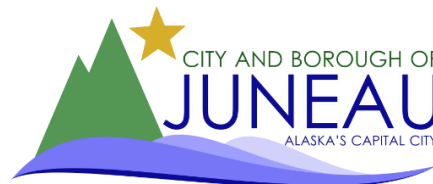


REGULAR ASSEMBLY MEETING 2023-09 MINUTES

April 17, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube
Livestream



A. CALL TO ORDER

Meeting No. 2023-09: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and via zoom, was called to order by Mayor Beth Weldon at 7:00pm.

B. FLAG SALUTE

C. LAND ACKNOWLEDGEMENT

Ms. Hale provided the following Land Acknowledgement: "We would like to acknowledge that city and borough of Juneau is Tlingit land and wish to honor the indigenous people of this land. For more than 10,000 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 the community and to honor the culture, traditions, and resilience of the Lingít people. Gunalchéesh."

D. ROLL CALL

Assemblymembers Present: Christine Woll (via Zoom), Greg Smith, Carole Triem, Alicia Hughes-Skandijs, Michelle Hale, Wade Bryson, 'Wáahlaal Gíidaak, Maria Gladziszewski, and Mayor Beth Weldon.

Assemblymembers Absent: None

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Clerk Staff Elizabeth Kell, Engineering and Public Works Director Katie Koester, Assistant Civil Attorney Emily Wright, Lands Manager Dan Bleidorn, Parks & Recreation Manager George Schaaf, Airport Manager Patty Wahto, Finance Director Jeff Rogers, Port Director Carl Uchytel

E. SPECIAL ORDER OF BUSINESS

1. Special Recognition: Honoring 2023 Arctic Winter Games Participants from Juneau

Mayor Weldon provided a special recognition of Juneau participants of the Arctic Winter Games. These athletes helped Team Alaska finish second, with Team Alaska winning a total of 145 total medals and 58 gold medals.

2. Instruction for Public Participation

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

F. APPROVAL OF MINUTES

3. 2022-11-21 Regular Assembly Meeting Minutes – Draft

MOTION by Ms. Hale to approve the 2022-11-21 Regular Assembly Meeting minutes and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

G. MANAGER'S REQUEST FOR AGENDA CHANGES -- None

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

Karla Hart, a Mendenhall Valley resident, spoke about cruise tourism in Juneau. Ms. Hart said that having a city cruise manager is not enough. She said the city cruise manager is working on projects like the green cruise corridor which is studying how to do something in the future. Ms. Hart said that action is needed now. Ms. Hart said CBJ should not be making policies that commit to a certain type of action when half of the population of Juneau wants to consolidate tourism downtown and half want to spread it out through the borough.

I. CONSENT AGENDA

Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction -- None

Assembly Request for Consent Agenda Changes -- None

Assembly Action

MOTION by Ms. Gladziszewski to approve the Consent Agenda and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

J. Ordinances for Introduction

4. Ordinance 2023-08 An Ordinance Repealing Ordinance 2022-63 and Authorizing the Manager to Enter into a Revised Revenue Sharing Agreement with Goldbelt, Inc. to Fund Installation of the Gondola and Associated Infrastructure at the Eaglecrest Ski Area.

This ordinance would repeal ordinance 2022-63 authorizing the Manager to accept \$10M from Goldbelt, Inc., for the installation of the gondola and associated facilities and replace it with Ordinance 2023-08. The Assembly previously approved the ordinance on the 9th of January 2023. After approval of the ordinance, Goldbelt, Inc. requested changes to the payment schedule of their contribution to the CBJ. The City Manager, Legal Counsel, and the Eaglecrest Manager have negotiated with Goldbelt, Inc. through revisions to the original revenue sharing agreement that are depicted in Exhibit A. Goldbelt, Inc. has provided a letter of intent to enter into the revised revenue sharing agreement in Exhibit B.

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

5. Ordinance 2023-22 An Ordinance Authorizing the Eaglecrest Ski Area to Enter Into a Franchise Agreement with Alaska Rainforest Sanctuary, LLC dba Kawanti Adventures, for Operating the Alaska Zipline Adventure Canopy Tour.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement with Alaska Rainforest Sanctuary LLC to operate their Zipline under the DBA Kawanti Adventures. Eaglecrest has been permitting a third party to operate the Zipline tour at Eaglecrest since 2006 under a commercial use permit. Alaska Rainforest Sanctuary purchased the Zipline infrastructure and took over the previous Commercial Use Permit in 2018. Normally, the CBJ would use the lease process for this type of arrangement, but the federal Land and Water Conservation Fund prohibits the CBJ from issuing leases at Eaglecrest. However, the CBJ can grant a franchise agreement as a mechanism to formalize this business relationship. Eaglecrest contacted six different Zipline Operators to see if there was interest in developing a Zipline Tour and received no affirmative responses. This ordinance would allow Alaska Rainforest Sanctuary to operate the Zipline tour for five consecutive summer seasons.

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

6. Ordinance 2023-23 An Ordinance Authorizing the Manager to Execute a Lease with GCI Communication Corporation for Approximately 15,500 Square Feet of City Property Located at 1580 Thane Road for a Satellite Communication Earth Station Site.

This ordinance would authorize the Manager to lease a fraction of municipal property, Alaska Tidelands Survey No. 556, located at 1580 Thane Road for fair market value. GCI applied to continue to lease this property for the operation of a Satellite Communication Earth Station site. GCI has leased this space from the City since 1983. On January 23, 2023, the Assembly Lands, Housing, and Economic Development Committee passed a motion of support to continue to lease this property to GCI. An appraisal was completed in February and determined market value for this lease to be \$29,211 per year.

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

7. Ordinance 2022-06(b)(AQ) An Ordinance Transferring \$7,026,038 from CIP B55-087 Emergency Department Addition to CIP B55-080 Crisis Stabilization, and Deappropriating \$7,026,038 from the Manager for the Crisis Stabilization Capital Improvement Project.

This request would transfer \$7,026,038 from the Emergency Department addition CIP to the Crisis Stabilization CIP for the purpose of releasing Bartlett fund balance currently in the Crisis Stabilization project to improve BRH's available capital to support ongoing operations as well as other ongoing strategic initiatives of the hospital.

The Hospital Board reviewed this request at the March 28, 2023 meeting.

The Manager recommends the Assembly introduce this ordinance, refer it to the Public Works and Facilities Committee, and set it for public hearing at the next regular Assembly meeting.

8. Ordinance 2022-06 (b)(AS) An Ordinance Appropriating \$11,944,152 to the Manager for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate Airport CARES Act funding for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction capital improvement projects, to be appropriated as follows:

Parking Lot Paving (A50-106)	\$ 9,854,010
Bag Belt Replacement (A50-105)	\$ 1,419,716
Gate K Reconstruction (A50-110)	\$ 670,426

Funding appropriated for the Parking Lot Paving CIP would rehabilitate the long-term, short-term, employee, and rental car lots and taxi staging areas, and will include the addition of EV charging stations. The Airport Board approved this action at its April 12, 2023 meeting.

Funding appropriated for the Bag Belt Replacement CIP would provide for the replacement of aging and unreliable components of the outbound baggage conveyor system. The Airport Board approved this request at the March 9, 2023 meeting.

Funding appropriated for the Gate K Reconstruction CIP would provide for the replacement of the failed culvert on the primary Aircraft Rescue and Fire Fighting (ARFF) response route for the runway and main taxiway. The Airport Board approved this action at its March 9, 2023 meeting.

These projects are fully funded by federal grants and do not require any local match.

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

9. Ordinance 2022-06(b)(AT) An Ordinance Appropriating \$250,000 to the Manager for the Aurora Harbor Improvement Capital Improvement Project; Funding Provided by Harbors Funds.

This ordinance would appropriate \$250,000 in Harbors Funds for Phase III of the Aurora Harbor Improvements CIP. The lowest bid for this project came in at \$4.3 million, exceeding the available budget in the CIP. This appropriation would provide the necessary funding to award the base bid, which includes a main float and finger floats for 60-foot vessels, electrical build out, and potable water.

The Docks and Harbors Board approved this request at the April 14, 2023 meeting.

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

K. Bid Awards

10. Bid Award 23-193 P25 Radio Communications Upgrade for Capital Transit

Capital Transit drivers have long complained about the inadequacy of the current VHF radios, which have sizeable geographic "dead zones". Radios are the primary method for communications between buses and between buses and base. Therefore, Capital Transit and CAPITAL AKcess are seeking bids from qualified firms to provide an upgrade of the current 2-way radio communications system to an Alaska Land Mobile Radio (ALMR) P25 digital Time Division Multiple Access (TDMA) capable system. All equipment must meet Federal Transit Administration (FTA) requirements, and be listed as an approved make and model with ALMR. Responses were due on this Capital Transit bid on March 15, 2023. The new radios will communicate on the ALMR system used by governments (including municipal governments and the State) and first responders. Both the Juneau Police Department and Capital City Fire/Rescue use P25 radios. The Capital Transit radio upgrade will be primarily funded through a federal grant.

Bids were opened on this project on March 23, 2023. The following bids were received:

Arcticom, Inc. \$192,489.41

REVL, Inc. \$220,114.30

The protest period ended March 30, 2023. The City Manager recommends award to Arcticom, Inc. on the basis of having the lowest responsive and responsible bid in the amount of \$192,489.41 based on Total Bid.

11. RFP E22-278 Construction Manager At-Risk (CMAR) Mendenhall Wastewater Treatment Plant (MWWTP) SCADA (Supervisory Control and Data Acquisition) Upgrades

This project consists of a construction firm serving in a Construction Manager at Risk capacity to provide pre-construction and construction services for the Mendenhall Wastewater Treatment Plant (MWWTP) SCADA Upgrades project. SCADA is the computer-based system which gathers data and monitors and controls the treatment equipment and processes at the MWWTP. This Alternative Procurement method was authorized by the Assembly with Ordinance 2022-35 with a guaranteed maximum price (GMP) of \$3,900,000.

A competitive process resulted in two firms responding to an RFP. On September 12, 2022, the Assembly approved the selection of Dawson Construction, LLC as the General Contractor for the MWWTP SCADA Upgrade CMAR project.

The project is transitioning from pre-construction services into a guaranteed maximum price for delivery of the project. Staff recommends approval to proceed with the project by amendment for a GMP of \$3,722,921.

The City Manager recommends approval of this contract.

L. Transfers

12. Transfer Request T-1055 A Transfer of \$1,200,000 from CIP B55-087 Emergency Department Addition to CIP B55-088 Emergency Department Emergency Medical Records Upgrades.

This request would transfer \$1,200,000 from the Emergency Department Addition CIP to the Emergency Department Emergency Medical Records Upgrades for the purpose of replacing the Emergency Department Electronic Health Record with Meditech, which is used elsewhere in the organization, to improve patient safety and care, care coordination between hospital units, provider and staff satisfaction and organizational reporting.

The Hospital Board reviewed this request at the March 28, 2023 meeting.

The City Manager recommends approval of this transfer.

13. Transfer Request T-1056 A Transfer of \$1,800,000 from CIP U76-119 Mendenhall Wastewater Treatment Plant Improvements to CIP U76-124 Wastewater SCADA Improvements.

This request would transfer \$1,800,000 from the Mendenhall Wastewater Treatment Plant (MWWTP) Improvements CIP to the Wastewater SCADA Improvements CIP. The initial budget of \$4.1 million for the SCADA project was sufficient for planning, investigation, design, and a significant portion of the construction. This transfer will provide additional funds to cover remaining construction costs, inspections, personnel time, and project contingency for unforeseen issues.

Due to complexity of the work and risk for the utility to keep the MWWTP operational during the SCADA improvements — essentially removing and replacing the brain of the MWWTP while maintaining compliant operation — an Alternative Procurement process for construction (CMAR) was approved by Assembly ordinance Ord 2022-35, capping construction costs at \$3.9 million. You will be provided information tonight as a separate item requesting approval of the construction award for the contract.

The SCADA project takes precedence over other MWWTP scheduled improvements.

The Public Works and Facilities Committee reviewed this request at the April 3, 2023 meeting.

The Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

14. This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Transfer in Ownership

License Type: Restaurant Eating Place License #851

Transfer From: Alaska Travel Adventures d/b/a Gold Creek Salmon Bake

Location: No Premise

Transfer To: Green Lantern LLC. d/b/a No DBA

Location: No Premise

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments have reviewed the above license and recommended the Assembly waive its right to protest the transfer application. 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 transfer.

N. PUBLIC HEARING

15. Ordinance 2022-06(b)(AR) An Ordinance Appropriating up to \$2,340,737 to the Manager for Juneau School District Special Revenue Fund Deficits and Current Year Student Activities; Funding Provided by General Funds.

This ordinance would appropriate up to \$2,340,737 of additional outside the cap funding to resolve current and prior year deficits in the School District's special revenue funds, as well as a request for new wrestling mats for middle and high schools totaling \$80,000. This appropriation would allocate funding for the purposes outlined in the attached supplemental document.

After consultation with the Alaska Department of Education and Early Development, JSD has removed their request for funding of summer school in 2023; which has been determined to be an instructional cost that must be paid for inside the educational funding cap.

This request does not correct the School District's operating fund deficit of \$620,400 on June 30, 2022, as CBJ already contributed the maximum local contribution inside the cap. I am advised that JSD intends to correct that issue with its FY24 budget request.

School funding is complicated and there are three concurrent funding processes that the Assembly should understand as it acts on this request:

First, this Ordinance has been requested for introduction.

Second, the Legislature is seriously contemplating an increased base student allocation, as much as \$1,200. The results of that deliberation will not be known for some time.

Third, the JSD budget for FY24 will be received in accordance with Law by April 1, 2023. In that budget, JSD has to anticipate many factors, including an Assembly decision on this Ordinance, action by the legislature, enrollment, and staffing costs.

Last, the Assembly should be informed that due to the increase in the value of real property in Juneau, funding JSD instruction "to the cap" in FY24 will increase CBJ's allowable appropriation by approximately \$2.3 Million (about an 8% increase) over the FY23 level. Based on some feedback from DEED on summer school funding, JSD staff have adjusted the request.

This request was reviewed and approved by the Juneau School District Board on January 10, 2023. This request was reviewed by the Assembly Finance Committee at the March 1, 2023 and April 12, 2023 meetings. The Systemic Racism Review Committee reviewed this request at the March 21, 2023 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Dave Hanna, a Mendenhall Valley resident, said that about ten years ago the community was torn about building a new high school. He said at that time it was evident that the school district would need to close an elementary school in the future. He said that now Juneau has more schools than it needs; he said it is not anything the school district is doing wrong, but global demographic change. Mr. Hanna said that the school district is not facing reality and keeps coming back year after year to the Assembly for more money. He requested the Assembly look at amending the Charter to provide greater financial oversight of the school district.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2022-06(b)(AR) An Ordinance Appropriating up to \$2,340,737 to the Manager for Juneau School District Special Revenue Fund Deficits and Current Year Student Activities; Funding Provided by General Funds and asked for unanimous consent.

OBJECTION by Mayor Weldon for purposes of making an amendment.

AMENDMENT #1

MOTION by Mayor Weldon to amend Ordinance 2022-06(b)(AR) section 2 to strike up to ~~\$2,340,737~~ and insert “\$1,920,882”;

Mayor Weldon, speaking to her amendment, clarified that the funding is to include the FY22 and FY23 deficit, half of the FY21 deficit, and the high school activity wrestling mats.

OBJECTION by Ms. Hughes-Skandijs, who said CBJ currently is in a position to help the school district.

Mr. Smith asked Dr. Weiss, JSD Superintendent, how this amendment would affect their operations. Dr. Weiss said these accrued deficits would come out of fund balance.

Ms. Triem specifically called out that she disagreed with the process used to fund wrestling mats.

The Assembly continued to discuss this amendment.

ROLL CALL VOTE ON AMENDMENT #1

Yeas: Mayor Weldon, Mr. Bryson, Ms. Gladziszewski

Nays: ‘Wáahlaal Gíidaak, Ms. Woll, Ms. Triem, Mr. Smith, Ms. Hughes-Skandijs, Ms. Hale,

Motion for Amendment #1 failed: 3 Yeas and 6 Nays.

AMENDMENT #2

MOTION by Ms. Hale to amend Ordinance 2022-06(b)(AR) section 2 to strike ~~\$2,340,737~~ and insert “\$2,320,737”

Ms. Hale, speaking to her amendment, said the \$20,000 is to come from the student activities fund, for the wrestling mats.

OBJECTION by Ms. Woll.

ROLL CALL VOTE ON AMENDMENT #2

Yeas: Ms. Hale, Mr. Bryson, Ms. Hughes-Skandijs, Ms. Triem, Ms. Gladziszewski, Mayor Weldon

Nays: Mr. Smith, Ms. Woll, ‘Wáahlaal Gíidaak,

Motion for Amendment #2 passed: 6 Yeas and 3 Nays.

OBJECTION by Mayor Weldon on the main motion to Adopt Ordinance 2022-06(b)(AR) as amended. Speaking to her objection, Mayor Weldon stated that the school district knew they were running a deficit for many years and they need to take additional responsibility.

ROLL CALL VOTE ON ORDINANCE 2022-06(b)(AR) AS AMENDED

Yeas: Ms. Hale, Ms. Hughes-Skandijs, Mr. Smith, Ms. Triem, Ms. Woll, ‘Wáahlaal Gíidaak,

Nays: Mr. Bryson, Ms. Gladziszewski, Mayor Weldon

Motion for Ordinance 2022-06(b)(AR) as amended, passed: 6 Yeas and 3 Nays.

16. Ordinance 2023-19 An Ordinance Authorizing the Manager to Convey Approximately 4,814 Square Feet of Tidelands Located on a Fraction of Lot 3, Block 51, Tidelands Addition Adjacent to 1000 Harbor Way to 1000 Harbor Way, LLC for Fair Market Value.

The owners of 1000 Harbor Way, LLC applied to acquire City property and tidelands under and around their existing building in order to make major structural and architectural improvements. This building houses Hansen-Gress and is adjacent to the Juneau-Douglas Bridge. The Docks and Harbors Board reviewed this application at the August 25, 2022 meeting and provided a motion to advance this application. The Assembly reviewed this application at the November 21, 2022 meeting and provided a motion to authorize the City Manager to negotiate the disposal of City property. The Planning Commission reviewed this proposed disposal of the CBJ property at the meeting on

January 24, 2023, and passed a recommendation that the Assembly approve the disposal. Fair Market Value has been determined by appraisal to be \$24.62 per square foot.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment - None

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-19 An Ordinance Authorizing the Manager to Convey Approximately 4,814 Square Feet of Tidelands Located on a Fraction of Lot 3, Block 51, Tidelands Addition Adjacent to 1000 Harbor Way to 1000 Harbor Way, LLC for Fair Market Value and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

17. Ordinance 2023-20(b) An Ordinance Amending the Duties of the Systemic Racism Review Committee.

This ordinance expands the scope of the Systemic Racism Review Committee to include CBJ policies and procedures in its review in addition to ordinances. It also gives the committee the ability to select legislation rather than being required to review every ordinance that is introduced at regular Assembly meetings.

The Assembly Committee of the Whole discussed these proposed changes at its March 6, 2023 meeting, with participation from members of the Systemic Racism Review Committee.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment - None

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2023-20(b) An Ordinance Amending the Duties of the Systemic Racism Review Committee and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

18. Ordinance 2023-21 An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours.

The owners of iRide Alaska, LLC, applied for a lease of City property along the West Douglas Pioneer Road located near the end of North Douglas Highway. Their request is for the commercial use of the property for guided electronic-bike "e-bike" tours. The Assembly LHED Committee reviewed this request and forwarded it to the Assembly for discussion. The Assembly considered this lease request as new business at the February 27, 2023 meeting and forwarded it to the Assembly Committee of the Whole for additional review. The Committee of the Whole reviewed this application at the March 6, 2023 meeting and adopted a motion supporting the Manager to enter into negotiations for a one-year lease including renewal options with the original applicant and to draft an ordinance for introduction. The packet for the COW meeting included extensive background material and can be viewed at: [Assembly Committee of the Whole Worksession 03/06/2023 06:00 PM | Juneau, AK \(municode.com\)](https://assemblycommitteeofthewholeworksession03/06/2023/06:00PM/Juneau,AK(municode.com))

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Wayne Carnes, a North Douglas resident, spoke against this ordinance. He asked the Assembly to put outdoor users first. He said that cruise ship passengers are important to the economy, but come with a cost to locals. Mr. Carnes said the tour is not about sharing the beauty of Juneau, it's about

making money. He said that his property taxes are skyrocketing, and yet tourists seem to remain a top priority. He said he has given up many areas in the summer due to overcrowding. He asked the Assembly to not add Pioneer Road to the list of areas that are affected by tourist overcrowding and to “just say no” to commercial e-bike tours on Pioneer Road.

Paul DeSloover, a North Douglas resident, spoke against this ordinance. Mr. DeSloover said he believes iRide provided incorrect statements to the Assembly regarding the potential impacts of their business. Mr. DeSloover quoted iRide, who said that the Pioneer Road was a “20-foot-wide road allowing users to comfortably pass by one another without having to stop their current activity”. Mr. DeSloover said the average safe, useable width of the road was 12 feet and the shoulders are noncompacted sharpshot rock of various dimensions making them unusable. He said that given how narrow the road is, it is likely that people will be forced to the danger shoulders with little warning. Mr. DeSloover also objected to iRide’s description of long sightlines. He said that most of the road does not allow for long distance visibility due to the ten large hills on the road.

Erin Willis, a West Juneau resident, spoke in support of the ordinance. Ms. Willis is one of the four partners of iRide Alaska. She said they are asking to operate micro tours; she said they chose this area because it is far away from residences and in an area that can accommodate many people at the same time. Ms. Willis said the Pioneer Road is not a trail and was developed through a grant to create greater economic opportunities. She said they are a small company catering to a small number of tourists and are asking to use the Pioneer Road for a small amount of time. She said they have been receptive to community concerns, including changing their plans to operate tours on Sundays. Ms. Willis said that e-bikes are quiet, there is room on the road, and there will be training for e-bike participants on common courtesy. She said the per person fee paid to CBJ would help with upkeep for the road. She noted that the Assembly does not often hear from people who are satisfied and said that the vast majority of Juneauites are fine with the iRide plan. She said that tourist activities already operate in North Douglas. Ms. Gladziszewski asked Ms. Willis how many guests per tour. Ms. Willis said 10 guests per tour. Mayor Weldon asked what would happen if tours were limited to Monday through Friday. Ms. Willis said that would not pencil out for them. Mayor Weldon asked if the tours could be finished at 5pm. Ms. Willis said she would need to come back to the Assembly with more information to answer that question.

Reuben Willis, a West Juneau resident, spoke in support of the ordinance. Mr. Willis is one of the four partners of iRide Alaska. He said that Pioneer Road was developed with a grant to support economic development. He said iRide’s use of this road would create jobs, drive economic growth, and save taxpayer’s money. He said about \$20,000 a year of taxpayer money is used to maintain the road, and it is unfair to pass up user fees that would decrease taxpayer burden for those who will never use the road. Mr. Willis says that iRide will add to revenue base. Mr. Willis wanted to clarify that no tours have happened on Pioneer Road and that the review on Trip Advisor came from a family member. Ms. Gladziszewski asked about ending tours at 6pm. Mr. Willis said that cruise ships come in a narrow band and that guides their potential tour times. Ms. Hale asked about using Fish Creek Road instead. Mr. Willis said they have not explored Fish Creek Road. They approached CBJ back in October 2022 to start the process for using Pioneer Road. Mayor Weldon asked how much time people would be on the trail. Mr. Willis said an hour on the trail and thirty minutes at the trailhead.

Lucas Johnson, from Idaho and currently living in West Juneau, spoke in support of this ordinance. He has been hired by iRide as an intern. He said he loved his visit to Alaska the previous summer and it had a big impact on his life. He said it is important to have these opportunities for people to come up and experience Juneau, like the trees, eagles, wildlife, and beautiful views.

Chris King, a Sunny Point resident, spoke in support of this ordinance. Ms. King is one of the four partners of iRide Alaska. She said that everyone who lives in Juneau loves this place. She has been doing research on usage on the Pioneer Road. She said that on Friday evening they only passed one person on Pioneer Road; on Saturday they only passed two people. Ms. King said that she understands usage might increase at other times, but in the past few weeks the usage has been

low. Ms. King said she hopes that the Assembly hears the silence of all the people who could have attended tonight and chose not to because there is not a problem. Mr. Smith asked if iRide will have a public schedule. Ms. King said that the schedule is strict and can be shared.

Dave Hanna, a Mendenhall Valley resident, spoke in support of this ordinance. Mr. Hanna noted that the Pioneer Road was built to spur economic development and the iRide proposal exactly fits that bill. He said it would be disrespectful to not allow more use. Mr. Hanna said he would like to speak to the users as well; he said he ran into approximately half a dozen people last time he used the Pioneer Road. He said the more it gets uses the better and less maintenance it will need.

Assembly Action

Mr. Bryson declared a potential conflict of interest. He said he has a bike shop that sells e-bikes. He said it is a small percentage of his annual revenue and he does not do tour operations. He said he did not believe he had a conflict of interest and consulted with Acting Municipal Attorney Layne who concurred with that opinion.

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2023-21 An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours and asked for unanimous consent.

OBJECTION by Mr. Smith for the purposes of amendment.

[See Red Folder-Supplemental Material for Amendment #1 from Assemblymember Greg Smith.](#)

Amendment #1

MOTION by Mr. Smith to amend Ordinance 2023-21 section 4 by adding a new subsection (d) *“(d) the lease holder shall promptly notify the manager of any accident, injury or claim relating to the allowed activity, including injuries of domestic animals”* and renumbering following subsections and asked for unanimous consent.

Hearing no objections, Amendment #1 passed by unanimous consent.

Amendment #2

MOTION by Ms. Gladziszewski to amend Ordinance 2023-21 section 4 by adding a new subsection (e) *“(e) the lease shall allow no more than 10 guests on each of three tours a day”* and renumbering following subsections and asked for unanimous consent.

Hearing no objections, Amendment #2 passed by unanimous consent.

OBJECTION by Ms. Hale on the main motion to adopt Ordinance 2023-21 as amended.

Ms. Hale said she supports the idea in general but not at this time as it should be weighed in the larger context of tourism in general. Ms. Hale also said she believes the final road name should not be the Pioneer Road.

Ms. Woll and other members echoed Ms. Hale's concerns. Ms. Woll said she is excited that comprehensive planning for commercial use of trails that is in the budget.

Mr. Bryson spoke in support of the ordinance as amended and noted that this business applicant has done everything that CBJ asked them to do.

After additional Assembly discussion on the motion, a roll call vote was taken.

ROLL CALL VOTE ON ORDINANCE 2023-21 AS AMENDED

Yeas: 'Wáahlaal Gíidaak, Ms. Triem, Mr. Bryson, Ms. Gladziszewski

Nays: Ms. Woll, Mr. Smith, Ms. Hughes-Skandijs, Ms. Hale, Mayor Weldon

The Motion for Ordinance 2023-21 as amended failed: 4 Yeas and 5 Nays.

Mr. Bryson gave Notice of Reconsideration on Ordinance 2023-21 as amended.

19. Ordinance 2022-47 An Ordinance Repealing Title 49 Provisions Related to Wetland Review Board Authority.

At the Regular Planning Commission meeting on March 14, 2023, the Commission voted to recommend approval of an ordinance to repeal 49.10.700, Wetlands Review Board. The Board's wetland permitting authority has expired, the Board has not met since 2018, and the Board is no longer needed.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment - None

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2022-47 An Ordinance Repealing Title 49 Provisions Related to Wetland Review Board Authority and asked for unanimous consent.

OBJECTION by Ms. Triem for the purpose of a question. Ms. Triem asked Ms. Layne if this is a separate section of code from the stream setback issue to which Ms. Layne replied that it was a separate code section from that of the stream setbacks. ***Ms. Triem removed her objection.***

Hearing no objection, the motion passed by unanimous consent.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

20. Regulation 53 CBJAC 09.325 Sand and Gravel Fees Lemon Creek Pricing

This regulation change will amend the rates and fees for the City and Borough of Juneau's sand and gravel pit pricing under the authority of CBJC 01.60.200, CBJC 53.09.015, and CBJC 53.09.325. This change will allow the sand and gravel pits to achieve cost neutral operation. The regulation will allow for annual adjustment to the established fee by the Consumer Price Index – Urban Alaska (CPI), as reported by the Alaska Department of labor and Workforce Development. The implementation of the Sand and Gravel Pricing Regulation would increase the sand and gravel fee schedule from \$2.45 per ton to \$4.90 per ton. The most impacted will be the City and Borough of Juneau and State of Alaska because the City and Borough of Juneau only opens North Lemon Creek Material Source for public projects and does not sell those resources to the private sector. The Lands Housing and Economic Development Committee reviewed this topic at the June 6, 2022 meeting and passed a motion of support for increasing the cost of sand and gravel.

The Manager recommends the Assembly approve this regulation in accordance with City Codes 01.60, 53.09.015, and 53.09.325.

Assembly Action

Mr. Smith asked about the process of reducing gravel costs for housing developments. Mr. Watt said that they held meetings about this years ago and the idea died after receiving testimony from a private sector gravel supplier. He said if the Assembly wished to revisit that discussion, Lands, Housing, and Economic Development Committee would be a good place to start.

Ms. Gladziszewski asked what private commercial gravel operations charge. Mr. Watt said he did not know, but that CBJ sets the price to cover the cost of the gravel and permitting and does not seek to make a profit.

MOTION by Ms. Hale that the Assembly approve Regulation 53 CBJAC 09.325 Sand and Gravel Fees Lemon Creek Pricing and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

Q. STAFF REPORTS

21. Manager's Report

Mr. Watt officially submitted his notice of resignation, to be effective September 30, 2023, after working for CBJ for about 30 years.

R. ASSEMBLY REPORTS

Mayor's Report

The Mayor nominated a hiring process committee to create a process to hire a new City Manager, which would be chaired by Ms. Woll, with members Ms. Hughes-Skandijs, Ms. Hale, and Mr. Bryson.

Committee and Liaison Reports

Committee of the Whole (COW) the next meeting is Monday, April 24.

Assembly Finance Committee (AFC). Ms. Triem said that they are two meetings into the budget process. She said the previous week they heard from the Juneau School District and Eaglecrest. She said they accepted \$128,000 above the Manager's proposed budget for Eaglecrest. She said this week is the Airport and Bartlett Regional Hospital (BRH) budgets. She asked Assemblymembers to review the pending list and ask staff questions in advance of the next meeting.

Public Works and Facilities Committee (PWFC). Mr. Bryson said they talked about a SCADA project which already passed, Airport EV stations, Centennial Hall renovations, and the Basin Road Tressel bridge which was currently out. He said they also had a "Talkin' Trash" worksession and that one important conclusion that came from that was getting a materials study done so they can know the exact makeup of the waste stream. Mr. Bryson requested the materials study be added to the pending list.

Lands, Housing and Economic Development Committee (LHED). Ms. Hughes-Skandijs said that LHED met April 3rd and received updates on Telephone Hill, the 35-mile off-road vehicle park, and land use code revisions. The next meeting is April 24th.

Human Resources Committee (HRC). Mr. Smith said they discussed questions for the new Parks and Recreation Advisory Committee applicants, which currently has 20 applicants.

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS/Liaison Reports

Mr. Bryson attended a Docks and Harbors meeting, where discussion was had on the Hansen Gress Property, boat washing at the Auke Bay loading facility, and locked harbors. Mr. Bryson attended a North Douglas Neighborhood Association meeting where they discussed the 2nd Crossing.

Ms. Hughes-Skandijs thanked the Alaska Folk Fest Board of Directors for another great event. She attended an Eaglecrest Board meeting where they discussed their budget request. She attended a Juneau Chamber of Commerce meeting and they sent a letter to the Assembly regarding the mil rate and a new City Hall. She noted that the State has reopened public testimony on SB52 an increase on the Base Student Allocation (BSA).

Ms. Triem attended the Juneau Economic Development Council (JEDC) meeting and reported that the Maritime Festival will be on May 6. She attended a BRH Board meeting, which included a transfer on tonight's consent agenda (Transfer Request T-1055) but it was not a unanimous decision. The BRH Board also talked about the PCR testing machine which includes an annual maintenance contract. Ms. Triem also attended the Juneau Chamber of Commerce luncheon on childcare.

'Wáahlaal Gíidaak attended the Planning Commission COW where they discussed hazard mapping and they approved a flood zone exemption permit for bathrooms at Statter Harbor. She said she missed the last Systemic Racism Review Committee meeting.

‘Wáahlaal Gíidaak said planning is ongoing for the upcoming Hōkūle‘a welcoming ceremony June 10th and provided the followed details for a weeklong indigenous education exchange with many international guests as noted below:

The Global Launch will take place June 15. The welcoming and global launch will all take place from Auke Rec. The below countries are a part of the Pacific Consortium and will participate in various portions of the program.

Aotearoa (New Zealand)

Stanley Conrad (Te Aupouri), Captain, Te Aurere; Hekenukumai Busby Trust, Tai Tokerau Ngāti Kawa Taituha (Ngāpuhi), Chairman, Te Tii Marae, Waitangi

Alaska

Kaá Ax Gú, Joe Nelson, Chair, Sealaska Corporation, Yakutat/Juneau Richard Chalyee Éesh Peterson, President, Central Council of Tlingit and Haida Indian Tribes of Alaska

French Polynesia

Heremoana Maamaatuaiahutapu, Minister of Culture and the Environment, French Polynesian Government, Pape‘ete Thomas Moutame, Mayor of the District of Taputapuātea, Ra‘iātea

Taiwan

Chiefess Alingin Zingrur, Tribal Leader, Kaviyangan Paiwan Tribe, Pingtung Cheng-Hsien Pan, Principal, Wutang Elementary School, Jiaping Village, Pingtung Professor Maeva Yuan-chao Tung, National Taiwan University, Anthropology, Taipei

Micronesia

Thomas Raffipiy, Assembly of Pwo Navigators of Micronesia, Satawal/Hawai‘i

Rapa Nui

Lynn Rapu Tuki, President, Foundation Ao Tupuna, Rapa Nui

She noted that the Tribal Assembly will start on Wednesday with a Saturday totem dedication from Sealaska Heritage Institute.

Mr. Smith reported that he attended the PRAC meeting where they received an update on the off-road vehicle park.

Ms. Hale attended the Juneau Commission on Aging meeting where they discussed assessed property values and property taxes on seniors. She attended an Airport Board meeting where they discussed the parking lot upgrades that will happen this summer. Ms. Hale also attended the Joint School Board/Assembly Facilities Committee; goals are to forward a prioritize plan for facilities maintenance to the Assembly and School Board, forward a strategy for addressing declining enrollment which includes a matrix for understanding the funding formula, and to establish a framework for future joint meetings.

Ms. Woll reported that there will be a rally on Thursday at the Capitol Building about the BSA. Ms. Woll also said the Docks and Harbors Board meeting tomorrow at the Yacht Club will include discussion of their potential 9% rate increase.

Ms. Gladziszewski reported that she missed all meetings due to a family emergency.

Mayor Weldon said that National Public Safety Telecommunications Week was April 9-15 and she thanked Juneau’s dispatchers for their hard work.

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

U. EXECUTIVE SESSION

None.

V. SUPPLEMENTAL MATERIALS

22. RED FOLDER-Ord. 2023-21 Proposed Amendment 1 from Assemblymember Greg Smith

W. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 9:24pm.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor