

REGULAR ASSEMBLY MEETING 2025-05 MINUTES

March 03, 2025, at 7:00 PM



Assembly Chambers/Zoom Webinar

A. FLAG SALUTE *Deputy Mayor Greg Smith called the Regular Assembly Meeting to order at 7:03 p.m. in the City Hall Assembly Chambers and via Zoom.*

B. LAND ACKNOWLEDGEMENT – *read by Assemblymember Kelly*

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 (via Zoom), Deputy Mayor Greg Smith, Wade Bryson, Christine Woll, Ella Adkison, Paul Kelly, Maureen Hall, and Neil Steininger

Assemblymembers Absent: Alicia Hughes-Skandijs

Staff/Others Present: City Manager Katie Koester, City Attorney Emily Wright, Deputy City Clerk Di Cathcart, Meeting Tech Clerk Kevin Allen, Deputy Manager Robert Barr, Eng/Public Works Director Denise Koch, Port Director Carl Uchtyl, Lands Manager Dan Bleidorn, Municipal Clerk Beth McEwen (via Zoom)

D. SPECIAL ORDER OF BUSINESS - *None*

E. APPROVAL OF MINUTES

1. January 6, 2025, Regular Assembly Meeting 2025-01 Minutes-DRAFT

The January 6, 2025, minutes were approved as amended per Mr. Kelly's grammatical corrections.

2. February 10, 2025 Special Assembly Meeting Minutes - Airport Board Appts – Draft

The February 10, 2025, Special Assembly Meeting minutes were approved as presented.

F. MANAGER'S REQUEST FOR AGENDA CHANGES

None

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.)*

Jen Lium, a Lemon Creek resident, said she is speaking on behalf of the Montessori Borealis Site Council. She explained that, by fully funding the planned playground at Dzantik'i Heeni Middle School, the Assembly would make a lasting investment that benefits both students and children in the surrounding neighborhood. She stressed that neither of the two existing playgrounds in Lemon Creek are located near the school, nor are they designed to serve hundreds of students. She said the Lemon Creek area is also home to a number of children who lack adequate play spaces; Gruening Park is home to 133 children, but despite this concentration, there is no fully developed playground. She pointed out that the project is unique in that it could serve both a school and a community at the same time. She urged the Assembly to commit to funding this project.

Gavin Lium, a Lemon Creek resident, said the playground at Dzantik'i Heeni Middle School is more than just a school playground, it's his neighborhood playground. He recalled that he and his brother would ride bikes

there, but now it's just an empty dirt field and covered area. He stated that they need more than a dirt field and more hope of a future playground, not just someday, but now. He asked members to please do what they can to make sure kids get a full playground.

Bruce Weyhrauch, a Juneau resident, stated that Juneau has recognized and encouraged trade and economic development between it and the City of Whitehorse, YK, Canada. He noted that Juneau is an international airport because of this commerce. He said that this close relationship between the cities was affirmed by the Assembly through a Resolution in the 1980's. He asked that the Assembly review that resolution and rediscover the importance of the relationship. He explained that Juneau has strategically attempted to expand government, and all the federal jobs provide a tax base, which helps strengthen schools and neighborhoods. His first request to the Assembly was to send a message to Whitehorse that Juneau reaffirms the ideals in the resolution, and to remind the state's delegation of this relationship. Further, he asked the Assembly to send a strong message to the delegation that stresses the importance of federal government jobs in Juneau.

Jen Thorne, a Lemon Creek resident, stated that the Teaching and Support staff of Montessori School requests support to improve the outdoor environment at Dzantik'i Heeni Middle School. She explained that Montessori previously had an outdoor garden learning space with a coordinated schedule with Harborview Elementary, but now they take turns using the ball field and covered basketball court with the Juneau Community Charter school. She stressed that they serve 260 students and that the field is not fully fenced, there is a lack of adequate drainage, and no budget to purchase outdoor equipment. She said they also request signage that directs dog owners to pick up their dog's feces, relocation of the soccer goalposts width-wise to one of the ball fields, move the sand outside of the northwest corner of the fencing and move it inside the fencing, fence the entire playground to include some of the surrounding forest, and build a dedicated garden natural play space within the fencing.

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

MOTION by Mr. Bryson to adopt the consent agenda and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

I. Ordinances for Introduction

3. Ordinance 2024-01(b)(AG) An Ordinance Transferring \$375,000 from the Community Development Department Fiscal Year 2025 Operating Budget and \$80,000 from the Manager's Office Fiscal Year 2025 Operating Budget to the Comprehensive Plan Capital Improvement Project.

The Community Development Department (CDD) is leading the CBJ's Comprehensive Plan Update project. The Comprehensive Plan is Juneau's long-term guide for development and land use activities, capturing the community's vision, goals, and recommended actions. FY25 CBJ Budget Ordinance 2024-01(b) appropriated \$375,000 to the CDD operating budget to cover the costs for the Comprehensive Plan work to be completed during the fiscal year and \$80,000 to the Manager's Office for scenario planning. Due to the multi-year and multi-department nature of the Comprehensive Plan update, staff requests to transfer \$375,000 from the CDD FY25 operating budget to a Comprehensive Plan CIP. \$80,000 is requested to be transferred from the Manager's Office FY25 operating budget for a scenario planning initiative to accompany the comprehensive planning work. Additional funding for the Comprehensive Plan update will be requested in the FY26 budget cycle.

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

4. Ordinance 2024-01(b)(AH) An Ordinance Transferring \$200,000 from CIP D23-060 Waterfront Museum to CIP H51-125 Aurora Harbor Improvements.

This ordinance would transfer \$200,000 from the Waterfront Museum CIP to the Aurora Harbor Improvements CIP. The Harbors Enterprise has been awarded the Alaska Department of Transportation (ADOT) Harbor Facility grant for Aurora Harbor improvements, and began advertising for the \$9.5M project in February. To ensure the project has sufficient funding for upcoming construction, this request would transfer 1% Temporary Sales Tax from the Waterfront Museum CIP, which will retain sufficient funding for current project work. This funding will be returned to the Waterfront Museum CIP through the FY28 1% Temporary Sales Tax allocation.

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 Docks and Harbors Board approved this request at the February 27, 2025, meeting.

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

5. Ordinance 2024-01(b)(AI) An Ordinance Appropriating \$10,000,000 to the Manager for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project; Funding Provided by General Obligation Bond Proceeds.

This ordinance would appropriate \$10 million for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project. Funding for this request is provided by general obligation bond proceeds. This project would improve wastewater utility service by improving wastewater utility infrastructure, including, but not limited to, replacement of the wastewater clarifier building at the Juneau Douglas Wastewater Treatment Plant that services Thane, Downtown, and Douglas.

This appropriation of project funding is consistent with the intent of the \$10 million general obligation bond package approved by voters in the October 1, 2024, municipal election.

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

6. Ordinance 2025-07 An Ordinance Amending the Procedures and Requirements Related to Abandoned, Junked, Wrecked, and Impounded Vehicles.

Language for abandoned and wrecked/junk vehicles is currently found in five different locations throughout code. To simplify and clarify for both our departments and our community members, this ordinance moves all language into Chapter 72.

The intent of these code revisions is to be able to respond to abandoned, wrecked/junk vehicles more quickly and efficiently, to give more discretion to police officers in criminal cases, to clarify the impound process, and to ensure we are compliant with state law.

This code revision has been a collaborative project with JPD, Parks and Rec, Docks and Harbors, and the Manager's Office.

The Committee of the Whole reviewed this request at its January 27, 2025, meeting and forwarded it to the Assembly for adoption.

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

7. Ordinance 2025-11 An Ordinance Repealing CBJC 75.01.210 Thawing and Other Miscellaneous Charges, Related to the Water Utility Code.

In 2011, CBJ Water Utilities decommissioned its thaw unit after determining that repairs and replacement costs were prohibitive.

Previously, CBJ offered thawing services to customers for their service lines on private property for a nominal fee; however, given the high operating and maintenance costs, the program was discontinued upon the unit's decommissioning. This revision reflects the discontinuation of the thawing service and would improve operational clarity and would ensure that the code remains up to date with current and relevant practices.

This ordinance was reviewed at the Assembly Public Works and Facilities Committee meeting on February 24, 2025.

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

8. Ordinance 2025-18 An Ordinance Amending Title 42, Penal Code, Relating to Crime Involving Domestic Violence by Adding Language Consistent with State of Alaska Statutes and House Bill 66.

In January 2025, the State passed HB66. This bill made several updates to the definition of "crime involving domestic violence." This ordinance simply matches state code, allowing JPD and our prosecutors to correctly designate crimes as "DV" crimes. By adding this designation, we are able to provide additional safeguards for victims of DV crimes.

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

9. Ordinance 2025-20 An Ordinance Addressing Tax Exemptions Spanning Multiple Construction Seasons.

This ordinance is intended to address properties that are receiving an economic development tax abatement as described in CBJ Code 69.10.023. This ordinance will allow the developer and the Assessor the opportunity to set the 12 years of tax abatement starting year after the developer has received the certificate of occupancy. The developer and Assessor may decide to retroactively begin the tax abatement, in which case the developer's property taxes would be recalculated, fines and penalties may be waived by the Treasurer. The developer would still be responsible for property taxes related to the local contribution for education for all years including any fines or penalties associated with that portion of the assessment. This ordinance achieves the completion of economic development projects prior to the tax abatement approval and allows the developer the flexibility to manage cash flows for their project.

The Committee of the Whole reviewed this request at its February 24, 2025, meeting and forwarded it to the Assembly for adoption.

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

10. Ordinance 2025-21 An Ordinance Exempting the 2025 Fireworks Display Purchase from Compliance with the Procurement Code.

At the February 5, 2025, Assembly Finance Committee meeting, the Assembly was presented with several options regarding the July 4th fireworks program. The Assembly asked the City Manager's Office to pursue multiple strategies including an exemption ordinance, issuing a RFP or RFI, and exploring other possible options for future years. This ordinance will allow CBJ to provide funds for the July 4, 2025, fireworks program.

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

11. Ordinance 2025-22 An Ordinance Authorizing the Manager to Negotiate and Execute a Tidelands Lease for the Purpose of Waterfront Commercial Activities.

The Lands, Housing and Economic Development Committee received an update on this matter and took public testimony at its February 25, 2025, meeting.

The Assembly Committee of the Whole considered this ordinance and its companion Resolution 3098 at its February 25, 2025, meeting and forwarded it to the Assembly for introduction and referral back to the Assembly Committee of the Whole.

The City Manager recommends this ordinance be introduced and referred back to the Assembly Committee of the Whole.

J. Resolutions

12. Resolution 3098 A Resolution in Support of the City and Borough of Juneau's Application to Acquire Tideland from the State of Alaska.

This resolution, and its companion Ordinance 2025-22, were reviewed at the February 25, 2025, Lands, Housing and Economic Development Committee and Assembly Committee of the Whole meetings. It was forwarded along with Ordinance 2025-22 to the Assembly for introduction with a request to refer it back to the Assembly Committee of the Whole.

The City Manager recommends this resolution accompany Ordinance 2025-22 and be referred back to the Assembly Committee of the Whole for additional consideration.

13. Resolution 3093 for Phase 1 HESCO Barrier Project Clean Water State Revolving Fund (SRF) Loan

This resolution provides Assembly authorization for the City Manager to apply for and execute a loan agreement for up to \$7,830,000 for a Clean Water Nonpoint Source Loan from the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) to fund the Phase 1 HESCO barrier project and associated costs. The loan would include a 50% subsidy (forgiveness). This loan source, if awarded, can supplant the use of a Central Treasury Loan, Restricted Budget Reserve and use of General Funds as identified in Ordinance 2024-40(am) Section 10. The forgiveness benefit and how it is allocated can be determined by the Assembly at any time in the LID process.

The Assembly Public Works and Facilities Committee considered this at its February 24, 2025, meeting and forward this resolution to the Assembly.

The City Manager recommends this resolution be adopted.

14. Resolution 3097 A Resolution Authorizing the Manager to Apply For, and Enter Into, a Loan Agreement of Up to \$1,955,000 with the State of Alaska Department of Environmental Conservation, State Revolving Fund, for the Design of a Pyrolysis Unit at the Mendenhall Wastewater Treatment Plant.

The CBJ Utility aims to provide effective sewer treatment for the community in a cost-effective manner. The disposal of biosolids is a major and recurring cost for the Utility; the Utility has spent over \$2M per year during the last two years on biosolids transport and disposal. The nearest landfill willing to accept Juneau's biosolids is 2,000 miles away and requires multi-modal transport venues. Juneau's most attractive option for addressing the biosolids disposal cost issue is the use of an onsite thermal destruction method. Fortunately, a multi-staged thermal processing method has recently been shown to destroy and/or contain PFAS emissions to safe levels. BioForceTech, has developed a pyrolysis-based technology for this purpose and has multiple installations operating under strict Federal and State regulatory control (<https://bioforcetech.com/equipment/installations>).

To facilitate the potential use of this biosolids solution for the CBJ Utility, CBJ would like to apply for a \$1,955,000 State Revolving Fund (SRF) loan, where we anticipate we will receive up to 100% forgiveness. This loan/grant hybrid would provide funding to begin a design phase for a BioForceTech pyrolysis project in

Juneau. Once this step has been completed, the CBJ will determine project readiness and potentially seek funding to construct this addition to the biosolids processing system.

The Assembly Public Works and Facilities Committee considered this at is January 27, 2025, meeting and forward this resolution to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

15. Resolution 3092 A Resolution Providing For Interest Rates For The Harbor Revenue Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024, the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Harbor Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

16. Resolution 3094 A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (Non-AMT) Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024, the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Port Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

17. Resolution 3095 A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (AMT) Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024, the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Port Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

K. Transfers

18. Transfer Request T-2508 A Transfer of \$1,406,317 from CIP H51-108 Statter Harbor Improvements Phase III to CIP H51-132 Statter Harbor Wave Attenuator.

This request would transfer \$1,406,317 of General Funds from the Statter Harbor Improvements Phase III CIP to the Statter Harbor Wave Attenuator CIP. These funds were obligated to the Statter Harbor Wave Attenuator CIP in Resolution 3065 as CBJ's cost share of the US Army Corps of Engineers Auke Bay Feasibility Study. This project will investigate the feasibility of installing a floating wave attenuator, among other navigation options, to protect public and private marine facilities from wind-driven waves and vessel wakes. These facilities serve a multitude of commercial and non-commercial users and include public and private moorage facilities, Juneau's most popular recreational launch ram facility, and only one of two marine fuel facilities between Juneau and Haines. This request will transfer the unspent balance of Phase III A-C stages of the project. Phase III D will be funded with Docks funds.

The Docks and Harbors Board reviewed this request at the February 27, 2025, meeting.

The City Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

19. Liquor License Actions

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

Liquor License - New

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Restaurant/Eating Place License: #16527 Location: 100 N. Franklin St.

Liquor License - Transfer

Transfer From: Triangle Club Inc. d/b/a Triangle Club

Transfer To: Triangle Syndicate LLC d/b/a Triangle Club

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

Liquor License - Package Store Delivery Endorsement (PSDE)

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

License Type: Package Store Delivery Endorsement License: #271 Location: 156 S. Franklin St.

Liquor License - Renewal

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Brewery License: #5517 Location: 100 N. Franklin St.

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Winery License: #5801 Location: 100 N. Franklin St.

Licensee: Costco Wholesale Corporation d/b/a Costco Wholesale #107

License Type: Package Store License: #3352 Location: 5225 Commercial Way

Licensee: Thibodeau's Market Inc. d/b/a Percy's Liquor Store

License Type: Package Store License: #849 Location: 214 Front St.

Licensee: Thibodeau's Market Inc. d/b/a Douglas Depot

License Type: Package Store License #828 Location: 1017 3rd St. Douglas

Licensee: Bullwinkle's, Inc. d/b/a Bullwinkle's Pizza

License Type: Restaurant/Eating Place License: #188 Location: 318 Willoughby Ave.

Licensee: Bullwinkle's, Inc. d/b/a Bullwinkle's Pizza

License Type: Restaurant/Eating Place License: #1690 Location: 9108 Mendenhall Mall Rd.

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

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

M. Other

20. FY26 Legislative Capital Priorities

The Legislative Priorities need to be officially approved by the body. The priorities were last discussed in length at the Special Assembly Meeting with the Juneau Delegation on January 23, 2025. However, they inadvertently were left off the February 3rd Regular meeting. The State priorities have been submitted to CAPSIS and the Federal Congressionally Directed Spending Requests have been entered into Senator Murkowski's online portal.

The City Manager recommends the Assembly adopt the enclosed revised version of the FY26 Legislative Priority List.

N. PUBLIC HEARING

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

This ordinance would appropriate \$50,000 to the Departure Lounge ADA Elevator CIP. The funds would be used to hire an architect to conceptually identify locations and associated costs for an elevator in the Departure Lounge. This elevator would serve the Departure Lounge to the 121 Air Carrier apron and would facilitate ground boarding for passengers who are unable to navigate stairs to board at Gate 6 or when ground boarding is necessary. The total cost of the design and installation is currently estimated at \$2.5M and has been deemed eligible for Federal FAA funding.

The Airport Board of Directors reviewed this at the December 12, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

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

Public Comment

None.

Assembly Action

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

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

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

The Docks and Harbors Board of Directors reviewed and recommended approval of this ordinance at the January 30, 2025, regular Board meeting. The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

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

Public Comment

None.

Assembly Action

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

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

This ordinance was drafted in response to the passage of SB179 by the State. It was reviewed by the Assembly Finance Committee (AFC) on January 8, 2025, and forwarded to the full Assembly. On February 3, 2025, the Assembly sent this ordinance back to the AFC for further discussion of economic development exemptions. At the February 5, 2025, AFC, two amendments were made and have been incorporated.

The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

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

Public Comment

None.

Assembly Action

MOTION by Ms. Adkison to adopt Ordinance 2025-09am and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

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

In 2024, the Clerk's Office received four petitions from citizens trying to engage in direct democracy. About 15% of the signatures initially turned in were rejected. Of those, more than half were rejected due to the strict, and outdated, requirements laid out in 29.10.090 about what is an 'adequate' address. This section of code was written before Clerk staff had real-time access to the State Division of Elections Voter Database (VREMS) which allows staff to quickly verify if a person is a Juneau resident who is eligible to sign a petition.

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

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

The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

The Assembly Committee of the Whole reviewed this ordinance at its February 24, 2025, worksession and forwarded it to the Assembly for adoption.

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

MOTION by Mr. Steinger to adopt Ordinance 2025-14 and asked for unanimous consent.

Mayor Weldon objected for purposes of an amendment.

AMENDMENT #1 by Mayor Weldon to amend the ordinance with an additional paragraph between pages 3738 of the proposed ordinance, which read as follows:

29.10.120 – Preparation and Form of the Ballot

(a) If the petition is properly filed, the election official, when directed by the assembly, shall place on the ballot as part of an initiative or referendum a brief, neutral, and succinct explanation of the proposition or question. Such explanations must be approved as to content by the assembly or the attorney.

(b) The proposition or question shall consist solely of the question to voters, excluding any whereas, intent, or policy statements submitted.

(c) The ballot prepared shall be worded so that a "Yes" vote on the proposition is a vote to enact a proposed law or repeal an existing law.

Mayor Weldon said her intent is to make this simpler for a voter where, if something is confusing, the language in (a) would be used with a brief neutral explanation of the proposition. In regards to (b), she recalled that, during the last initiative, some people thought the whereas statements were factual and some did not. She said the city doesn't want to get into the business of deciding which is factual and which is not. She explained that (c) makes the process simpler so that if a voter votes "yes", then it's clear that they want the proposed law instead of having the double negative.

Ms. Adkison asked about the language "when directed by the Assembly" and whether that is a change from current practice. She said she's worried that this may cause inconsistency on the Assembly's part. Mayor Weldon answered that this is a new paragraph, so it has not been done before. Attorney Wright added that they took language from elsewhere in the code, and mirror other language when they can. She said much of this language matches the state language, so it is not new or novel, but it is new for petitions for this sections. Ms. Adkison asked Ms. Wright if anytime a petition comes to the Assembly, Law staff would ask about the language, or if it would be an action of the Assembly to have staff create this. Attorney Wright responded that her position would be that each time this type of request came through, Law would seek guidance from the Assembly before taking that action.

Ms. Woll asked how a petition gets on a ballot now and how that would change. Attorney Wright referred to last year's petition and explained that all the Law department does is notify the Assembly that the petition has come in and that it has been certified by the clerks and it is somewhat of a pro forma, the Assembly accepts that it has happened and it is placed on the ballot. She said there is no neutral statement, no succinct statement, it is put in word for word as submitted by the petitioners with no further explanation; they just copy and paste onto the ballot. She mentioned that there can often be a pro/con statement put into the voter guide as well.

Ms. McEwen said with respect to the previous question about whether the language in the amendment was similar to other code or practice, this is exactly the same neutral statement language to be approved by the assembly or the attorney for propositions that the assembly decides to put on the ballot as found on page 12 of the ordinance. She stated that this is just mirroring that same language for an initiative or referendum petition. In regard to last year's initiative, she explained that the clerk's office, when preparing the initiative or referendum booklet placed the exact language as it was presented by the petition committee. She noted that due to APOC rules, there is also a clear line of differentiation between the Clerk's conducting the election vs. the City Manager's office creating the information in the Voter Information Pamphlet where the pro/con statements appear.

Ms. Woll asked if this amendment would change that firewall. Attorney Wright answered that it doesn't change any firewalls, that change would require working with her office to place an initiative on the ballot, which is also how it works at the State Department of Law where the Attorney General drafts neutral language. Ms. Woll asked about this change including the Assembly. Attorney Wright responded an option is to have the Department of Law do the neutral statement and notify the Assembly. She said the Assembly would only be directing that it be done, not taking steps into what it actually says as that would be the role of the attorney.

Mr. Kelly referred to the language "Such explanations must be approved as to content by the assembly or the attorney." He inquired as to how that would work. Attorney Wright responded that there might need to be an amendment to the amendment because of concerns of a crossing of powers because there is an election official at the beginning, and the co-approval by the Assembly and the Attorney. She said this is language from elsewhere in the code, but usually the Attorneys have drafted the neutral statement and she has not seen the Assembly ever edit it. She stated that she sees how something else could happen, based on this language.

Chair Smith sought clarification. Attorney Wright responded that the Assembly could make the language more definitive, like taking out ***“the election official when directed by the assembly”*** and instead, ***“If the petition is properly filed, a brief, neutral, and succinct explanation of the proposition or question will be placed on the ballot.”*** She advised that the language could even state ***“as drafted by the city attorney.”*** Ms. McEwen explained that, when an initiative is certified, it has an opportunity for the Assembly to either enact substantially similar legislation within a 45-day period, or if it is referendum to repeal an ordinance or legislation, the window is 30 days. She elaborated that if the assembly were to give direction, it would have to happen during that window of operation. If the body wasn’t going to be amending this language, this would fall under the 30 days to repeal or 45 days to enact substantially similar legislation language.

The Assembly took a brief at-ease.

AMENDMENT #1a by Mr. Kelly to amend the amendment to strike ***“the election official, when directed by the Assembly, shall place on the ballot the initiative or referendum”*** as well as ***“such explanations shall be approved as to content by the assembly or attorney”*** and add after the word question ***“shall be drafted by the attorney and placed on a ballot and a copy provided to the assembly”*** and asked for unanimous consent.

Ms. Adkison asked if (b) and (c) are not part of Amendment #1a. Mr. Kelly answered yes, his amendment does not affect parts (b) and (c) of the underlying amendment. *Hearing no further objection, AMENDMENT #1a was adopted by unanimous consent.*

Ms. Woll objected to the adoption of the main Amendment#1, as amended. She said that she believes the system is not neutral by default, and that she is unsure whether the Assembly can do anything other than letting petitioners say what they want to say and have people vote on that. She stated that she is not convinced that the status quo is a problem.

Chair Smith asked about public accessibility to the petition. Attorney Wright explained that the full petition would still be required to be in the petition booklets. It could also be in the voter pamphlet guide that is run by the city manager’s office, which would also have pro and con statements but there is nothing requiring that. She said the full language will always be available online and in the clerk’s office. She explained that the full language would not be on the ballot. Ms. McEwen added that copies of the full language will be available at all voter centers, as well as on the CBJ website. She said mail-in ballots will also contain instructions on how to access this information online. She recalled that there was a petition that, while the question itself was a few sentences, the full text would have been 46 pages. Chair Smith asked if she was envisioning putting only the petition question on the ballot. Ms. McEwen answered yes and pointed to a past referendum on property tax assessment disclosures where only the question itself was printed on the ballot, while the full text of the ordinance being repealed was accessible at the vote centers and CBJ election webpage and the City Manager included pro and con statements in the Voter Information Pamphlet.

Ms. Cathcart said a key consideration is to keep the ballot small for ease of voters and election workers.

Roll Call Vote on Mayor Weldon’s Amendment#1, as amended.

Yeas: Mr. Steininger, Ms. Hall, Ms. Adkison, Mr. Kelly, Mr. Smith, Mayor Weldon

Nays: Ms. Woll, Mr. Bryson

Amendment #1, as amended, was adopted: 6 Yeas, 2 Nays

Chair Smith passed the Gavel to Mr. Bryson so he could propose an amendment.

AMENDMENT #2 by Mr. Smith to amend the ordinance by adding the following language and asked for unanimous consent:

29.07.005 Election policies established and rules of procedure.

*The election official shall establish election policies and rules of procedure in writing and post them on the City and Borough website at least 40 days before an election to expedite the process and to guarantee the integrity of the election. Election policies and rules of procedures may not be changed at any point within 40 days of the election through the final certification of the election and will remain in effect until superseded by any updated version. Election policies and rules of procedures will be governed by CBJ Charter and Codes, except when superseded by Alaska Statute. **The Clerk's office is required to keep the Assembly apprised of all significant changes and will provide an annual report to the Human Resources Committee.***

Mr. Smith said his goal is to have an update from the Clerks to the Assembly since there are a lot of things being moved from the code to the rules of procedure and a short report to the Assembly Human Resources Committee (HRC) would be useful to the Assembly and the public.

Ms. Adkison asked whether this would be a significant/extra burden on staff. Ms. Cathcart answered no it would not be an additional burden. The Clerk already submits a final certification of the election during Assembly reorganization, so if there is additional information, it would go to the full Assembly but it could also be included at the HRC meeting as well.

Ms. Hall asked when the timing of the annual election report would occur. Ms. Cathcart responded that the report would be presented to the Assembly at the re-organization meeting. She said that HRC does not meet until November, but that report will be at the first HRC meeting. Ms. McEwen also added that, because this is related to the election rules of procedure, the Clerk's office would likely submit a report in the spring after the petition season has wrapped up but before the candidate filing period because that is when the office would be finalizing the rules of procedure changes to be implemented in advance of the upcoming election cycle.

There being no further objection, Amendment #2 was adopted by unanimous consent.

AMENDMENT #3 by Mr. Smith that the new dates initially proposed in 29.07.050(c)-(f) be removed leaving the original dates as currently exist in the ordinance and asked for unanimous consent.

Mr. Smith said that they discussed this topic briefly at the COW meeting when it reviewed the ordinance. He said that if the Assembly wanted to end the filing period on a Monday, it made more sense to leave the filing period as it is currently in code rather than the changes as proposed in the ordinance as it was introduced.

Chair Bryson asked for clarification. Ms. Cathcart explained that the period currently opens on a Friday and closes on a Monday, so there are two weekends during that filing period.

Ms. McEwen informed members that the amendment would effectively remove the proposed changes and keep what is currently in the code.

Ms. Woll asked why the Clerks proposed the date changes. Ms. Cathcart answered that Ms. Hirsh proposed to expand the filing period, and that this amendment proposes to revert the dates back to the original language through removing the proposed sections (c)-(f). Ms. Woll sought confirmation that the motivation was to extend the filing period. Ms. Cathcart answered yes and said that the Clerks offices to open to doing whichever.

Ms. Adkison asked why this particular weekend. Mr. Smith explained that things happen even up until the end. He said the last business day before filing, as proposed in the ordinance, would be a Thursday night; therefore, people would only have that Friday to gather signatures. The amendment would make it so the last business day before the filing is a Friday night, so potential candidates would have the weekend and Monday to gather signatures.

Ms. Hall said she is in favor of the amendment as it gives working people time to scramble and put it all together and throw their name in at the last minute.

Mr. Steininger asked whether there have been complaints from potential candidates about the short duration of the current filing period. Ms. Cathcart said no, and explained that some file on the first day while a majority will file on the last day, but it does become a push the weekend before the deadline.

Mr. Kelly objected to the amendment.

Ms. Woll spoke in favor the amendment and recalled that some potential candidates wait to see who else runs and then decides. If the city were to change to ranked choice voting then maybe it would make more sense to extend the filing period.

Mayor Weldon said she is speaking in favor of the amendment for the reasons given by Mr. Smith. She said she does not think changing the length filing period will change behavior much. She said she agrees with Mr. Smtih in that, if she has Thursday night to convince someone to run, she doesn't stand a chance, but if she has the weekend to work on them, then she could stand a chance of getting someone to run.

Chair Bryson said he supported the amendment. He said if someone is trying to decide over a weekend whether or not to run for office, they have a lot more to worry about and he recommends that any potential candidates start looking now on what that would look like to serving on local governing boards or for local office.

Mr. Kelly withdrew his objection.

Hearing no further objection, Amendment #3 was adopted by unanimous consent.

The gavel was passed from Mr. Bryson back to Deputy Mayor Smith.

Point of Order

Attorney Wright raised a point of order. She said they are unsure whether public testimony was asked before Mr. Steininger's motion and so suggested to return to public comment and ask if anyone present wished to testify before the Assembly takes the final vote on the ordinance as amended.

Public Comment

Mr. Smith asked if anyone from the public wished to testify on this ordinance. No one indicated that they wished to testify.

Assembly Action

Hearing no objection, Ordinance 2025-14, as amended (by Amendments 1-as amended, 2, & 3), was adopted by unanimous consent.

O. NEW BUSINESS

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

There is 1 property owner that has requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider the request 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 the late-filed exemption request, the application will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on this application.

MOTION: by Mr. Bryson that the Assembly accepts the late-filed exemption application from Geral Bennett and refer it to the Assessor for consideration and asked for unanimous consent. *There being no objection, the motion was adopted by unanimous consent.*

P. STAFF REPORTS

26. HESCO Barrier Notice to Property Owners and MOU-DRAFT

City Manager Koester spoke on the Memorandum of Understanding (MOU) within the meeting packet and explained that it was amended to divide it into two parts: one is a notice to property owners and the second is a memorandum of understanding. She said this was done in order to make it transparent to property owners what was up for negotiation and what was not, so the notice outlines all the things that CBJ is responsible for during this project. There is also an ask of property owners to allow access to their site, that they will identify any potential hazards, and that property owners will notify CBJ if they see any damage to the HESCO barriers. There is also an MOU that will accompany the notice where a property owners can document special extenuating circumstances that may need special accommodation. She said it is important that property owners along the river know that CBJ is not required to have their signature in order to do this project. She said the city will be mailing this notice and the MOU to property owners, and there will be project managers in the field with site visits that will have the MOU as well. She stated that terms that are not negotiable are compensation for placing the HESCO barriers on property, and the length of the term. She said CBJ would like the barriers to be up for as short as possible but does not know how long that will be. She informed members that the barriers are enroute, and that the total value of the barriers and the installation is \$2.4 million. She acknowledged the resolution that was approved in the consent agenda for a DEC loan with 50% forgiveness, and said she is still waiting to hear from the administration on their development of a work plan for the requested \$10 million to start an investigation study. She said we managed to get language in the America Recovery Act and they were able to work with the US Army Corps of Engineers (USACE) to recommend our study be included in their work plan. They advocated with the Office of Management and Budget to get that study included in the work plan and they were supposed to hear something about that mid-month and they have not yet heard on this. She said that staff reached out to the USACE about it this morning to check on the status of that and the USACE has not heard so had no further information to provide at this time.

Mr. Kelly sought confirmation that the HESCO barriers on the way are for Phase 1, or if they are going to be sending them all at once. Manager Koester answered yes, these are Phase 1 barriers coming in.

Mr. Bryson said that with the initial presentation about the HESCO barriers, there was mention that flowers or shrubbery could potentially be added to them. He asked if there was anything within the property owner's responsibilities that addressed their ability to plant flowers or bushes on top of the HESCO barriers. Manager Koester answered that the owner should work with the project manager through the MOU to understand what can or cannot be done.

Chair Smith asked about the modelling. Manager Koester answered that staff saw the first modelling with the Michael Baker consultants and it showed that the HESCO barriers are working to prevent inundation in all the anticipated areas. However, View Drive is still an area that will still see inundation during an event. She said staff is still working with the consultants on the inundation maps and they do want to get additional information and updated inundation maps to the public as soon as it becomes available.

Mr. Kelly asked if they had an anticipated timeline for that update. Manager Koester stated "soon."

Q. ASSEMBLY REPORTS

Mr. Smith noted that there will be a lengthy executive session following the reports section below.

Mayor's Report

Mayor Weldon informed members that she wrote a letter to the community of Whitehorse on February 5 to reinforce the Sister Cities relationship emphasizing that Juneau is trying to remain friends during these difficult times. She said she included that she hopes to visit Whitehorse, which she usually does 1-2 times a year, and she extended an invitation to our Whitehorse friends to visit Juneau.

Committee and Liaison Reports

Assembly Finance Committee (AFC) Chair Woll said she was not at the last meeting, and that, after the upcoming Committee of the Whole meeting with Eaglecrest, there will be an AFC meeting to review the audit. She said there will also be a discussion regarding the Assembly's finance goals that came up during the retreat. She relayed that the Joint Assembly/School Board Facilities Committee met about a month ago to talk about the Dzantik'i Heeni Middle School playground request, as the committee asked staff to flesh out options for the project. She said the committee is going to come together to talk about the playground, as well as potential bond projects.

Lands, Resources & Economic Development Committee (LHEDC) Chair Bryson reported that the committee took public testimony on the Huna Totem dock and there were 19 individuals who testified. Mr. Bryson said that he chaired the AFC meeting that Ms. Woll missed and they heard from a number of community groups met with their financial requests. He said that he met with the Ocean Guardians at Sayéik Gastineau Elementary consisting of 4th-6th graders who are very passionate about removing single-use plastics out of Juneau and keeping it out of the ocean and he anticipates that the Assembly will be hearing more from them.

Human Resources Committee (HRC) Chair Adkison stated that the committee looked at a couple board and commission changes. She said they looked at review boards and turning them into a group of three volunteer hearing officers on an as-needed basis so there doesn't need to be quorum requirements for a rarely used appeal board. She said they looked at an ordinance amending the Historic Resources Advisory Committee (HRAC) to as-needed basis due to staff capacity and the hopes of working on their charge to more accurately reflect their duties and their ability to serve our community. The HRC also reviewed an ordinance related to Rank Choice Voting (RCV). She forwarded the following HRC recommendations for appointments to CBJ Boards/Committees/Commissions and asked for unanimous consent:

Local Emergency Planning Committee (LEPC)

For the Assembly to forward the following nominations to the State for appointment to the LEPC:

- Bartlett Regional Hospital-Seat 5: **Jacob Thayer** to a term beginning immediately, ending 12/31/2026;
- Bartlett Regional Hospital-Seat 5A: **Kirsten Johnson** to a term beginning immediately, ending 12/31/2026;
- Community Group-Seat C9 **Michael Mazouch** to a term beginning immediately, ending 12/31/2027.

Personnel Board:

- Management representative seats: **Allison Radford** and **Kenneth Southerland** reappointed to terms beginning immediately, ending 1/31/2028.

Parks and Recreation Advisory Committee:

- **Jennifer Gross** appointed to an unexpired term beginning immediately, ending 4/30/2026.

Hearing no objection, the nominations for appointment passed by unanimous consent.

Public Works & Facilities Committee (PWFC). Mr. Smith, reporting on behalf of Ms. Hughes-Skandijs, explained that the PWFC discussed the DEC revolving loan fund for the HESCO barrier that was in the packet for this meeting. They also received updates on Juneau International Airport construction projects, removing an ordinance regarding utility thawing services, and some updates on battery electric busses and PWFC milestones.

Committee of the Whole (COW) Chair Smith relayed that Huna Totem gave a presentation to the COW on their proposed dock project. He said an ordinance was introduced tonight and his goal is take up any amendments on the March 17 COW meeting so if any members have any amendments, to please work with staff to prepare them in advance of that meeting. The committee also discussed the election ordinance which passed tonight with amendments. The COW provided the manager with some guidance on Burns building negotiations, they approved an appropriation to be introduced for Marie Drake public outreach and

design; and they forwarded an ordinance for introduction about tax exemptions spanning multiple construction seasons.

Mr. Kelly reported that the S.E. Conference Solid Waste group met.

Ms. Woll informed members that tomorrow is the last advisory committee meeting for the PEL study on the North Douglas Crossing project. She said the options left on the table, in order of scoring, are: Salmon Creek, Twin Lakes, No Build, Vanderbilt, Sunny Point East, and Sunny Point West.

Mr. Steininger reported that at the Bartlett Regional Hospital board meeting, a plan was discussed to pay back the \$2 million appropriated from the city to Bartlett when they were having financial difficulties. The plan is to pay it off over three years.

Ms. Hall said she attended the recent School Board meeting, and the question was asked about the playground plan for Dzantik'i Heeni Middle School. She relayed that Superintendent Hauser said they plan to address interim needs while waiting, and that he would make sure resources are available and don't need budget amendments for it. She shared that she also attended the Alaska Miner's Association legislative meeting, as well as Juneau Economic Development Council's Innovation Summit.

R. ASSEMBLY COMMENTS & QUESTIONS

Mayor Weldon asked about member availability for a Joint Airport Board meeting next month.

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

T. EXECUTIVE SESSION

27. Discussion on Collective Bargaining - if needed.

The City Manager recommends the Assembly recess into executive session to discuss an update to collective bargaining negotiations, the immediate knowledge of which would adversely affect the finances of the municipality.

MOTION by Mr. Bryson that the Assembly enter into Executive Session to discuss collective bargaining negotiations, the immediate knowledge of which would adversely affect the finances of the municipality and ask for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent, the Assembly retired into Executive Session at 8:40 p.m. The Assembly returned from Executive Session at 9:29p.m.*

U. SUPPLEMENTAL MATERIALS

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:30 p.m.

Signed: _____

Elizabeth J. McEwen,
Municipal Clerk

Signed: _____

Beth Weldon,
Mayor