REGULAR ASSEMBLY MEETING 2023-02 MINUTES

January 30, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

MEETING NO. 2023-02: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom webinar and called to order by Mayor Beth Weldon at 7:05p.m.

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Carole Triem, Michelle Hale, Alicia Hughes-Skandijs, Wade Bryson, Greg Smith, ‘Wáahlaal Gíidaak (via Zoom)

Members absent: Christine Woll

Staff present: City Manager Rorie Watt, Deputy Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Assistant Attorney Sherri Layne, Tourism Manager Alexandra Pierce, Engineering/Public Works Director Katie Koester, Port Director Carl Uchytil, Finance Director Jeff Rogers, Human Resources/Risk Management Director Dallas Hargrave, Lands Manager Dan Bleidorn, Eaglecrest Manager Dave Scanlan, Deputy Parks and Recreation Director Michele Elfers

D. SPECIAL ORDER OF BUSINESS

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.org.

E. APPROVAL OF MINUTES

None.

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt asked that Item 12: ***Ordinance 2022-06(b)(AD) An Ordinance Appropriating $10,000,000 to the Manager for the Eaglecrest Gondola Capital Improvement Project; Funding Provided by an Investment from Goldbelt, Inc.*** be removed from the agenda for further work.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

(Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)

Teri Tibbett, a Douglas resident and Chair of the Douglas Advisory Board (DAB), spoke about the Douglas Island cemeteries. Ms. Tibbett noted that in 2021, the DAB submitted a packet of material to the Assemblymembers and staff about CBJ taking over ownership and maintenance of the Douglas Island cemeteries. She said that there are 10 cemeteries on Douglas Island, and the owners of two of them have offered to provide them to CBJ at no cost. She said this issue has been explored since 1983 and that it has been a priority of the DAB since she began on the board in 2017. She said that they have tried to communicate with the Assembly about this issue but have not heard anything back so it was decided at their November 2022 to speak during the public testimony to bring light to this issue. She said that the Assembly has two letters in front of them from the DAB, one that was approved at the DAB's November 2022 meeting (dated January 30, 2023) and the other from April 22, 2021. Both letters offer a comprehensive view of what they are talking about and hoping for. She said that as an Assembly-appointed board, they are hoping that they would receive a response from the Assembly. She also asked that the Assembly provide guidance on the best method for the board to communicate with the Assembly.

Mr. Smith asked Ms. Tibbett what the annual costs might be for maintenance expenses. Ms. Tibbett referenced the January 30, 2023 letter saying that CBJ reports put initial clean up fees at approximately $10,500 plus $21,600 labor costs that were estimated in 2019. Those numbers in today's dollars will likely be more expensive due to inflation.

Ed Schoenfeld, a 44-year Douglas resident and Vice-Chair of the Douglas Advisory Board, said that with respect to the Douglas cemeteries, it seems that officials say it will cost too much or say that it is too much hassle to change. He asked why people in Douglas cemeteries are relegated to second class citizenship as compared to those buried at Evergreen Cemetery. He said that there are two groups, the Catholics and the Eagles, who are ready to do quit claim deeds to hand those properties over to the municipality. He said that some of the other cemeteries are in worse shape, and it can be hard to find them due to lack of signage and headstones. He said that volunteers have worked on the Indian Cemetery and they have found markers and monuments and he believes there is other information out there yet to be discovered in old records. The DAB are asking CBJ to look at taking responsibility for these cemeteries. He said that it is important to honor our dead and all those buried in our community should be treated equally across the borough.

Kim Metcalfe, a resident in the Basin Road neighborhood, said that for years she has tried to limit traffic on the Basin Road trestle bridge because of the effect that traffic has on their neighborhood. She spoke about the recent rock slide and closure of trestle bridge to traffic and said that she hoped the repairs would take quite a while to fix. She has enjoyed walking the bridge since the traffic closure since she doesn't have to dodge speeding cars. She strongly encouraged CBJ to close the road permanently to all vehicles except for CBJ and AEL&P vehicles.

Steve Krall, a resident on Basin Road, said that exiting his house is dangerous due to vehicles speeding on basin road at 5 to 10 mph over the speed limit. He encouraged the Assembly to consider this a public safety issue and to close the road past the trestle bridge. He said that he is surprised no one has been killed yet and that every pedestrian who walks on that street is in danger.

H. CONSENT AGENDA

<u>Public Request for Consent Agenda Changes, Other than Ordinances for Introduction</u>

None.

<u>Assembly Request for Consent Agenda Changes</u>

None.

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda, noting that the Assembly Human Resources Committee recommended adoption of Resolution 3020 as found in the packet, and asked for unanimous consent. *Hearing no objection, the motion passed.*

I. Ordinances for Introduction

1. Ordinance 2022-06(b)(AI) An Ordinance Appropriating $450,000 to the Manager for the Airport Furniture Acquisition Capital Improvement Project; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate $450,000 in Airport CARES Act funding for the Airport Acquisition CIP. This funding would provide for the acquisition of seating to increase capacity, and replace the less durable soft furnishings in the terminal that are showing their age due to wear and tear.

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

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

J. Resolutions

2. Resolution 3014 A Resolution in Support of Transportation Alternative Program Funding for a Replacement Bridge over Montana Creek and Supporting Matching Funds for this Eligible Project.

This resolution supports an application to the Transportation Alternatives Program (TAP) funding through the Alaska Department of Transportation and Public Facilities for the design and construction of a 130 foot bridge. The bridge will replace a failed bridge that connects Montana Creek Road to the Montana Creek Recreation Area. This area is used by hikers, bikers, skiers, anglers, hunters, foragers and dog walkers. The bridge connects the Mendenhall Valley to the Windfall Lake and Eagle Beach Recreational area via the Montana Creek Trail. If awarded, CBJ would need to provide a $25,000 match and DOT has committed to providing the remainder of the 9.03% match. Upon construction completion, CBJ would take over management, maintenance and ownership of the bridge and a short section of trail that is within CBJ parkland.

The City Manager recommends the Assembly adopt this resolution.

3. Resolution 3017 A Resolution in Support of Funding from the Community Transportation Program for the Reconstruction of Vintage Boulevard and Clinton Drive in Juneau's Mendenhall Valley.
This Resolution supports an application to the Community Transportation Program through the Alaska Department of Transportation for design and construction of roadways and pedestrian facilities for Vintage Boulevard and Clinton Drive in Mendenhall Valley. The roadway is 40 years old and has experienced significant development recently that justifies improved facilities. If awarded, CBJ intends on providing a 25% match from road sales tax funds scheduled in the FY204 CIP.

The City Manager recommends the Assembly adopt this resolution.

4. Resolution 3018 A Resolution in Support of Transportation Alternative Program Funding for the Lemon Creek Multimodal Path and Supporting Matching Funds for this Eligible Project.

This Resolution supports an application to the Transportation Alternatives Program through the Alaska Department of Transportation for design and construction of Phase one of a multimodal path through

Lemon Creek commencing near the intersection of Vanderbilt Hill Road and Glacier Highway to the east side of Lemon Creek adjacent Eagan Drive. It should be noted that CBJ has also applied for a separate grant for community outreach and scoping for the full project. If awarded, CBJ will be able to provide a 25% match from funds already appropriated to this project by the Assembly.

The City Manager recommends the Assembly adopt this resolution.

5. Resolution 3019(b) A Resolution in Support of a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant for the Juneau Douglas North Crossing.

This resolution supports an application for a RAISE grant for environmental permitting and study for preferred alternatives for a crossing to Douglas Island north of the existing Juneau Douglas bridge. This work will build on the Planning and Environmental Linkages study scheduled to be complete in spring of 2023 and will supplement the recent award of $7M in Congressional Directed Spending for the project. The environmental process will include significant public and stakeholder engagement. If awarded, CBJ will be able to provide a 5% match from funds already appropriated by the Assembly.

This resolution, Res. 3019(b), has minor non-substantive revisions from the version approved by Public Works and Facilities Committee on January 23.

The City Manager recommends the Assembly adopt this resolution.

6. Resolution 3020 A Resolution Amending the City and Borough of Juneau Personnel Rules Related to a Sign-on Bonus Policy.

At the January 4, 2023, Assembly Finance Committee meeting, City and Borough of Juneau (CBJ) management presented the concept adding the ability for the City Manager to implement sign-on bonuses for difficult to fill CBJ positions to the personnel rules. By unanimous motion, the Assembly Finance Committee directed staff to develop proposed changes to the Personnel Rules in a manner that would give the City Manager authority to implement sign-on bonuses for difficult to fill positions in an amount of up to $40,000 for up to a four-year commitment from the employee to work for the CBJ or disbursement schedules that accomplish the same objective. This resolution would establish the sign-on bonus policy.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

7. **BE22-222 Treadwell Arena Roof Replacement**

This project consists of a roof overlay of an existing pre-engineered metal building and re-roof over a wood-framed locker room addition. Project will include limited mechanical work extending existing VTR's and removal and replacement of mechanical equipment and include limited electrical work removing and reinstalling electrical equipment.

Bids on this project were opened on January 18, 2023. The bid protest period expired at 4:30 p.m. on January 19, 2023. Results of the bid opening are as follows:

Bidders	Total Bid
DayNight Construction Inc.	$1,394,000.69
Earhart Roofing Co., Inc.	$1,473,000.00

Carver Construction, LLC	$1,565.239.00
Coogan Construction	$1,630,640.00
Architect's Estimate	*$900,000 - $1,200,000*

The City Manager recommends award of this project to Day/Night Construction, Inc. for the total amount bid of $1,394,000.69.

8. BE23-151 -- Crow Hill Resurfacing and Utility Rehabilitation

This project consists of reconstruction of Crow Hill Drive from Douglas Highway to the end of asphalt prior to gated access, to include the intersection of Crow Hill Drive and Lawson Creek Road.

Bids on this project were opened on January 26, 2023. The bid protest period expired at 4:30 p.m. on January 27, 2023. Results of the bid opening are as follows:

<u>Bidders</u>	
Admiralty Construction, Inc.	$1,723,325.00
North40 Construction Corp.	$1,988,315.00
Coogan Construction	$2,284,100.00
Engineer's Estimate	*$1,700,000 - $1,900,000*

The City Manager recommends award of this project to Admiralty Construction, Inc. for the total amount bid of $1,723,325.00.

9. BE23-176 Design and Fabrication for Perseverance Trail Bridges

Bids on this project were opened on December 14, 2022. The following bid was received:

<u>Bidder</u>	<u>Total Bid</u>
Western Wood Structures	$231,120.00

The protest period ended on December 15, 2022.

The City Manager recommends award of this bid to Western Wood Structures, as they submitted the only responsive and responsible bid. Total awarded amount is based on a readjusted value-engineered cost adjustment reflecting a price of $143,830.00.

L. Transfers

10. Transfer Request T-1050 A Transfer of $298,000 from CIP R72-116 Downtown Street Improvements to CIP R72-156 Harris Street Reconstruction.

This request would provide $298,000 in additional funding needed to construct the segment of Harris Street between 4th Street and 7th Street, including a segment of 7th Street to Gold. Cost escalation, supply chain issues and substantial increases in freight costs have contributed to the need for additional funds. The funds would be transferred from the Downtown Street Improvements CIP, which has been completed.

The Public Works and Facilities Committee reviewed this request at the January 23, 2023 meeting.

The City Manager recommends approval of this transfer.

M. PUBLIC HEARING

11. Resolution 3011 A Resolution Adopting Cruise Ship Tourism Policy Objectives from the Visitor Industry Task Force Final Report.

The Visitor Industry Task Force (VITF) met in 2019 and 2020. The final report was delivered in March of 2020. The Assembly accepted, but never formally adopted the VITF recommendations or the overarching policy objectives because the immediate challenges of COVID-19 required the Assembly's full attention. Staff's approach to date has been to deal with VITF-recommended issues as they arise. Even without adopting the specific recommendations from the VITF Final Report, the management of cruise ship tourism in the community would benefit from the Assembly adopting the five overarching policy objectives in this resolution.

The Assembly Committee of the Whole discussed this topic on November 28, 2022.

The Assembly took public testimony on this resolution at its January 9, 2023 meeting and moved it to the January 30, 2023 Assembly meeting to allow for additional public comment.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

Karla Hart, spoke in opposition to Resolution 3011. Ms. Hart stated that she sent a detailed email that should compel the Assembly to set a four ship or less limit for 2023. She urged the Assembly to initiate studies and mitigation measures going forward. She spoke about pollution and health impacts from cruise ship emissions. She said there will be $17.23 million in health impacts in 2023 if nothing is done.

Susan Schrader, a West Juneau resident, spoke in opposition to Resolution 3011 and highlighted three points. 1) VITF was badly lopsided from the outset with a bias towards the cruise industry which in turn biased all the VITF recommendations; 2) the third whereas clause states that cruise ship tourism can "potentially negatively impact quality of life" needs editing to remove the word 'potentially'; and 3) many residents believe that 5 cruise ships per day is too many. The 2021 Tourism Survey cited 4.2 ships as the preferred average. More respondents to that survey wanted four ships or less than those who preferred more. She said in looking ahead to Juneau's 4th of July celebration in 2023, in looking at the cruise ship schedule, CLIAA shows the total of 27,363 passengers and crew arriving that day if ships are running to capacity. She said that the elected officials have put off controlling this for decades and she encouraged the currently Assembly to make the hard decisions and represent the citizens they were elected to serve.

Bill Leighty, a Gastineau Ave. resident, echoed the health concerns raised by Ms. Hart. He also spoke about the need to not exceed the carrying capacity that Juneau can handle. He spoke about the impacts of cruise ships on global climate change and greenhouse gas emissions. He said that climate change has become an emergency. He is a member of the Pacific NW Hydrogen Hub Advisory Committee, and he provided the Assembly with Leighty Foundation document listing opportunities to decrease greenhouse gas emissions in Southeast Alaska. He encouraged the Assembly to adopt Resolution 3011 and to move forward with additional measures to limit greenhouse gases. He also encouraged them to send a letter to the Pacific NW Hydrogen Hub to include SE Alaska in its projects. Ms. Gladziszewski asked Mr. Leighty if he could please send the Assembly additional information about the Pacific NW Hydrogen Hub.

Kim Metcalfe, a Gold Street resident, said the VITF process was heavily weighted in favor of the visitor industry. She would have liked the VITF to be more balanced. She said CBJ responds when issues arise and she would like to see the Assembly work proactively and collaboratively with visitor industry and the community to ensure Juneau residents are as negatively impacted by the tourism industry. The prediction for the 2023 season is 1.6M visitors, which she feels it is 500,000 visitors too many. She said Juneau has a capacity problem making it dangerous and out of control in the downtown area. Health and safety issues should be paramount and urged the assembly to look at ways to reduce the number of visitors and that CBJ should be the regulatory body to control the impacts, and not Tourism Best Management Practices (TBMP) self-regulation practice currently in place.

Assemblymember Smith asked Ms. Metcalfe about the carrying capacity and if there has been any study with optimal numbers in Juneau.

Ms. Metcalfe said that she does not recall any such study. They have asked for a neutral analysis to be done by an outside entity that is in no way tied to Juneau or the tourism industry. She said that neighborhoods are impacted by the industry and she would like to see an independent study done.

Katherine McCarthy, a resident of 3rd Street in the uptown neighborhood, said that when the cruise ship industry became part of SE Alaska she thought tourism would be a good way to maintain the economy and help meet the needs of the community. She said that when the first cruise ship arrived, it shocked her to see how much the ship blocked out the view. She said that things were easy in the beginning. As time has evolved, the numbers have increased and CBJ needs to address the issues of all the impacts. She encouraged CBJ to do an impartial economic study by an outside entity.

Elaine Schroeder, a resident in the Highlands neighborhood, spoke to limiting the number of cruise ships to well below 4. She has lived here for 40 years and has seen the growth of industrial tourism during that time. She shared anecdotal experiences from tour guides as well as Juneau residents. She spoke to the daily stress of overload capacity severely decreasing the quality of life for Juneauites.

Steve Krall, a Basin Road resident, encouraged the Assembly to limit the number of cruise ships to no more than 4 ships rather than 5. Mr. Krall relayed his experience interacting with too many people in too small of an area and relayed personal safety issues he has experienced walking in the downtown area.

Bob Janes, a Mountainside Drive resident, said that he followed the work of the VITF. He refuted the idea that it was industry weighted. He said that the VITF did a difficult job to come up with their recommendations. While he thinks that 5 ships are tolerable, he understands that others are concerned and don't agree. He said that he has been fortunate enough to raise his family here and they have a tourism business. He said that without tourism in his life and those of other community members, they wouldn't be able to make a livelihood and raise their families in Juneau. He said that Juneau does have congestion and management issues but they can address those. He said this resolution and the recommendations of the VITF are fair and solid.

Bruce Weeb, a Thane resident, spoke to the downtown library being taken over by crew and others during the summer time rendering the library is unavailable to residents. He provided an analogy of a therapeutic window for the tourism situation, there is a very limited amount of time for the Assembly to administer the right level of medication (controls of the tourism industry) and then monitor that impact by the surveys that while biases, are needed. Continuing with the analogy, Mr. Weeb said that once you've exceeding your therapeutic window, there is no going back. He encouraged the Assembly not to shoot the therapeutic window, move carefully, monitor closely, take the surveys, and listen to feedback.

Assembly Action

MOTION **by Mr. Bryson to adopt Resolution 3011 and asked for unanimous consent.**

Objection by **Mr. Smith** for purposes of a question to the Manager. He asked about the possibility of a future Assembly changing the max number of ships per day. Mr. Watt explained that Resolutions express the policy intent of the City & Borough of Juneau and that they can be changed by future Assemblies. He said that future Assemblies would need to consider the infrastructure in place, such as dock or lightering facilities. Mr. Smith said that he appreciated all the work done by the VITF but he hears the concerns about the numbers. He feels there is likely a right number out there but doesn't actually know if that number is to 5 ships and with that, he removed his objection.

Ms. Hughes-Skandijs said that the Assembly had a lot of public input on this resolution. She said that while VITF worked through its process they asked if there could be a cap placed on the numbers of tourists. She said they were consistently told that legally they could not place a cap on the total number of tourists. She asked Mr. Palmer speak about the language in the resolution that caps the number of ships to 5 ships a day.

Mr. Palmer answered that, as Mr. Watt mentioned, this is the document that outlines the Assembly's policy. If the Assembly were to adopt this tonight, CBJ would start to effectuate the limit. If the limit were 5 or 4 or 6 or 8, in this case the number is 5, staff would come back to the Assembly with options on how to work within that number.

Ms. Hughes-Skandijs asked how they are interpreting the 5 ships per day limit and what that looks like with respect to lightering, and/or ships at dock.

Mr. Watt said that he would interpret this as a total of 5 ships per day. He also noted that the VITF report referred to the size of the ship and that the daily limit is referring to 5 large ships per day. He said that as Mr. Palmer noted, if the Assembly passes this resolution, staff would try to implement those changes. They have been having discussions with private dock owners and the cruise ship industry about how to do that and it has been generally a slow conversation.

Ms. Hale said that she appreciates all those who testified and have submitted comments in writing. She said she feels the Assembly is taking a big step forward by taking formal action and they are being responsive.

Ms. Triem said this at the Assembly retreat but wanted to also state it again at this meeting. She said that the language in the resolution using the word "limit" made her uncomfortable as they spent the whole time during the VITF meetings hearing about the reasons why we can't regulate the number of ships. She said that a goal of 5 ships is something they can work towards but not to use the word "limit" because that is not in the control of the Assembly and it is not constitutional and the U.S. Coast Guard controls what happens in the water. She said that she was not going to object to the resolution because overall it is good but she doesn't like the wording and not thrilled with the word "limit" being included.

Ms. Gladziszewski said that she agreed with Ms. Triem. She said we could try to place a 3 or 4 ship limit and it would end up in court which would take years to resolve, cost a lot of money and still not get what they want accomplished. She said that when CBJ was in litigation over the spending of passenger fee monies, no one came to Juneau's assistance. She said this resolution puts us down the path of let's negotiate and get the industry to agree and that is the reason she is supporting this resolution. She said that if she could do something else, she would.

Mr. Bryson thanked everyone for coming and speaking tonight. He was on the VITF and noted that if it seemed the VITF was skewed it may have been a perception of bias due to his strong advocacy for the tourism industry. He said he views the cruise ships similar to a big dump truck that parks and dumps out truckloads of cash into our local economy. He noted that the VITF recommendations they came to is a compromise that took into account businesses, livelihoods, and the money that tourism provides to our community. The non-tourism businesses in the community benefit from tourism dollars.

'Wáahlaal Gíidaak said she wished the Assembly could cap the number of ships but that is not in their authority, but if this Resolution passes they can enter in good faith negotiations with the cruise ship industry. She said she wasn't on the Assembly during the VITF work but there was a lot of time, a lot of public comment, and a lot of work put into this issue to get to Resolution 3011. She is grateful for what has been done and will not be objecting to the resolution even if it is not what she would have arrived at herself.

Ms. Hughes-Skandijs, said she wants to recognize the issue of the limitation language. She agreed with Ms. Triem that putting a cap opened CBJ up to potential legal challenges. She said she will not be objecting to the resolution because she views it as a starting point for further conversation. She noted that this work was put on hold due to the pandemic and there will be future surveys and future testimony will be watched carefully.

Mayor Weldon, said that Resolution 3011 is going to be a living document that changes over time and this is a starting point. She thanked Ms. Triem and all the members of the Visitor Industry Task Force for all their work on this. She thanked all those who testified tonight and those who sent comments to the Assembly via email. She noted that some people say this is not a big enough step and she would say that at least it is a step. They are the first governing body in Alaska to tackle these issues and asked that they be given time to hopefully negotiate with the cruise industry.

Mayor Weldon called for any objection to the passage of Resolution 3011. Hearing no objection, Resolution 3011 passed by unanimous consent.

12. Ordinance 2022-06(b)(AD) An Ordinance Appropriating $10,000,000 to the Manager for the Eaglecrest Gondola Capital Improvement Project; Funding Provided by an Investment from Goldbelt, Inc.

Goldbelt, Inc. has expressed interest in investing $10 million for the installation of the gondola and associated infrastructure at Eaglecrest Ski Area. This ordinance appropriates funds for that purpose. The initial investment will be repaid according to the terms outlined in the revenue sharing agreement between CBJ and Goldbelt, Inc., authorized by Ordinance 2022-63. This appropriation will be effective upon execution of the agreement.

The Committee of the Whole discussed this request at the November 28, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the January 10, 2023, meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

This ordinance was removed from the agenda at the request of the city manager at the beginning of the meeting.

13. Ordinance 2022-48(b) An Ordinance Related to City and Borough of Juneau Land Management Plan Duration, Restrictions, and Authority.

This ordinance amends the governing codes related to the CBJ Land Management Plan. Section 2 of this ordinance would extend the viability of a land management disposal determination from two years to ten years, which can remove unnecessary burdens in the land disposal process. Section 3 of this ordinance would amend the general powers of the Docks and Harbors Board to be consistent with the land management provisions of Title 53. Section 4 of this ordinance would remove the requirement for Docks and Harbors to have its own land management plan and would amend the code to clarify what Docks and Harbors should consider when it develops land disposal and land use policies.

If this ordinance is adopted, staff will review the 2016 Land Management Plan to see if any amendments are necessary, especially related to Docks and Harbors managed property.

The Assembly Lands, Housing, and Economic Development Committee reviewed this ordinance on September 26, 2022. The Assembly Committee of the Whole reviewed and amended this ordinance on December 19, 2022, which is reflected in version b (page 4, lines 17-18). The Docks and Harbors Board or committee reviewed this topic on July 20, 2022; July 28, 2022; August 25, 2022; September 21, 2022; and September 29, 2022.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2022-48(b) and asked for unanimous consent. ***Hearing no objection, the ordinance was adopted.***

14. Ordinance 2022-06(b)(AE) An Ordinance Appropriating $300,000 to the Manager for the Downtown Subport Planning Capital Improvement Project; Funding Provided by Port Development Fees.

This ordinance would appropriate $300,000 of port development fees for cruise ship dock planning at the downtown subport. A coordinated waterfront planning effort led by CBJ ensures the entities involved do so collaboratively and with community mindfulness, and allows CBJ to weigh competing interests in Juneau's Port.

The Committee of the Whole discussed this request at the December 19, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the January 10, 2023, meeting and forwarded it to the full Assembly for public hearing.

[Please see additional backup documents under the Supplemental Materials portion of this agenda/packet.]

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Karla Hart, a Back Loop Road resident, asked the Assembly for clarification and state on the record that they are not committing to a fifth cruise ship dock in Juneau. She asked them to look at health impacts going forward in any the planning for a fifth dock.

Mr. Aaron Spratt, a valley resident, objected to this ordinance and said he is uncomfortable with the City Manager's recommendation as it is a gross overreach. He asked the Mayor to be mindful of the actions by the City Manager. He said that there is a private entity trying to develop land that they own and the Mayor and Assembly to oversee their employee and keep out of this.

Mr. John Blasco, a valley resident, said he is representing the Juneau Chamber of Commerce as their president. He said the Chamber opposes this ordinance as stated in the letter they sent to the Assembly.

He noted that the city has an extensive planning and project development process in place and any project of this size and scope will go through that process, which should bring to light any areas of concern. He said that CBJ doing a study of the port is duplicative of what the private developer is already doing and instead should engage in a collaborative dialogue. He said they expect that a downtown port that flows cohesively will happen through the planning and permitting process.

Mr. Jason Davis, speaking from Auke Landing, said he is a principal with Turnigan Marine Construction and said that the RFP that is posted is titled Juneau Port Master Planning. He said this is not really a master planning document, it is overreaching spending public money on encroaching onto a private development. He said that it is redundant of what Huna Totem has engaged with a private firm to do and his firm is already doing a land, wave, and current, and mooring analysis. They are being paid much more than $300,000 and are including it in their structural analysis in the rest of the project planning. He said that Item B of the RFP is the safety evaluation for suitability. He said that is a USCG responsibility as part of the evaluation process and the US Army Corps of Engineers will be involved. He said that if CBJ wants to pursue the small cruise ship dock location, electrification and other issues that doesn't duplicate work that would be fine but this ordinance is an overreach.

Mr. Bruce Abel, a Sunny point resident, stated that this ordinance is redundant and public funds should not be spent on this study. He said it delays the private developer and the possibility of the USCG putting an icebreaker here. He said this would jeopardize half a billion dollars of opportunities in our community over the next three years. He said the Assembly needs to develop tax base to pay for the new projects such as a new city hall or a new arts center. He said the purpose of the ordinance is to expand economic opportunities while balancing local priorities. He asked who is the unelected public official who will determine the priorities here. He said the Assembly appears to be abdicating its responsibility by the way this RFP is written. By delaying these things, there is a cooling effect on investment and growth of this community. He strongly encouraged the Assembly to vote against this ordinance.

Ms. Carla Casulucan shared her Tlingit heritage, ancestry lineage and her residency in Juneau. She expressed her support of the development of Huna Totem project at Awk Landing, which she says this ordinance adversely affects. She expressed disappointment with certain members of the Assembly and the staff who have either been critical of this project, wishy washy, or hypervigilant as she has watched Tlingit Aani being disparaged. She and her family have witnessed how many non-indigenous people have commercialized and profited from Tlingit culture as well as Tlingit Aani, including what is now Juneau proper. She said that leads her to wonder of CBJ was as hypervigilant in the demands to the previous private dock projects as they have been with this project by Huna Totem. She said this privately funded project by Huna Totem is going to accomplish the goals of the Sealaska Heritage Institute of trying to re-indigenize the true aesthetic of the Juneau area. She spoke about the benefits the Huna Totem project will bring in providing much needed jobs and economic benefits for the whole community. While Huna Totem represents Huna Tlingit, many of those Huna Tligit are residents of CBJ. She said that those living in Hoonah provide a benefit to our community when they come to town to do their shopping, seek medical assistance, and repair vehicles. She reminded everyone on the Assembly and in key CBJ positions that every single person is a representative of Juneau but also representatives of a governmental institution that, since its inception in 1881, has systematically oppressed the Tlingit people as the rightful landowners; from the wrongful taking of the ancestral lands of the Awk Kwaan to the refusal to allow natives to purchase housing in the white neighborhoods during Elizabeth Peratrovich's time, to the urban renewal period and eminent domain policies, to the present day. Instead of putting up road blocks to Huna Totem, she asked CBJ to please extend an olive branch with the Huna Totem project not only to benefit the indigenous peoples but to all the locals who stand to benefit from Huna Totem's ownership and development of Awk Landing.

Ms. Jamie Rountree – passed on her opportunity to testify.

Mr. Corey Wall, a Douglas resident and a principal of Jensen Yorba Wall, said he is working with Huna Totem on their uplands project. He spoke on the impacts and on the uplands project itself. He said there were a lot of people involved when Norwegian Cruise Line (NCL) had the property and there were at least three large public meetings. He said that every suggestion that came up during the public process was incorporated into the original plan. He said that Huna Totem incorporated many of those concepts within the uplands project which would become a significant asset to Juneau. He urged everyone to look at everything submitted to the city for the proposed Conditional Use Permit which is a public record. The parking for this project would be underground, with a public park, event area, and retail space on top. He said there are many opportunities for new businesses and that the whole site will visually communicate the Awk Kwan and indigenous art. He encouraged the city to continue to work together with Huna Totem on this project.

Assemblymember Bryson asked Mr. Wall, understanding that he has been involved since the beginning of this project, how much of the information in the RFP is already available to Huna Totem or will need to be gathered by that organization.

Mr. Corey Wall referred Mr. Bryson to Mr. Wall's previous testimony. As part of the Conditional Use Permit (C.U.P.) application, they have to do traffic studies and pedestrian movement studies. He noted that a lot of the work has been done but a lot more will happen on the marine side that will be part of a tidelands application.

Mr. Fred Parady, back loop resident, is Chief Operating Officer with Huna Totem Corporation (HTC). He said HTC is eager to work cooperatively with CBJ and the community to permit and build a cruise ship dock at Awk Landing. They are a local, native, participatory corporation and their team won international recognition for Icy Straight Point as port of the year and they have two docks in Hoonah. They are proposing developing a project on land that they own, with the necessary funding, and a team with demonstrated ability to build and complete the project on time. They meet key VITF goals and comply with all applicable ordinances. They do not need any variances with respect to parking, setbacks or height restrictions. He said this legislation began with the City Manager's memo dated December 15 and heard at the December 19, 2022 Committee of the Whole meeting with the purpose of planning the optimal location of a cruise ship dock at the subport. He said this RFP goes beyond the initial recommendation and has not been subject to critical scrutiny. It mixes up issues germane to the Huna Totem dock with much broader port planning issues such as, quoting from the RFP: "The scope of services, is anticipated, will include but not be limited to the following milestone deliverables. The intent of the project is to advance the wholistic benefits to individual partners through an areawide port planning approach. The following task elements should not be considered as a limitation to the goals currently defined by CBJ." Mr. Parady said one task element is dock electrification, which involves AEL&P's capacity which is governed by their rate structure, the rules regarding prudent investment and the rules as governed by the Regulatory Commission of Alaska (RCA). He said it represents paralysis by analysis. He said he hoped that CBJ will continue in a friendly manner, emphasizing partnership; he said that allowing public comment in a meaningful and timely manner is part of that partnership. He said that this RFP's timeline is unrealistic and precludes the planned May 2025 opening of the dock at Awk Landing. He requests that the RFP be referred to the COW and that they be given the chance to work on a phased approach in partnership with CBJ.

Mr. Mickey Richardson, a resident of Douglas Island and representative of Huna Totem Corp, stated that on January 12, 2022, Carl Uchytil came with this RFP to their office and after their meeting stated that development in Juneau is a blood sport and Mr. Richardson is here to tell the Assembly that it doesn't need to be that. He spoke about the experience HTC has within the Hoonah community. They have 120-years of development experience to help create innovative solutions to address tourism challenges in Juneau. While they didn't testify today on VITF resolution, he applauded the Assembly for passing it. He said it is a misconception that this dock will increase the number of large cruise ships. They support the 5 ship limit and by installing the dock at the subport it will remove congestion, reduce pollution, and improve the safety of the harbor. He said that tender guests spend less time and money in the community and by having this dock, they are not increasing the number of ships but rather improving the overall guest experience. He said they are moving forward with dock electrification. He said that CBJ should be looking at innovating and working in partnership with HTC.

Assemblymember Bryson asked if Mr. Richardson could share what Cruise Lines International Association Alaska (CLIAA) feels about the development. Mr. Bryson referenced a letter from 6/10/2019 prior to NCL purchasing the property for $20 million that said CLIAA supported CBJ purchasing the subport property. Since then, NCL purchased the property and then gave it to Huna Totem Corp. Mr. Bryson said that the way he reads this letter is that CLIAA is wanting CBJ to have control of this dock. He asked Mr. Richardson if there was a different CLIAA letter or any indication that they have a different take on this issue now that the ownership has changed?

Mr. Richardson said that he can't testify on behalf of CLIAA, but he is sure they will get an updated letter shortly. He added that they have the best of both worlds, sold for $20M that was given to the Mental Health Trust with the land then donated to local native community ownership.

Assemblymember Smith said that Mr. Richardson had spoken about collaboration, and he will be asking the City Manager the same question: "Why haven't we come up with a collaborative effort to work on this yet?"

Mr. Richardson said that, as mentioned by Jason Davis, there are several redundancies in the RFP. He said that they are more than willing to work together. He said this investment is expensive and that it will be engineer stamped and insured. They are willing to provide that assessment to the city. Going back to the VITF recommendations, he thinks they will help move some of those initiatives forward. He said that even with bus parking downstairs, having a downtown circulator will help move traffic downtown and also provide solutions for those who can't walk.

Assemblymember Hale asked for more information about deck electrification.

Mr. Richardson said it would be ready for dock electrification. He also noted there are some restrictions on power limits and they are third in line for a needed transformer. They believe there are ways to create solutions, but limited power also provides some challenges. He said there are other opportunities that may be available and he would like to pursue those with CBJ and AEL&P.

Ms. Jodi Garza, a valley resident, said that rejecting this ordinance is one of the easier decisions the Assembly can make. She said it is a redundant study and not a good use of public funds. This plan could hinder the Huna Totem dock development. She noted that the cruise season is longer, going now from April to October and that should be something taken into consideration.

Mr. Wayne Coogan, an Auke Bay resident, said he loves this City Manager and he has worked extensively with him over the past couple of decades and while they don't always agree, he will attest to Mr. Watt's integrity without reservation. He said that most people know our local economy is struggling.

He cited statistics that the average home in Juneau in 2018, was $360,000 and in 2022 that same home was $550,000. He said the cost of living is beyond the reach of many of Juneau's citizens, leading to an exodus of young people. He said Juneau is also facing school closures. He said that one key solution is to support key infrastructure and economic initiatives. What is being proposed downtown are significant and bold initiatives for the Huna Totem dock and USCG initiative. It isn't about supply and demand, it is about economy of scale. He asked the Assembly to suspend action on this ordinance or at least delay it to provide time to work something out.

Mr. Dave Hanna, a resident of the Back Loop Road, has concerns about the waterfront, public space, and green space. He said those can be addressed on public land, not private property. His concern is that CBJ is trading some small, known risks for large unknown risks. He said we have no ability to control or regulate the Federal Government. They would be developing on federal property and they would not need to get any permits from CBJ. Huna Totem Corp do have to apply for permits and any delay of their project provides a disincentive to private development. He said that Juneau has two big problems in this town: 1) an aging population, and 2) affordable housing. The USCG has already said that they will bring in money for housing and we know they will be bringing lots of people, some with families and children who will be going to the schools. They have said they will be providing for child care as well. He noted that the visitor industry provides a lot of jobs for young people, many of who stay in Juneau to make it their home. He said that it is ironic that CBJ provides a land acknowledgement but are telling them what they cannot do on their own land.

Mr. Roger Callaway, a Glacier Hwy. resident, spoke in opposition to this ordinance. He said that the RFP is redundant, will likely cost more and take twice as long. He said that they should start with the Long-Range Waterfront Development Plan and that any investments that have been made have been done under the umbrella of that plan.

Mr. Bob Janes, a Mountainside resident, said he cannot support this RFP and this ordinance. He cited the cost of the study. He said that Huna Totem has a great project in mind and they have studies of their own. He said that he hopes the Assembly feels the excitement that this brings for the future of Juneau.

<u>Assembly Action</u>

<u>MOTION</u> by Ms. Gladziszewski to move Ordinance 2022-06(b)(AE) for purposes of amendment that provides Assembly intent.

Ms. Gladziszewski said that at first she did not think it was necessary, but as she researched more she thinks that CBJ has a role. She said that she does not want to delay the Huna Totem project so she will be proposing some amendments. The first thing would be that the Assembly is not committing to a 5th dock. The second is to amend the area to just that covered by the Seadrome over to the AJT and not the whole square that is currently identified in the RFP (page 21 of 21 of the RFP).

Upon request for clarification by the City Attorney, Ms. Gladziszewski explained that her intent clauses would be added as Whereas clauses to the Ordinance.

Ms. Triem asked about postponing this so they didn't make amendments on the fly and wanted time to be able to consider them. Ms. Gladziszewski said she is hoping to keep from delaying the Huna Totem dock any further.

MOTION by Ms. Triem to postpone and refer Ordinance 2022-06(b)(AE) to the next Committee of the Whole meeting.

Mayor Weldon asked if there was room on the COW agenda. Mr. Watt said there was quite a full COW agenda but they would make room for this if the motion passed.

Mr. Smith opposed the motion stating the he feels we should get to certainty as soon as possible.

Ms. Hale also opposed the motion for the same reason. She stated that the testimony given tonight stresses the need for certainty.

Mayor Weldon also objected and feels they need to move forward.

Roll call vote on the motion to postpone and refer the ordinance to the next COW meeting:

Yeas: Triem

Nays: Smith, Hughes-Skandijs, Hale, Bryson, 'Wáahlaal Gíidaak, Gladziszewski, Weldon

Motion failed 1 Yea; 7 Nays

Amendment #1

MOTION by Ms. Gladziszewski to add language: "Whereas the Juneau Assembly has not committed to approving a dock at the subport."

Objection by Ms. Hale and Mr. Bryson.

Ms. Hale said that she agrees the Assembly has not committed to that but she doesn't feel that language is necessary in this ordinance.

Mr. Bryson said that it sends an equally negative message that we are almost saying no to the dock by including that in the ordinance.

Ms. Hughes-Skandijs said that she didn't realize this is what Ms. Gladziszewski had in mind and asked if they could take an at ease so that Ms. Gladziszewski could work with the attorney to draft the amendments rather than do it on the fly.

Mayor Weldon recessed the meeting resumed the meeting at 9:46p.m.

Ms. Gladziszewski withdrew her amendment.

MOTION by Mr. Bryson to postpone Ordinance 2022-06(b)(AE) indefinitely and asked for unanimous consent.

Objections by Ms. Gladziszewski and Mayor Weldon.

Mr. Bryson said we are spending $300,000 of public funds for an unnecessary expense on a duplicative study. He said this study may delay and jeopardize half a billion dollars coming into the community from the Coast Guard. He said that CBJ attempted do something about this in 2019 and failed when we couldn't buy the subport property. He said we need to let the private sector move forward, using private sector money, and not waste a single nickel of taxpayer dollars.

In speaking to her opposition, Ms. Gladziszewski said that she used to feel like Mr. Bryson. She noted that this would be coming from port development fees and not CBJ taxpayer money. She also stated that this is the last piece of our waterfront. She agreed that she would like to see private property owners pay for this. She said this doesn't delay anything but could enhance the plans. She said that the city should have some planning in the development of the last portion of the waterfront. She said that it should have been done two years ago but they were busy with COVID. She said with respect to the USCG and icebreaker coming to Juneau, many in the USCG don't want the icebreaker coming to Juneau. She said that this is to help the icebreaker in coming to Juneau and not to preclude it from coming to Juneau.

‘‘Wáahlaal Gíidaak spoke in support of Mr. Bryson's motion. She agreed with postponing this and that a conversation is needed with Huna Totem.

Ms. Triem said that she supports Mr. Bryson's motion for this ordinance. She said that she also agrees with Ms. Gladziszewski about our need to plan for the whole waterfront. She said it was clear with all the comments and public testimony earlier tonight that CBJ has a duty to the residents of Juneau, and it is on the Assembly to ask the hard questions on behalf of the whole community. It was made clear at the beginning when NCL purchased the property that this process was going to be taking place and not just a green light, regardless of who the land owner was going to be. She said that she thinks it is better to just scrap this idea and accomplish our goals of managing the waterfront through other ways.

Ms. Hale said this specific ordinance and RFP is too rushed. She said that amending the Long Range Waterfront Plan might be a better vehicle to do what they want.

Mr. Smith said that he has some questions to ask the Manager. He said that during testimony there was argument that this work would be redundant asked him to speak to that.

Mr. Watt said they are talking about two different things. Huna Totem Corp. wants to present a dock and uplands project to the Assembly. This ordinance proposes a broader view of the entire port and a process where the Assembly can task their staff for information. He said he thinks Huna Totem Corp. might be disappointed if they came up with a dock proposal and the Assembly asked how it fits with the USCG. Without this ordinance, Mr. Watt would have to say, "I don't know." He said it is his opinion that this work would increase the likelihood of success of a dock project and accelerate the schedule.

Mr. Smith said that some of the testimony had to do with a potential USCG facility downtown and he asked if this might preclude a USCG facility.

Mr. Watt said that a major point of the ordinance would be to make sure that we can host a USCG icebreaker. He said that CBJ will need to work very hard on coming up with proposals if we want to see an icebreaker coming to Juneau. If we want to see this happen, we will need to put concepts in front of them and advocate for them.

Mr. Smith asked Mr. Watt if he was aware of other communities that have had issues or conflicts with dock location.

Mr. Watt said that every SE Alaskan community has issues. He said the most recent example is the Municipality of Skagway taking over the ore terminal docks. They had been looking to the same contractor and put forward a proposed plan to the Municipality of Skagway to put in a floating berth, but the cruise industry said that there were not sufficient clearances. He thinks a dock at the subport may be less difficult to site but is concerned that the USCG will feel that a cruise ship dock was placed too close to be comfortable in docking an icebreaker in the USCG dock space.

Mr. Smith expressed his concerns with redundancy and delaying the timelines involved. He said it is the Assembly's responsibility to look at the overall picture and evaluate where a dock downtown provides the least effect on others. He said he was not supportive of tabling this ordinance at this time.

Ms. Hughes-Skandijs said they want the USCG in Juneau and know we have economic issues. She said, quoting former assemblymember Mr. Edwardson, that it is the Assembly's job to consider the best and highest use of city property and whether all the interests concerned were being represented. She said that CBJ remains interested in controlling waterfront as they are interested in the best and highest use of the rest of the waterfront. She said that it is incumbent on the Assembly to consider all the people in the community. She said she is not a huge fan of this idea because she does not know how the Assembly will maintain their neutrality and have this ordinance go forward. However, she will vote against tabling this in order to give Ms. Gladziszewski a chance to make her amendments.

Mayor Weldon said that she has met with Huna Totem several times about this. She said she does not question their integrity or their creativity, but this study would provide the federal government with the information they need regarding the icebreaker. She hoped Ms. Gladziszewski's amendments may improve the process. She noted that this is likely to take less than 9 months and this could be done simultaneously with Huna Totem.

Mr. Bryson said that CBJ has asked to do private/public partnerships (PPP). He said that if we do this, why would anyone want to join with CBJ on the PPP. He said we do not need to spend $300,000 and asked to postpone this ordinance indefinitely.

Roll Call Vote on motion to postpone indefinitely.

Yeas: Bryson, Hale, Triem, 'Wáahlaal Gíidaak

Nays: Hughes-Skandijs, Smith, Gladziszewski, Weldon

Motion failed: 4 Yeas, 4 Nays.

Amendment #2 by Ms. Gladziszewski to add the following language: "Whereas the area of study for this Juneau port master planning from the Seadrome to the old standard oil AJT dock,"

Ms. Gladziszewski said that amendment #2 is making the study area smaller. She said that Mr. Uchytil originally included a larger study area to include dock electrification but she is trying to reduce the scope. The new area would be the Seadrome area to the dock area by the Huna Totem property.

Objection by Ms. Triem noting that she does not want Juneau to end up in a similar situation to Skagway. She said if planning needs to include the whole waterfront area. She also noted that by reducing the area of the study, it singles out the Huna Totem dock and may have a negative effect on the relationship with Huna Totem. She would like to keep the study area as broad as possible.

Mayor Weldon said she was in support of the amendment as the smaller area will keep from causing further delays.

Roll Call Vote on Amendment #2:

Yeas: Gladziszewski, 'Wáahlaal Gíidaak, Smith, Hughes-Skandijs, Hale, Bryson, Weldon

Nays: Triem

Motion passed: 7 Yeas, 1 Nay.

Amendment #3 by Ms. Gladziszewski to have the new cruise ship dock portion done in three months.

Ms. Gladziszewski said she is trying to give the Manager and Port Direction time to gather information while also not delaying Huna Totem Corp.

Objection by Ms. Hale for purposes of a question. She said that she understands that 1.4.1.C. talks about evaluation of location with deference to the USCG dock and talks about the Standard Oil Dock, however 1.4.2.A. talks about conceptual options and shoreside requirements for a hypothetical icebreaker. She asked if they would be getting what they want if they just go with 1.4.1.

Ms. Gladziszewski said that this amendment is just stating that the 1.4.1 portion is done in three months and Amendment #4 was going to be that the whole thing would be completed in 9 months but she was remaining silent on the other pieces within the plan as long as the whole thing was completed in 9 months. Ms. Hale removed her objection.

Mr. Smith asked if this would be feasible for CBJ staff.

Mr. Watt said that he understands the intent of the motion and while he can't promise consultant schedules, he can re-prioritize staffing schedules to make this the highest priority. He said they would also work with Huna Totem and their engineer and incorporate their efforts to the best of their ability.

Mr. Smith said he also wanted to check with Huna Totem to see if this would meet with their timeframe but it appears they have left the meeting.

Objection by Mayor Weldon for a question of how the amendment lines up to the other areas of the waterfront.

Ms. Gladziszewski clarified that she spoke with an engineer and was told that these are technical pieces that could be done fairly quickly and the amendment is to put the Huna Totem dock area on the quickest timeline possible during this process so this plan does not delay what they are trying to do. The other areas will also be addressed later in the process.

All objections were removed and Amendment #3 passed by unanimous consent.

Amendment #4 by Ms. Gladziszewski to require this study to be done within a 9 month period.
Hearing no objection, amendment 4 passed by unanimous consent.

Mayor Weldon said they would take a 5 minute recess before voting on the main motion as amended.

Roll Call Vote on adoption of Ordinance 2022-06(b)(AE) as amended.

Yeas: Gladziszewski, Smith, Weldon

Nays: Triem, 'Wáahlaal Gíidaak, Hughes-Skandijs, Hale, Bryson,

Motion failed: 3 Yeas, 5 Nays.

15. Ordinance 2022-06(b)(AF) An Ordinance Transferring $30,000 from Information Technology to Community Development for a GIS Technician.

CBJ's GIS Technician position is currently split-funded between Information Technology (IT) and the Police Department (JPD). To better align the work of the technician with Community Development's (CDD) GIS program objectives, this ordinance would transfer the remaining FY23 authority for the IT-funded portion of this position to CDD while maintaining staffing levels to JPD. This position will be included in CDD's FY24 budget request.

The Systemic Racism Review Committee reviewed this request at the January 10, 2023, meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

<u>Public Comment</u>

None.

<u>Assembly Action</u>

<u>MOTION</u> by Ms. Triem to adopt Ordinance 2022-06(b)(AF) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

16. Ordinance 2022-06(b)(AG) An Ordinance Appropriating $93,336 to the Manager for a Grant to Travel Juneau; Funding Provided by Hotel-Bed Tax Funds.

The Hotel-Bed Tax Fund has accumulated a sizeable balance as a result of much higher than anticipated tax revenue. Had this revenue been foreseen during the budget process, the annual Assembly grant issued to Travel Juneau for the purpose of tourism marketing would likely have been significantly larger. As such, this ordinance would make a supplemental grant to Travel Juneau for the 2023 fiscal year.

Travel Juneau will use this additional grant to reimburse $93,336 of expenses associated with the 2022 Ironman Alaska event. These expenses include facility and equipment rentals, Ironman staff lodging, JPD and CCFR staff time, and an economic impact analysis of the event.

The Assembly Finance Committee reviewed this request at the January 4, 2023 meeting. The Systemic Racism Review Committee reviewed this request at the January 10, 2023, meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

<u>Public Comment</u>

Ms. Karla Hart, a Back Loop Road resident, urged the Assembly to not give the money to Travel Juneau. She said that if there is a surplus of money from bed taxes, to look at adjusting the bed tax back down or to give a tax holiday during legislative session so that Alaskans who are traveling to Juneau to meet with their legislators would receive a reduced tax rate. She stated that Iron Man is a for-profit business and the fact that Travel Juneau incurred expense on behalf of a for-profit business is Travel Juneau's problem and not that of CBJ. She encouraged them not to provide this money to Travel Juneau, especially in light of the fact that this was too big an event for Juneau to host.

<u>Assembly Action</u>

<u>MOTION</u> by Mr. Smith to adopt Ordinance 2022-06(b)(AG) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

N. UNFINISHED BUSINESS

O. NEW BUSINESS

17. Augustus Brown Pool Request for Supplemental Agreement

Mayor Weldon recused herself from this item due to conflict of interest and passed the gavel to Deputy Mayor Gladziszewski.

Deputy Mayor Gladziszewski said that the Assembly has read the memo in the packet and she asked the Manager if he had any additional comments.

Mr. Watt stated that they are looking for a motion and that a suggested motion is at the bottom of the memo as found on packet page 38 to support a supplemental agreement in the amount of $828,592.

<u>MOTION</u> by Ms. Triem to approve the supplemental agreement for Augustus Brown Pool in the amount of $828,592 and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon returned to the meeting and the gavel was passed back to her.

P. STAFF REPORTS

18. FY24 Legislative Capital Priorities

Mr. Watt noted that the Legislative Capital Priorities were forwarded from the Assembly Committee of the Whole and they were looking for a motion to adopt those priorities.

MOTION by Ms. Gladziszewski to approve the FY24 Legislative Capital Priorities as amended with the North Douglas cross ranked as #2 and found in the red folder and asked for unanimous consent.

Objection by Ms. Hale for purposes of clarification. She said that the Telephone Hill redevelopment project mentions various things, including demolition of current structures. She said there has been a request from residents of Telephone Hill that language be changed to "possible demolition" since there hasn't yet been a public process. She said that she discussed this earlier with the City Manager.

Mayor Weldon asked Mr. Watt if he had a comment or if he would just be making that change. Mr. Watt said that they would just be making that change in their solicitation for professional service and asked that people contemplate a "leave it as is" option.

Hearing no objection, the motion passed by unanimous consent.

19. 2022-2023 Assembly Goals for Final Adoption

MOTION by Ms. Gladziszewski to approve the 2022-2023 Assembly Goals and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

20. Employer-Sponsored Dependent Care Account

Mr. Barr noted that they wished to postpone this item to the next regular meeting.

21. Request for Assembly direction on conducting the October 3, 2023 Regular Municipal Election

Ms. McEwen noted that the packet includes a memo outlining the code requirement for the Assembly to pass a motion if they intend to conduct the next Regular Election as a By Mail Election.

The City Manager recommends the Assembly pass a motion to conduct the October 3, 2023, Regular Municipal Election as a By Mail Election.

Ms. Gladziszewski said she didn't realize it would take a motion each time to conduct a By Mail election.

MOTION by Ms. Gladziszewski to conduct the October 3, 2023 Regular Municipal Election as a By Mail Election and to direct staff to draft code changes to make By Mail Elections a permanent change not requiring a motion each time. *Hearing no objection, the motion passed by unanimous consent.*

Q. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

R. ASSEMBLY COMMENTS & QUESTIONS

Mayor's Report:

Mayor Weldon reported on discussions related to landfill/trash solutions. She requested Assembly approval to have staff draft appropriating ordinances to provide additional trash clean up, sponsoring CBJ clean up days, and other possible solutions. *Hearing no objection, that request was approved.*

Ms. Hale noted that PWFC has been discussing the trash situation extensively as well and Ms. Triem noted that it was scheduled for discussion at the next AFC meeting.

Mayor Weldon noted that Assemblymembers and staff will be attending Southeast Conference over the next three days. She assigned the Douglas Cemeteries topic to the Lands, Housing & Economic Development Committee.

Committee and Liaison Reports:

Ms. Triem reported that she attended the BRH Finance Committee meeting and their CEO reported out the three phase plan to address the financial issues they have been dealing with. It went to the full board on 1/24 and will be coming up during the joint meeting.

Mr. Bryson said in anticipation of Senator Murkowski securing millions of dollars for Alaska as it relates to federal money, he requested Assembly approval to have staff draft an appropriating ordinance to establish a up to $5 million dollar placeholder for the Capital Civic Center to come from the fund balance to be brought for discussion at a future meeting. *Hearing no objection, that request was approved.*

'Wáahlaal Gíidaak said the Planning Commission met and approved a Conditional Use Permit for the Off Road Vehicle park on 565 acres of CBJ land by Bridget Cove on the uphill side of the road.

Mr. Smith forwarded the following recommendation from the Assembly Human Resources Committee for appointments to boards and commissions and asked for unanimous consent:

Juneau Human Rights Commission – Camille Mauch to a term beginning immediately and expiring May 31, 2025

Building Code Advisory Committee – Patrick Gorman to a term beginning immediately and expiring November 30, 2025.

Juneau Commission on Sustainability – Laura Achee to a term beginning immediately and expiring June 30, 2026.

Local Emergency Planning Committee appointments as follows:

Seat 3 – Firefighter/EMS Seat [Primary Member] **Ed Quinto.** Term: 1/1/2023-12/31/2025.

Seat 3a – Firefighter/EMS Seat [Alternate Member] **Travis Mead.** Term: 1/1/2023-12/31/2025.

Seat 5 – BRH Hospital [Primary Member] **Evan Price** {replacing Daniel Wiersma}. Term: Immediately-12/31/2023

Seat 7 – American Red Cross Seat [Primary Member] **Britta Tonnessen.** Term: 1/1/2023-12/31/2025

Seat 7a – American Red Cross Seat [Alternate Member] **Loren Jones.** Term: 1/1/2023-12/31/2025.

Seat 10 – Haz/Mat Transporter Seat [Primary Member] **Jeffrey Garmon** {replacing Jonathan Suk}. Term: Immediately-12/31/2023

Seat 11 – Vulnerable Population Representative Seat [Primary Member] **Eileen Hosey** {replacing Zachariah Fisher}. Term: 1/1/2023-12/31/2025

Seat 11a – Vulnerable Population Representative Seat [Alternate Member] **Erin Walker-Tolles.** Term: 1/1/2023-12/31/2025

Hearing no objections, the above appointments were approved by unanimous consent.

Mr. Smith noted that there will be a meeting of the Full Assembly sitting as the HRC to interview empowered board applicants tomorrow night.

Ms. Hale reported that there will be a joint Assembly/JSD Facilities Committee on February 3 at Noon in the Assembly Chambers.

Ms. Hughes-Skandijs reported that Lands, Housing, & Economic Development Committee will be holding a Special Committee meeting on February 17.

Mayor Weldon reminded everyone about the meetings of the Full Assembly as HRC on Tuesday, Jan. 31 and then the joint meeting with BRH followed by AFC on Wed. Feb. 1.

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

T. EXECUTIVE SESSION

22. The Municipal Attorney recommends the Assembly recess into executive session to discuss pending CBJ litigation, specifically a candid discussion of the facts and litigation strategies with the municipal attorney.

MOTION by Ms. Triem to adjourn into Executive Session to discuss pending CBJ litigation, specifically a candid discussion of the facts and litigation strategies with the municipal attorney and asked for unanimous consent.

There being no request from the public and no objections, the motion was approved by unanimous consent.

MOTION by Mr. Bryson to extend the end time of the meeting to no later than 11:15p.m. *Hearing no objection the motion carried and the Assembly began Executive Session at 10:52p.m.*

The Assembly returned from Executive Session at 11:00p.m.

U. SUPPLEMENTAL MATERIALS

23. RED FOLDER-Ordinance 2022-06(b)(AE) Supplemental Material - Port Planning Proposed RPF

24. RED FOLDER-Ordinance 2022-06(b)(AE) Supplemental Material - 12/19/2022 COW Packet items re: Cruise Ship Dock Waterfront Planning

25. RED FOLDER - FY24 DRAFT Legislative Capital Priorities

V. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 11:01 p.m.

Signed: ___________________________	Signed: _________________________
Elizabeth J. McEwen	Beth A. Weldon
Municipal Clerk	Mayor