one and that work in this arena is extraordinarily challenging and complex.

Mr. Barr said they are meeting with other community providers including the Glory Hall, St. Vincent dePaul, and the Juneau Community Foundation to come up with an alternative solution. He said they think a downtown solution is necessary due to transportation limitations. He said they are discussing many options and noted that most solutions would require going before the Planning Commission. He said he plans for this to be before the Planning Commission on October 1.

Ms. Woll asked if financial considerations were keeping RLC from hosting the shelter again this year. Mr. Barr answered that contract price has not been the sticking point in their conversations to date.

P. NEW BUSINESS

21. Hazard Maps Testimony

AME2021-0008: Hazard Assessment and Mapping

On August 28, 2023, at the Committee of the Whole (COW) meeting, the Assembly voted to provide an opportunity for public testimony prior to drafting an ordinance. The Assembly recognized the importance of public input into this process and approved a motion for consideration based on a modification of the CDD Director's August 24, 2023 memo, Option 6.

The approved motion repeals the adopted [1987] maps and ordinance; does not adopt the [2022] Tetra Tech maps and study; does conduct an annual public information informational outreach; and notifies permittees who are developing within the boundaries of the maps that the maps exist.

Option 5 from the 8/24/23 CDD memo is also under consideration. This option repeals the current maps and current ordinance, and adopts the moderate and severe avalanche areas and moderate, severe, and high landslide areas in the 2022 Tetra Tech study for public information purposes only. In addition, CBJ would annually notify property owners in the moderate and severe avalanche areas and in the moderate, high, and severe landslide areas, and properties within 500 feet of these mapped areas for informational purposes; and require property owners in the hazard areas to notify renters of the hazards.

The hazard assessment and mapping has been discussed at numerous meetings of the Planning Commission, Lands Housing and Economic Development Committee, and the Assembly COW (refer to LHEDC memo dated August 25, 2023, Attachment B).

The City Manager recommends the Assembly take public testimony and refer this item back to the Committee of the Whole to provide direction for the drafting of an ordinance.

Mayor Weldon said the Assembly is taking public testimony on this topic and then this will be going back to the Committee of the Whole. She emphasized that no action would occur tonight.

Public Comment:

Jean McBrien, from downtown Juneau, came to testify about the Tetra Tech maps. She said that the Assembly appears to understand that the Tetra Tech maps should not be adopted or accepted. She said that the existence of the maps cannot be ignored and therefore must be tagged with an airtight disclaimer. She noted that the Assembly received written testimony from Jack Chenoweth that included sample wording for a potential disclaimer. She said that until CBJ takes it upon itself to map all the hazards in Juneau and do site specific analysis, no residence property should be singled out. She said that Juneau is the very definition of a hazardous environment with avalanches, landslides, mudslides, floods, earthquakes, and jökulhlaups. She said that if we are unable to mitigate those hazards, it's important to develop an early warning system. She said that notice on the CBJ website and firefighters knocking on doors was an insufficient method. She said that if CBJ's Assembly wants to act in the best interest of their constituents, then placing the scarlet letter A for avalanches or L for landslides on a document is not true action.

Mark Ridgway, from Twin Lakes, came to testify about the Tetra Tech maps. He said in the year and a half that the Planning Commission has struggled with this they have been very good. He said he was an environmental professional with the State of Alaska for 30 years dealing with risk to human health and the environment. He said he reads lots of reports. He said he watched the Planning Commission struggle with this, rightfully so, because it appears to be safety related. He said the Planning Commission chose to recommend not adopting the map or the ordinance, in part due to the flaws inherent in the multitude of caveats that Tetra Tech placed in the report. He noted that the maps are not site specific. He said that if tomorrow he hired a geotechnical engineer to evaluate his property, that evaluation would not show a high hazard area. He thanked the Assembly for bringing this issue back for public testimony.

MaryEllen Duffy, from downtown Juneau, said she is a retired senior living on a fixed income. She said her condo is her retirement and life investment. She said adopting the Tetra Tech maps will price her out of her home, and probably Juneau as well. She said that her mortgage lender requires landslide insurance if the home is in a designated hazardous landslide zone. She said that nobody provides landslide insurance in Southeast Alaska, and that she could not afford it if they did. She said her property assessment has increased by over \$120,000 and thus her property taxes have increased. She said the city cannot increase her property assessment then adopt an ordinance and map that would devalue her property. Ms. Duffy said she spoke with the city assessor who suggested that if Ms. Duffy could not afford to remain in her home that she could move. Ms. Duffy said she loves her home, and the entire situation is very distressing to her. She implored the Assembly to consider the human beings who will be negatively affected by adopting this ordinance and maps. Ms. Hughes-Skandijs asked Ms. Duffy about the process with her mortgage and the landslide insurance. Ms. Duffy said no one approached her, that it was a clause in her mortgage. Ms. Duffy said she has not personally tried to seek out landslide insurance but that others in her neighborhood have done extensive research.

James Baldwin, from downtown Juneau, said he had two kinds of properties that would be affected by the adoption of these maps. The first is a group of townhouses located on Hermit Street, which was approved for development in the 1990s. He said that they had done soil and other testing and that the city determined they were not in a hazard area. He said adopting these maps would reverse that and there is no provision made for the people who went through a site-specific analysis under the existing process. He said his second property is on Harris Street. He said he has been looking at selling it, and that his realtor has advised him that the appraisers are dropping the value of properties due to the Tetra Tech maps. Ms. Woll asked if Mr. Baldwin was supportive of the option that the Assembly is considering which would remove any regulation associated with hazard zones. Mr. Baldwin said the studies are out there. He said that maybe the best way to approach this would be to find a way to make the public aware when conditions that lead to hazards become a risk to people. Ms. Hughes-Skandijs said that the city cannot control private industry and asked Mr. Baldwin about his concerns. Mr. Baldwin said that CBJ accepted the grant money, proceeded with the study and now no one is happy. He said he can't offer any solution

other than to not make it worse. He said that there should be at least a simple sort of grandfathering provision for anyone who has done a risk analysis.

Shawn Eisele, from downtown Juneau, said that people have been advocating for over 2 years about this issue and that people are starting to reach their fatigue limit. He thanked the Assembly for creating an opportunity for public comment. He said that a sliver of his property would be in a severe zone for debris fall but that the rest of the property, including his house, would be in a lower, no danger zone. He said that if he did a site-specific study, it would probably remove a portion of his property from the severe zone, but no such study is available or affordable and instead his house and the attached apartments would remain classified high risk. He said that many people feel these maps wrongly classified houses and there is no way to reverse it. He said the maps explicitly do not consider mitigating measures, including human made structures, and that they do not address probability. He said that if the Assembly wanted to create a threshold for regulation, such as a 1 in 100-year probability, these maps do not provide that data. He said that transparency is important, but if one third of the homes covered in these maps should not actually be in the high hazard zone, then they are not creating transparency. Mr. Eisele said that the city should look at a warning system for landslides or insurance pools to mitigate damage. He suggested that the Assembly create an ad hoc committee on disasters and climate change to have public forums and open dialogue and to research lending, insurance, and case studies from other communities in Southeast Alaska and nationwide that face these hazards.

Ms. Woll noted that the Assembly has not heard a similar level of concern for the avalanche maps as they have for the landslide maps. She asked Mr. Eisele for his thoughts on the responsibility of the city to adopt those maps. Mr. Eisele said that was not a situation that affected him, and he had not done the research on it. Ms. Hughes-Skandijs asked Mr. Eisele how the city should respond to the existence of the maps. Mr. Eisele suggested a three-step process. The first was clear language on the maps on why they were not adopted, saying that it is because they are not site-specific. The second was to create a repository of all the hazard maps and studies the City has done and make them available on the parcel viewer website. The third step would notify both homeowners and renters on where to find that information and he thought the disclosure process, such as when someone sells their house or in a residential or commercial lease, would work best. Mr. Jones asked about funding research that was site-specific. Mr. Eisele said he thought there was a way to do so correctly, but the Assembly needed to weigh what they are going to get for the money. He said that if the city looked at a lot of hazard areas and it lowered the home value in those areas, then it could create situation where lower income families are disproportionately represented in high hazard zones. He said that in the past, houses or lots were exempted out when they got a site-specific study, but that engineers are no longer willing to do so because of liability. He said the question he is grappling with is what do you do when you find an answer to a question, and it costs society or individuals a significant amount of money? He said that if we don't want to know then we shouldn't ask the question but that if we do ask the question then we need to act on it. He asked how we balance the knowledge of what it might take to protect the public versus the harm it might do to an individual. Mr. Eisele said he supports actions that make people safer, such as mitigation measures or allowing structures to be engineered.

Brianna Ackley, from Starr Hill, said she did not want to reiterate what everyone else had said but that she wanted to put her face to the Assembly because this decision affects real people in the community. She said she bought her home last year and is now being told that maybe what she spent her life savings on is now worthless. She said that Starr Hill sent a letter that said there have been 2 properties in the area that have not been able to get lenders or be sold because of the Tetra Tech maps. She said that Sitka had adopted then retracted maps. Ms. Hughes-Skandijs asked Ms. Ackley her opinion on what the city should do with the maps. Ms. Ackley said she did not know if Sitka was able to retract them effectively and supported a disclaimer on the maps.

Olivia Sinaiko, from Basin Road, said that safety is important. She said when she first heard about the Tetra Tech maps her house went from being in a no hazard designation to being in a severe landslide zone. She said when she read the maps and report it was clear that there were different kinds of geological events lumped together under the umbrella category of landslide, and that on Starr Hill rockfall was the main concern compared to mass debris flow. She said the maps did not consider the two houses uphill between her and the rocks. She said there

were many other factors that were outside the scope of the study and as a result while the maps identify areas of general potential hazard, they do not claim to accurately represent risk on a site-specific basis. She said that her home is one of many that is in a severe landslide zone, even though there might be little to no genuine safety risk. She said she knew of two appraisers already using the maps, and three instances where people were denied a mortgage because of the new maps. She said she was not opposed to hazard mapping and would enthusiastically support an effort to accurately assess risk on a site-specific basis throughout the borough. She said that effort should involve a robust public process that took mitigations factors into consideration. She supported incentivizing property owners to invest in mitigation efforts. She said the city cannot afford to pay for a site-specific risk assessment and that a broad-brush approach is wrong. She said not having the resources to do something right does not mean that it should be done wrong. Ms. Hughes-Skandijs asked Ms. Sinaiko her opinion on what the city should do with the maps. Ms. Sinaiko said she has been thinking about how to un-ring a bell and said if they are not adopted, they might just fade away with time. She said she liked the disclaimer language highlighting why they were not adopted.

Charles K. Renick, from Starr Hill, thanked the Assembly for the work they are putting into this and giving people an opportunity for public testimony. He said that participating as a member of the public in this process for the last year or more has been really stressful. He urged the Assembly to try and find a solution expediently and successfully so they do not have to continue with this stress. He said that it is stressful to know you live in a hazardous zone and stressful to exist and maintain property in a place that is so expensive. He said the added stress of how public policy will affect one's life investment, including having to spend after work time to learn, understand, and draft letters on the weekend is hard. He said the Assembly proactively volunteered to do this work and that the residents affected by the hazard maps did not. Ms. Hughes-Skandijs asked Mr. Renick his opinion on what the city should do with the maps. Mr. Renick said he agreed with the previous commenters.

Ke Mell, from downtown Juneau, said she wants CBJ to make good public policy. She said the ordinance as first presented was not ready for adoption and the proposed options are much better. She said that CBJ has obligations towards its citizens and the highest obligation is the protection of human life. She said that forecasting goes a long way in that direction and that avalanches or landslides are not unpredictable. She said a great deal has been done in Sitka on this topic and much more could be done in Juneau to anticipate the conditions likely to generate significant risks to human life. She said the next highest obligation is the protection of public property, roads, hospitals, water supplies, schools, etc. She said the hospital was built so that it would not be flooded in the event of a Salmon Creek Dam collapse, Juneau-Douglas High School is partially in the Behrends Avenue avalanche path and that CBJ offices in the Marine View building abut a severe landslide hazard. She said the protection of private property is chiefly the responsibility of the property owners. Ms. Hughes-Skandijs asked Ms. Mell her opinion on what the city should do with the maps. Ms. Mell said she has been exhausted from this process and cannot think of anything else to say at this time.

Ms. Hale said she appreciated the time and effort of the people here tonight.

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

There are 7 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.

MOTION by Ms. Gladyszewski to accept Carole Craig, Christine Carte, Dennis Wink, and William Carrillo for the Hardship List and Ellen Furguson, Mary Felipe, and Sandra Eckerson for the Late File Senior and Disabled Veteran Exception List and refer them to the Accessor's for action and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

Q. STAFF REPORTS - None

R. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon reported that she attended the September 11th ceremony today. She said the voter's guide should be out any day and that tours of City Hall will take place on Wednesday from 4:00-6:30pm.

Committee Reports

Committee of the Whole (COW) – Ms. Gladyszewski said the committee last met on August 28 where they learned about the science of jökulhlaups, discussed the Telephone Hill planning process, and discussed the hazard mapping process. She said the next meeting was Monday, September 18.

Finance (AFC) – Ms. Woll said the committee met last week where they received a report on investments and the current state of the economy and a presentation on the New City Hall. They also discussed the allocation of bed tax revenue and proposed a change to the current allocation to provide more money for affordable housing.

Lands, Housing, and Economic Development (LHED) – Ms. Hughes-Skandijs said the committee met on August 28 where they received an update on lease agreements on Telephone Hill, heard from Travel Juneau, and a received a verbal update on the 2nd and Franklin property they would like to acquire from the State.

Public Works and Facilities (PWFC) – Mr. Bryson said the committee met on August 18 where they discussed the Juneau Police Dept. roof, Eagle Valley renovations, and transfers that were on tonight's consent agenda.

Human Resources (HRC) – Mr. Smith said the committee met earlier this evening and heard from the Youth Activities Board about a potential increase in their grant, they received the Board of Equalization annual report and made the following recommendations on appointments.

MOTION by Mr. Smith for the Douglas Advisory Board to reappoint incumbents Mary Kay Pusich and Teri Tibbett for terms beginning immediately an ending September 30, 2025; to appoint Ann Simard to a term beginning immediately and ending September 30, 2025; and to reappoint incumbents Joyce Vick and Ed Schoenfeld both for terms beginning immediately an ending September 30, 2026.

Hearing no objection, the motion passed by unanimous consent.

Liaison Reports

Mr. Bryson reported he attended the Docks and Harbors meeting, where the discussion was on the role of docks and harbors versus the tourism manager. Mr. Bryson also attended the UAS Campus Council where they had a presentation from Alaska Coastal Rainforest Center. He said enrollment is up 1%.

Ms. Hughes-Skandijs said the Chamber of Commerce will be meeting this Wednesday. She said she attended an Eaglecrest Board meeting last week where they discussed hiring issues. She said they also looked at the financials, and sales were up slightly from the previous year.

Mr. Jones said he had nothing to report.

Wáahlal Gídaag said the Systemic Racism Review Committee met on August 22 where they plan to review their checklist. She attended the Planning Commission meeting on August 22, where they approved a shared access subdivision into four lots above Bonnie Brae and had a long discussion on *Chapter 35 Public and Private Improvements* to amend subdivisions on arterioles to meet underlying minimum lot size. She said they also discussed bungalow lots and setbacks.

Ms. Woll said she missed the School Board meeting from early August.

Mr. Smith said Travel Juneau has a board meeting on October 4 where they plan to discuss the Assembly's proposed change to the bed tax.

Ms. Hale said the Hospital Board met on August 22. She said that Hospice and Home Care is gradually adding patients as they add more staff. She said there was a long discussion on staff morale. She attended a meeting with Mr. Barr at Resurrection Lutheran Church and she voiced her thanks from the Assembly. She said her mother is a member of the congregation so Ms. Hale removed herself during the church's debate on the cold weather emergency shelter. She has been working with the Juneau Commission on Aging on how to advise the Assembly.

Ms. Gladziszewski said she was unable to attend the Juneau Commission on Sustainability meeting due to a scheduling conflict with the Assembly Finance Committee.

Presiding Officer Reports

Update on APL 2023-AA01 Karla Hart v. Planning Commission re: USE 2023-0003

Ms. Layne said that a hearing officer has been appointed and there is a pre-hearing meeting on September 22 to set dates for the rest of the process.

S. ASSEMBLY COMMENTS & QUESTIONS

Mayor Weldon asked Ms. McEwen for an election update. Ms. McEwen said that ballots were scheduled to be mailed out on Thursday, September 14, the ballot drop boxes would be unlocked on September 15, and the Vote Centers would open Monday, September 18. Ms. McEwen shared the times and dates that the Vote Centers would be open. She said that people could return their ballots by drop box, at the Vote Centers, or by mail. She encouraged anyone who would be returning their ballot by mail to make sure it has a legible postmark.

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

U. EXECUTIVE SESSION

V. SUPPLEMENTAL MATERIALS

W. ADJOURNMENT

Having no more business to come before the Assembly, the meeting adjourned at 9:38pm.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor