

REGULAR ASSEMBLY MEETING 2024-08 MINUTES

April 01, 2024, at 7:00 PM

Assembly Chambers/Zoom Webinar



A. CALL TO ORDER

Meeting 2024-08: 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 & LAND ACKNOWLEDGEMENT

Mr. Smith led the Assembly in the flag salute.

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

C. ROLL CALL

Assemblymembers present: Greg Smith, Ella Adkison, Paul Kelly, 'Wáahlaal Gídaag (participating remotely), Christine Woll, Wade Bryson, Michelle Hale, and Mayor Beth Weldon

Assemblymembers absent: Alicia Hughes-Skandijs

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Port Director Carl Uchytel, Parks and Recreation Director George Schaaf, Tourism Manager Alix Pierce, Assistant Municipal Attorney Sherri Layne

D. SPECIAL ORDER OF BUSINESS

E. APPROVAL OF MINUTES

1. August 21, 2023, Regular Assembly Meeting Minutes – Draft

MOTION by Ms. Hale to adopt the August 21, 2023, Regular Assembly Meeting Minutes and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Koester asked that item 15, Bid Award for the Adair Kennedy Baseball Field Improvements, be moved to new business to correct a typo.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Joshua Adams, who owns property downtown, said that in a recent meeting the Juneau Assembly voted almost unanimously to proceed with the Telephone Hill Redevelopment project without formally conducting a Section 106 review. He said this sets a dangerous precedent for future development in the district. He said either the Assemblymembers did not understand the true implications of the Section 106 review, or the idea is to get rid of structures when nobody is watching. He said he fears the Assembly will try to push through a quick sale by demolishing the existing homes and selling the 4.4 acres of Telephone Hill as-is to a contractor. He said this is dangerous because a contractor in possession of the hill would not be obligated to follow the development option voted on by the people. He said if Juneau goes through with the initial stages of the redevelopment project without fulfilling its obligations to the 1966 Historical Preservation Act, it is possible that the historic homes on Telephone Hill would be destroyed, leaving nothing more than an enduring scar in the middle of downtown Juneau. He said people think they want the redevelopment of Telephone Hill because they've been misled and

don't understand that you can have housing and history in the same place. He said we lose nothing by delaying an incomplete plan for a Section 106 review which has already been paid for.

William Quayle, from downtown Juneau, said the pedicab rules must be changed. He said Juneau is the only city in the United States that does not let pedicabs drive at night with lights. He said he wants to get rid of regulations that require pedicabs to only operate downtown and during the day. He said he would like to operate from the bus stop to the Mendenhall Glacier, but he cannot because of the current rules. He listed other places in Juneau he would like to give people rides outside of downtown, including Treadwell and the Mendenhall Mall.

Ken Huse, from North Douglas, said he wanted to thank the Juneau Assembly for public comment. He said he would appreciate if Juneau could add their voice to the over 100 cities from around the world by calling for a ceasefire in Gaza. He said then we would have taken an action to help alleviate the current cruelty and widespread suffering and starvation of innocent people to which we, day after day, month after month, witness. He begged the Assembly to call for a ceasefire as the only conscionable thing that we can do to help end the suffering.

Zara Kahn, from West Juneau, spoke regarding the conflict in Palestine and said that not long ago the Assembly took bold action to stand with Ukraine and to penalize the aggressor. She said it matters little whether it passed or failed; that the Assembly spoke up and provided representation. She said she is before the Assembly to ask for representation. She said two million civilians have been bombed and are homeless and 40,000 children are dead or are starving to death. She said the US is complicit in providing \$18 billion dollars. She said this is a man-made catastrophe and humanitarian crisis. She said there is justice for some in our community, that some people have a right to their land, that some lives matter. She said that Islamophobia and Muslim bigotry is marching forward at an unprecedented pace. She urged the Assembly not to stay silent and to represent the majority of people who are calling for a ceasefire.

Sonia Kumar, from Auke Bay, said she was here on behalf of herself as a member of this community for four years. She said almost 5300 Palestinians had died since she had last come to testify on this issue before the Assembly. She said the total death toll is estimated to be about 33,000 Palestinians. She said that today is her first foray into local politics, and she is disappointed as the Assembly seems to be more concerned about the opinions of their friends than the needs of the community. She said calling for an immediate and permanent ceasefire and the end to the violence in Palestine is not antisemitic. She asked how it is so easy to turn a blind eye to the pervasive racism and Islamophobia in our community and stay silent on this issue. She said a recent survey conducted by Data for Progress showed that 69% of Southeast Alaska residents support a ceasefire and the de-escalation of violence in Gaza. She said that Juneau passing a resolution for a ceasefire is not going to stop the slaughter but that the symbolic nature of the ceasefire resolution is important for this community.

Tony Tengs, from downtown Juneau, said he is here to enjoin the Assembly to pass a resolution in support of an immediate ceasefire in Gaza and the occupied territories. He said this is something that would help our delegation in Washington stand up to the powerful Israel lobby. He referred to an opinion piece written that said that it serves both the Israeli and Hamas to undercount the casualties and a more accurate estimate would be approximately 200,000 people dead in Gaza already. He said that Ernest Gruening was one of only two to vote against the Tonkin Gulf resolution that got us into the Vietnam War. He said Mr. Gruening looked foolish at the time but was vindicated by history. He urged the Assembly to pass a resolution supporting a ceasefire.

Mel Izzard, from the Mendenhall Valley, asked the Assembly to call for a ceasefire in Gaza. She thanked the Assembly members who have expressed interest in passing a ceasefire resolution and questioned whether the other members were listening to their constituents. She urged the Assembly to show dignity and stand up for what is right, regardless of how controversial they might think it is, because the majority of Southeast Alaskans support a ceasefire. She asked the Assembly to speak up against both antisemitism and Islamophobia, to speak up against the forceful and illegal seizure of native land in Palestine, and to demand an end to the murder of civilians.

Rosemary Welling, from Tee Harbor, spoke about the Marie Drake building and the planetarium. She said it seemed like one option was to demolish the building, including the planetarium, but other options might be for

CBJ to maintain the building and allow the Friends of the Marie Drake Planetarium to continue to operate it. She said last year they had about 2,300 people attend free shows there, including about 600 students. She said it would cost at least \$2 million dollars to build a new planetarium. She said the planetarium could expand its usage to show the highlights of Southeast Alaska, like the icefield or auroras. Mr. Bryson asked if it was possible to disassemble and reassemble the planetarium at a different location. Ms. Welling said it might be possible but it would make more financial sense to replace the dome rather than move it.

Amy Paige, from downtown Juneau, urged the Assembly to adopt a resolution calling for a ceasefire in the Gaza-Israel war so humanitarian aid can reach the starving people of Gaza and the hostages held by Hamas can be released safely. She said the conflict affects us all as our tax dollars are fueling the killing and destruction. She said she does not expect this resolution to solve the problem. She said she was shocked by the initial attack by Hamas and the killing of 1,200 civilians and the taking of hostages and has been horrified by the destruction of Gaza, including hospitals, mosques, schools and homes, and the misery and death befalling Palestinians. She said we must demand the immediate end of military aid to Israel and humanitarian aid must be allowed to reach Gaza and that is why she is urging the President, congressional leaders, and the Assembly to support a ceasefire.

Jonathan Swinton, from Douglas, is the executive director of Gastineau Human Services. He said their agency provides substance abuse treatment and reentry services in their halfway house. He said they dedicate a lot of resources in providing a continuum of care, including residential substance use treatment, outpatient treatment, and a halfway house for those coming through Corrections programs. He said people who do well in their programs are struggling to find affordable housing, and as a result can end up relapsing or reoffending. He said they propose to develop a 51-unit low-income long-term housing facility for people dealing with reentry or recovery on five (5) acres of property they own. He said to make this happen it will cost a substantial amount of money; he said they have lined up some money but need \$2 million dollars of matching funds. He plans to make an official request to ask CBJ for the money. Mayor Weldon asked if Gastineau Human Services was working with the State of Alaska. Mr. Swinton said they had a request in to Senator Murkowski's office and to the Alaska Housing Finance Corporation.

Amy Skilbred, from the Salmon Creek area, is the executive director of the Juneau Community Foundation. She said she was speaking in support for Gastineau Human Service's request for \$2 million dollars. She said the entire group of organizations that support people experiencing homelessness support this project. She said an additional 51 rooms would be incredibly helpful. She said they need some assurance about the money by April 27 to meet a deadline for a federal government grant program. Ms. Hale asked if they are asking for this outside of the regular budget cycle. Ms. Skilbred said the federal grant application is due on May 1.

David Ringle, from the Airport area, is the executive director of St. Vincent de Paul. He said he is here to talk about long term housing solutions. He said that for every person they house at the warming shelter there are three people in long-term housing, spread across rental units and transitional housing units. He said recently the National Low Income Housing Coalition produced a study called The Housing Gap that showed for every 100 low-income households in Alaska, there were only 25 low-income rental units. He said the long-term solution to homelessness is housing. He said states that are successful in reducing homelessness have put as much money into housing as into shelters. He urged the Assembly to make an investment in low-income housing.

Dick Callahan, from West Juneau, asked the Assembly to support a resolution for a ceasefire in Gaza. He said that the Zionist plan to colonize Palestine started in 1897 and that 127 years later Israel is a country receiving hundreds of billions of dollars from the United States and cannot feed, water, or defend itself. He said that means Israel cannot commit genocide by itself and we also bare responsibility. He said no one in this room supports genocide and asked the Assembly to vote to support a ceasefire.

Phillip Moser, from the Valley, spoke in support of a ceasefire resolution in Gaza. He said that this past weekend he watched crimes against humanity happen with the funds from our country, including hospitals being burned and bombed and health care workers, reporters, and food aid workers killed. He said hundreds of civilians are being killed each day. He said the country of Israel is a profitable US ally and the United States profits from the

sale of weapons. He said it was easier to denounce the Russian invasion of Ukraine. He said silence and inaction are choices; he said Juneau did not speak up about the interment of Unanga's people on Admiralty Island, when Japanese-Americans were interned and driven out of Juneau, or when there was a federal proposal to relocate Jewish refugees to Southeast Alaska. He said the city is affected by actions outside of its borders and should act on it.

Mariya Lovishchuk, from North Douglas, said she came to speak about the Gastineau Human Services housing project, which is estimated to cost \$11.5 million. She said it is currently at about 35% design right now. She said there are two close deadlines for federal grants coming up. She said they do not need a complete, signed ordinance with the application but do need an assurance of funding from the Assembly. She said the Glory Hall homeless shelter and all current Housing First apartments are full. She said they know how to build projects, but need the Assembly's support, like Housing First phase 1 and 2. She said the \$2 million dollar ask from the Assembly will leverage them the remainder of the funding and they have a clear path forward for receiving it.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes - None

Assembly Action

MOTION by Ms. Hale to the consent agenda as amended by the Manager and asked for unanimous consent. ***Hearing no objection, the consent agenda was approved as amended with item K moved to new business.***

I. Ordinances for Introduction

2. Ordinance 2024-04 An Ordinance Establishing Duties of the Tourism Office.

This ordinance establishes the CBJ Tourism Office and allows the Manager to assign the Tourism Manager as the project manager or co-project manager for projects with a substantial relationship to tourism. Duties include a centralized tourism policy and management; coordination of community planning and projects related to tourism; public relations related to the visitor industry, including contract management and cruise ship schedule coordination; and other duties as assigned by the Manager.

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

3. Ordinance 2024-10 An Ordinance Amending Chapter 85.02 Related to the Docks and Harbors Board Roles Related to Tourism.

The Assembly has funded a Tourism Manager position since 2021, who works for the City Manager. This ordinance would clarify the Docks and Harbors Board duties related to tourism management. Notably, Docks and Harbors would maintain and operate the municipal cruise ship docks, and the Tourism Manager would be responsible for cruise-ship based tourism management, including capital projects. There is a companion ordinance, 2024-04, related to Tourism Manager duties. This ordinance would help advance the goals of the Visitor Industry Task Force (VITF) and provide a more direct route for Assembly control of tourism-related projects.

The Assembly most recently discussed this ordinance at the Assembly Committee of the Whole on February 26, 2024, and directed Assembly liaisons to discuss this topic with their empowered boards.

Assemblymember Woll has included a proposed amendment for consideration at the next meeting.

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

4. Ordinance 2023-14(b)(S) An Ordinance Appropriating up to \$ 1,213,423 to the Manager as Local Grant Match for the North Douglas Crossing Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate up to \$1,213,423 for the North Douglas Crossing CIP to fulfill two local grant match requirements:

Rebuilding America's Infrastructure and Sustainability and Equity (RAISE) Grant Match \$ 866,000

FFY23 Congressionally Directed Spending (CDS) Grant Match \$ 347,423

The RAISE grant's local match contribution was pledged in Resolution 3019(b) adopted during the January 30, 2024, Regular Assembly meeting. The CDS funding was secured by U.S. Senator Lisa Murkowski in the Consolidated Appropriations Act for Federal fiscal year 2023. These grants will provide funding for community outreach and the design phase of the North Douglas crossing. The Engineering and Public Works Department is currently working with the Alaska Department of Transportation & Public Facilities to confirm whether previously appropriated funds can be used toward the match. Due to the time sensitivity of the project, this request would ensure the grant match funding is available. If previously appropriated funds are approved for the local match, these appropriated general funds would be returned to the General Fund.

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

5. Ordinance 2023-14(b)(AF) An Ordinance Appropriating \$164,000 to the Manager for Tripper Transit Services During Tourist Season; Funding Provided by Marine Passenger Fees.

This ordinance would appropriate \$164,000 of Marine Passenger Fees for Capital Transit's "tripper" bus service during peak tourist season. The 2023 summer cruise season highlighted significant challenges for Capital Transit in effectively serving both Juneau residents and cruise ship tourists. Due to the volume of cruise ship tourists using the local bus system, hundreds of local bus riders, including people in wheelchairs, were unable to board buses due to no capacity available. This funding would restore the mid-day Valley/Downtown Express Route 8 on weekdays and extend the Valley/Downtown Express Route 8 service to Saturdays and Sundays during April, May, and June. Passenger fee funding for FY25 Tripper bus services is included in the FY25 Manager's Proposed Budget, pending appropriation by the Assembly.

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

6. Ordinance 2024-03 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2024 Based Upon the Proposed Budget for Fiscal Year 2025.

This ordinance establishes the mill rates for property taxes for 2024, which funds a significant portion of the City and Borough of Juneau's FY25 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY25 Proposed Budget that will be reviewed by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies.

For FY25, the operating mill rate is proposed to increase 0.16 mills for a total proposed mill levy of 10.32 mills, the components of which are:

FY2025 Proposed Mill Rate

Areawide: 6.36 (an increase of 0.16 from FY24 Adopted)

Roaded Service Area: 2.45 (flat from FY24 Adopted)

Fire Service Area: 0.31 (flat from FY24 Adopted)

Debt Service: 1.20 (flat from FY24 Adopted)

Total FY25 Proposed Mill Rate: 10.32 (an increase of 0.16 from FY24 Adopted)

An opportunity for public comment on the proposed mill rate will be provided during the Regular Assembly meeting on April 29, 2024.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

7. Ordinance 2024-01 An Ordinance Appropriating Funds from the Treasury for FY25 City and Borough Operations.

This ordinance appropriates \$521,504,900 in expenditure authority for the City and Borough of Juneau's FY25 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$501,565,300 of forecast revenue and transfers-in and decreases in fund balances, across all funds, by \$19,939,600. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures. Budgeted expenditures and revenues will be reviewed in detail with the Finance Committee during the budget process in April and May.

The Charter requires that a public hearing be held on the FY25 operating budget by May 1, 2024, and the ordinance be adopted by June 15, 2024.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024.

8. Ordinance 2024-02 An Ordinance Appropriating Funds from the Treasury for FY25 School District Operations.

This ordinance will appropriate to the School District an FY25 operating budget of \$85,397,400. This is an overall decrease in the budget of \$10,919,600 from the FY24 Amended Budget. The FY25 school budget is supported with a combination of funding sources including CBJ local funding, and state and federal funding of \$44,368,300. The local funding consists of \$34,432,000 for general operations (i.e. educational funding) and \$3,690,400 for non-educational programs and activities.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided, and provide notification of the support to the School Board within 30 days of the School District's budget submission. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding limits, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2024.

On April 29, 2024, a meeting is scheduled for the Assembly to state, by motion, the amount of local funding to be provided to the School District.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024.

9. Ordinance 2024-15 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 5 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

In February, JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots (Lot 4 and Lot 5) have been available for purchase from the CBJ since 2017 by over-the-counter sale and have been designated for higher-density residential development. The application states that if the sale is approved, JG Construction will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to the USCG, and JG Construction has rented to the USCG for 24 years.

The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. On March 11, 2024, the Assembly authorized the CBJ to enter fair market value negotiations with JG Construction.

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

10. Ordinance 2024-16 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 4 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

In February JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots have been available for purchase from the CBJ since 2017 by over-the-counter sale. The two lots are located on Jackie Street and were platted as part of the Renninger Subdivision which was completed by CBJ in 2015. JG Construction has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots and proposes to use the property for residential development. The application states that if the sale is approved they will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to the USCG, and JG Construction has rented to the USCG for 24 years. The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. The Assembly reviewed the application at the March 11, 2024, meeting and authorized the CBJ to enter fair market value negotiations with JG Construction.

4/1/2024 Clerk Note: Ordinance Title updated on the agenda to reflect lot, location and the ordinance in the packet.

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

J. Resolutions

11. Resolution 2986 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.

This resolution would update the Assembly Rules of Procedure with a number of housekeeping changes, clarify that committees only make recommendations, clarify quorum for four-member committees is three members, and clarify when members may participate remotely.

This item was reviewed by the Assembly Human Resources Committee on March 4, 2024, and by the Committee of the Whole on March 11, 2024, with a recommendation to adopt.

The City Manager recommends the Assembly adopt this resolution.

12. Resolution 3054 A Resolution Accepting a Gift of \$431,870.34 from the Estate of Duane Levi Packer to the Eaglecrest Foundation to Benefit the Eaglecrest Ski Area Maintenance Department.

The Eaglecrest Ski Area is extremely grateful to Duane Packer for bequeathing these funds to the Maintenance Department. The Eaglecrest Ski Area will work with the Eaglecrest Foundation to ensure the funds are disbursed consistent with Mr. Packer's will and CBJ laws.

The Eaglecrest Board of Directors reviewed this topic on December 7, 2023. The Assembly Human Resources Committee reviewed this topic on March 4, 2024, and recommended the Assembly adopt this resolution.

The City Manager recommends the Assembly adopt this resolution.

13. Resolution 3058 A Resolution Authorizing the Manager to Negotiate a Less than Fair Market Sale of a Surplus Fire Engine from Capital City Fire/Rescue.

Capital City Fire/Rescue determined that its 1995 Seagraves 4WD Fire Engine is surplus to its needs. The community of Yakutat has requested to acquire it, and the Fire Chief believes the fair-market value could be over \$50,000. CBJC 53.50.210(b) allows the CBJ to transfer any surplus property to another government or quasi-government unit for items that exceed \$50,000 with Assembly consent. This resolution would allow the Manager to negotiate a less than fair market sale of the surplus fire engine to Yakutat.

The City Manager recommends the Assembly adopt this resolution.

14. Resolution 3052 A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2025 through 2030 and Establishing the Capital Improvement Project Priorities for Fiscal Year 2025.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2025 through 2030, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY25.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 11, 2024, meeting and forwarded the plan to the Assembly.

The City Manager recommends the Assembly introduce this resolution, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

K. Bid Awards – Clerk's Note: removed from the consent agenda; moved to New Business.

15. BE24-147 Adair Kennedy Baseball Field Improvements

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No 1	Add. Alt. No 2	TOTAL BID
Dawson Construction, LLC	\$2,629,802.89	\$15,000.00	\$315,000.00	\$2,959,802.89
Coogan Construction Co.	\$2,650,689.89	\$7,500.00	\$25,000.00	\$2,966,189.89
Admiralty Construction, Inc.	\$3,098,265.89	\$25,000.00	\$310,000.00	\$3,433,265.89
North40 Construction Corp.	\$3,108,363.89	\$42,000.00	\$300,000.00	\$3,450,363.89
Engineer's Estimate	\$3,573,537.89	\$50,000.00	\$255,000.00	\$3,878,537.89

The City Manager recommends award of this project, Base Bid and both alternates to Dawson Construction, LLC for the total amount bid of \$2,959,802.89.

L. Transfers

16. Transfer Request T-1073 A Transfer of \$50,000 from CIP B55-086 BRH Deferred Maintenance to CIP B55-084 Hospital CT/MRI Replacement.

This request would transfer \$50,000 from the BRH Deferred Maintenance CIP to the Hospital CT/MRI Replacement CIP. This project is close to completion but requires additional funding for increased construction costs. The primary increased costs that this funding would be contributing toward includes expanding/remodeling the MRI room to meet Facility Guidelines Institute (FGI) requirements and increasing service, replacing the warped MRI room door, and addressing the failed existing magnetic shielding at the MRI room floor. The BRH Deferred Maintenance CIP will retain adequate funding for projects.

The Hospital Finance Committee reviewed this request at the March 8, 2024, meeting. The Public Works and Facilities Committee reviewed this request at the March 11, 2024, meeting. The Hospital Board of Directors approved this request at the March 26, 2024, meeting.

The Manager recommends approval of this transfer.

17. Transfer Request T-1074 A Transfer of \$15,537 from CIP H51-122 Dock Security Stations to CIP H51-123 Weather Monitoring and Communications.

This request would transfer \$15,537 from the Dock Security Stations CIP to the Weather Monitoring and Communications CIP. This project is ongoing and provides real time current sensor/weather reporting and hosting to the Marine Exchange of Alaska's website. Funding is provided by a completed project that is ready to be closed.

The Docks and Harbors Board reviewed this request at the March 28, 2024, meeting.

The Manager recommends approval of this transfer.

18. Transfer Request T-1076 A Transfer of \$3,271,560 from Various Wastewater Capital Improvement Projects to CIP U76-112 JDTP New Vactor Dump.

This request would transfer \$3,271,560 of Wastewater Funds from various Wastewater CIPs to CIP U76-112 Juneau-Douglas Treatment Plant (JDTP) New Vactor Dump. The JDTP New Vactor Dump CIP is ready to bid, with estimated project costs amounting to \$7.92 million. In FY23, Transfer Request T-1053 transferred funds from the JDTP New Vactor Dump CIP to a higher priority project requiring immediate funds for project work, delaying the work for the JDTP New Vactor Dump CIP. This CIP is now the highest priority project for the Wastewater Utility and requires additional funding to go to bid. This project would construct a new receiving station for waste and debris collected by the CBJ's Vactor trucks and replace and upgrade the JDTP's grit collection equipment with a new high-efficiency, high-capacity grit removal system, prolonging the life of downstream treatment process pumps and conveyances. Funding is provided by completed projects and ongoing projects that will retain sufficient funding for the next stages of project work.

The Public Works and Facilities Committee reviewed this request at the March 11, 2024, meeting.

The Manager recommends approval of this transfer.

19. Transfer Request T-1077 A Transfer of \$60,000 from CIP P41-097 Sportsfield Repairs to CIP P41-109 Adair Kennedy Lighting.

This request would transfer \$60,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. This funding would provide for the replacement of the 30-year-old ballfield lighting system at Adair Kennedy baseball field with new LED lights. Transfer Request T-1072 recently transferred \$110,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. Since that transfer, bids were received for the project, amounting to \$60,000 more than anticipated. This transfer request would provide the

additional funding required to award the bid. The Sportsfield Repair CIP will retain adequate funding for the remaining FY24 priority projects.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024, meeting.

The Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

20. Liquor License Actions

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

Liquor License - NEW

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

License Type: Seasonal Restaurant/Eating Place Tourism License: #15765 Location: 100 N. Franklin St., Juneau

Liquor License - RENEWAL

Licensee: Specialty Imports Inc. d/b/a Specialty Imports

License Type: Wholesale, License: #4943 Location: 540 W. 8th St., Juneau

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

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

N. City/State Project Review

21. CSP2023-0001: City Project Review for Eaglecrest Ski Area's Summer Development Plans

At its February 27, 2024, meeting, the Planning Commission recommended approval of amenities at Eaglecrest Ski Area, a municipally owned ski area operated as a special revenue fund of the City and Borough of Juneau.

Proposed amenities include a new aerial conveyance gondola with three stations and supporting tower structures, a Summit House resort lodge, construction access roads, mountain bike trails, Upper Fish Creek bridge crossings, a picnic pavilion near Copley Lake, and a snow tubing park.

The project received a Conditional Use Permit approval under [USE2023 0009](#).

O. Other

P. PUBLIC HEARING

22. Ordinance 2024-14 A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street.

This ordinance authorizes a summer campground similar to past CBJ summer campgrounds on wooded AJT/AEL&P land, most recently a couple hundred yards past the end of Gastineau Avenue. The ordinance moves that location to a more visible property at 100 Mill Street. At a high level, staff hope a more visible and accessible location will result in a safer experience for campers who choose this option.

The Assembly discussed this item at its March 11, 2024, Committee of the Whole meeting and directed staff to prepare this ordinance.

The Manager recommends you hear a staff report from Deputy Manager Barr, hear public testimony, ask questions and discuss, and set this ordinance for public hearing at the next regular Assembly meeting.

STAFF REPORT

Mr. Barr acknowledged that homelessness is one of the most difficult and complex topics we struggle through as a community and that despite increased investment at the local level challenges have continued to increase over time. He said they are breaking ground on Housing First phase 3 and when it is complete will have 92 permanent supportive housing units, in addition to the 320 other beds currently available in our community. He said there is a spectrum of housing needs; on one end of the spectrum are people who just need a little bit of help from their local community to become permanently housed while on the other end of the spectrum are people who have extensive mental health, trauma, and/or long-term substance use issues and need a significant amount of help. He said when talking about the cold weather shelter and the campground, they are mostly talking about people on the more challenging end of the spectrum.

Mr. Barr noted that CBJ has been operating a cold weather shelter since 2017 and a campground for much longer. He said campground services are limited in part due to an Alaska Supreme Court case that CBJ lost in 2018. He said the Assembly's options were to move the current campground to a more visible location or to stop operating one.

Mr. Barr said they have received direction to move the current campground, hence the ordinance before the Assembly tonight. He said they have been working with Alaska Electric Light & Power (AJT/AEL&P), the landowner, of the 100 Mill Street location around indemnification, liability, and insurance. He said this was in progress and there is not currently a signed lease. Mr. Barr said they are also working on planning, including removing the existing AEL&P tower parts and building the campground out including potable water, platforms, restrooms, bearproof containers, removing the barbed wire, and adding entry/exit points on the fence.

Mr. Barr said he wished he could assure the Assembly that moving the campground to a more visible location would solve the problems that arose last year but could not. He said he thinks it will help, which is why it is before the Assembly today, but acknowledged that it might not, and they may need to find a different solution in the future.

Mr. Smith asked if Mr. Barr met with the property owners near the proposed campground site. Mr. Barr said he spoke with several owners last week and mostly spoke about systemic reasons and briefly touched on mitigation measures. Ms. Adkison asked if there will be additional conversations. Mr. Barr said yes.

Public Hearing

Karen Perkins, a Valley resident, is the pastor of Resurrection Lutheran Church (RLC) but is speaking as an individual. She said that she acknowledged all the excellent work people are doing to build permanent housing but said we are failing this population. She said there are multiple studies that say that homeless shelters do not negatively impact communities if run properly. She said that the phrase "incentivizing homelessness" is reprehensible and there is no such thing.

Karen Lawfer, from West Juneau, said there are lots of myths about unsheltered people, such as people choosing to live in tents or their vehicles, or are all violent drug users with untreated mental health issues. She pushed back on these myths. She said she worked as a trained volunteer when the cold weather shelter was at RLC and currently volunteers with the food pantry. She said they serve a meal on Tuesday afternoon because people are hungry and unsheltered. She said people have been permanently or temporarily barred from the Glory Hall or from businesses, which turns people who are just seeking shelter into criminals. She advocated for a low-barrier shelter to be available on a year-round basis.

Brad Perkins, from the Mendenhall Valley, said he has worked with unhoused people since 2000, in San Francisco, Oahu, and Juneau. He said he was the manager of the cold weather emergency shelter for several years, including when it was at the Public Safety Building, Teal Street building, and RLC. He said he is not representing RLC but is speaking on his own behalf. He said it is time to revisit whether the cold weather emergency shelter and

campground model are right for Juneau. He advocated for a permanent low-barrier shelter. He said that RLC received an infrastructure grant of \$50,000 to renovate their kitchen to provide specialized food services to this population. Mr. Smith asked if RLC was distributing food currently. Mr. Perkins said yes, primarily processed food and some hot meals as well.

Daryl Miller, a Mill Street and Anchorage resident, came in support of the Rock Dump Coalition proposal. He said he owns a business and residence in the Thane Yacht Condos. He said he used to have a shop in the downtown area, but when they felt it was unsafe they moved to the Thane area. He said now there will be a similar community issue in this new area. He spoke to the number of needles found at the Thane campground last year and advised the Assembly to not pursue this new campground. Mr. Smith asked if Mr. Miller had experienced any adverse issues due to the vicinity of the cold weather shelter that operates in Thane. Mr. Miller said no, but then said that people walk to the shelter in the middle of the street due to the sidewalks not being cleared of snow.

Kyle McDonnell, a Douglas resident, said he was here on behalf of Alaska Coach Tours and the Rock Dump Coalition. He said that Alaska Coach Tours is a locally owned business that has operated in Juneau for 20 years, with the last 19 years being at the Rock Dump location. He said they have not had problems until this last year. He said they have 10 year-round employees and 55 seasonal employees. He said the Rock Dump is an industrial location and is not safe for the unhoused population. He cited the three commercial bus yards and a freight facility with vehicles moving in and out of the area frequently. He said in the winter there were bus break-ins, equipment damaged, and trash everywhere. He was concerned that if a bus is broken into in the summer it would take it out of commission for anywhere from a day to several weeks, losing thousands of dollars of cancelled tours. He asked the Assembly to vote no on this ordinance.

Patrick Vallejo, a downtown resident, said he had lived at the end of Gastineau Avenue for 35 years. He said this last summer was the worst he has seen. He said in the summer when the campground was open, it was nonstop people, traffic, illegal activities, and drug paraphernalia. He said that neighborhood kids could not play outside unsupervised. He said people were living in their cars on the street and using the bathroom out in public. He said he understands the concerns of the businesses who are in the Rock Dump area, but he does not know where to put the campground. After a follow up question by Ms. Hale, he confirmed that he does not want the campground to remain near Gastineau.

Brett Farrell, a downtown resident, said he was here as a member of the Rock Dump Coalition, and he is in charge of safety at Alaska Marine Lines (AML). He thanked everyone who testified and works with this population. He said there have been incidents involving the warming shelter residents that were uncomfortable for employees and theft from people staying at the warming shelter. He said AML is a United States Coast Guard regulated facility, which is a federal requirement. He said when they experience a security breach it is a big deal, and the potential summer campground affects their risk analysis of this facility. He said the alternative proposal of using the Little Rock Dump is a better idea and asked the Assembly to consider it.

Robie Janes, from downtown, is the general manager of Gastineau Guiding company. He said their company has been in the Rock Dump area for 29 years and they never had a break-in until this last winter. He said it is very concerning for the safety of their approximately 120 employees. He said they have presented and come up with a short-term solution, using the Little Rock Dump area. He said this extra time will help create a better long-term solution for the businesses, employees, and vulnerable people who camp.

Michael Tripp, a downtown resident, said he is a principal owner of Timberwolf Adventures, the business right next door to the proposed campsite. He said they have started a project to double the size of their warehouse and broke ground this week and it is scheduled to take a year to complete. He said the campers would be right next to an active construction site. He asked the Assembly to consider the Little Rock Dump instead. He said there is a median, not a sidewalk, heading to the spot. He said people safely navigate that road with pedestrians and cyclists all summer long. Ms. Hale asked how close the project will be to the proposed campsite. Mr. Tripp said the finished building will be 35 feet from the property line, but that trucks and equipment will be closer during the construction phase.

Daren Booten, from downtown Juneau, said he is also an owner of Timberwolf Adventures, the business next door to the proposed campsite. He implored the Assembly to vote no on the 100 Mill Street location, saying the location is not viable or sustainable. He said his primary concern is for the safety of employees, citizens, and visitors, and noted that over 400,000 cruise ship visitors walk through this area each year. He asked for a better option and asked the Assembly to move the campsite to the Little Rock Dump instead.

Hayden Garrison, from Twin Lakes, said he owns the Green Elephant, Avis Car Rental, and Sentinel Coffee. He said with the winter emergency shelter people walked through his property throughout the entire night. He said they have seen many problems this last winter, including usage of the private outhouses. He asked the Assembly to use a different campsite, such as the Little Rock Dump. He said there is little work needed to be done to outfit the space. He said the turn around is wide enough for emergency, repair, and other vehicles. He said access is not as issue as walkers, joggers, and bikers use the area without issue as is. He noted that CBJ did not plow the sidewalk to the cold weather emergency shelter and patrons had to walk in the road to access the facility.

Brett Hutchinson, from Gastineau Avenue, said he is a representative of the Rock Dump Coalition. He described an incident that happened the last summer at his house where he received a death threat from a camper. He said the campers last year were different than previous summers; while they had many pleasant interactions in previous years, this last summer had people screaming, spiting, throwing items, and trespassing on his property. He said with the help of JPD they went from more than 50 people trespassing per day to about 5 people trespassing per day. He said they had to put down their dog after it had gotten into some drug packets and had seizures for a week. He asked the Assembly to not move the campground to the Mill Street location.

Dave Ringle, from the Airport neighborhood, said he ran the Emergency Cold Weather Shelter on behalf of St. Vincent de Paul. He said over 330 unique individuals used the warming shelter this last winter, with up to 63 people in a single night. He said there are 27 individuals they served this last winter that were served by an emergency shelter in 2017 and are still needing assistance. He said in other communities, like Anchorage, Seattle, and San Francisco, unsupervised camps hurt and prevent people from developing the habits they need to be successful in transitioning out of homelessness. He said no shelter is perfect, but we need to be taking steps to address root causes of homelessness and reduction in sheltering costs. He said homelessness has increased in the United States by 50% over the past few years, according to the Point in Time Count. He said he would like to find a better solution than an unsupervised campground. Ms. Woll asked his opinion on the Mill Street campground proposal. Mr. Ringle said he saw problems in putting the campground near where the warming shelter was. He said as the area gets busier it will increase the number of confrontations and conflict. Mr. Smith asked about policies at the cold weather shelter to reduce illegal behavior. Mr. Ringle said that having indoor restroom facilities would be helpful for future years, as it would prevent the need for people to go outside. He said transportation services would reduce the number of people walking around, which may help reduce vandalism, trespassing, and break-ins. Ms. Adkison asked about dispersed camping. Mr. Ringle said St. Vincent de Paul served dispersed campers last year and it was very difficult. Mr. Bryson asked what happened in the winter warming shelter if people's behavior was inappropriate. Mr. Ringle said they called JPD or CARES. Mr. Smith asked about vulnerable campers. Mr. Ringle said the most vulnerable people should not be camping, and they have done their best to move such people into other facilities, like a hotel or treatment. Mr. Ringle said if there was a campground some people would choose it and some people would choose to disperse camp. He said there are problems with all the models.

Kiernan Riley, a North Douglas resident, spoke in opposition of moving the Thane Campground. They said they worked with chronically homeless individuals for the last three years, including people who camp at the Thane campground. They said they do not care about the affect that unhoused residents have on tourism or business, but cares about the residents themselves. They said moving the campground out to Mill Street will make it inaccessible and will lead to dispersed camping, which will lead to increased police interactions and arrests. They asked if campers were consulted before deciding to move the campground. Ms. Woll asked how this location is less accessible than the current location. Mx. Riley said that without a shuttle there is no incentive to walk that far

to go to a tent, when a person could put the tent a lot closer to town. Ms. Adkison asked about visibility. Mx. Riley said the more an area is policed the more police interactions there are.

Assembly Action

Mayor Weldon instructed the Assembly that as this is an ordinance for introduction, no amendments would be permitted. She said the purpose of the discussion was to give staff direction on whether to continue with the 100 Mill Street location, move locations, or do nothing.

Ms. Adkison asked about a year-round shelter. Mr. Barr answered that the current provider does not have the capacity to operate a year-round shelter and that he was not aware of any other providers in town with that capacity. Mayor Weldon asked if the city has put out a request for interest. Mr. Barr said they work closely with social service providers in town but have not issued a formal Request for Information or Request for Proposal.

Mr. Bryson asked how concerned the Coast Guard was about AML's security breach. Mr. Barr said CBJ recently learned about the security breach and have not yet reached out to the Coast Guard, which they plan to do.

Ms. Woll asked for clarification from the City Attorney about what actions or direction they can provide. Mr. Palmer said the only item up for debate is to introduce the ordinance or not. He said if they want to have further discussion on funding or ancillary items, they can discuss them during the Assembly Questions and Comments agenda item. Ms. Woll asked how their decision affects staff. Mr. Barr said they are currently operating under the direction they received from the Committee of the Whole. He said that if this ordinance is introduced as-is, staff would continue to prepare the Mill Campground site, including negotiating the lease, removing items currently stored on-site, and creating camping infrastructure.

Mr. Kelly asked about other locations. Mr. Barr said they have visited the Little Rock Dump (a spit of land approximately half a mile further down Thane) and said while the land could function as a campground, he did not recommend it primarily because of access difficulties and lack of visibility. He said he thought the campers would be less safe without a visible location and easy access by emergency personnel and social service providers. He said it is difficult to find a CBJ owned parcel that is not near businesses or homes, and they need to balance camper safety with the need to mitigate impacts on the surrounding area.

Ms. Hale asked about transportation. Mr. Barr said in the winter there was a shuttle service that had multiple runs in the evening to bring people to the shelter and transportation in the morning to take people to the Glory Hall. He said he had not looked at what it would take to provide a summer shuttle service and he was not confident that Capital Transit would have capacity in the summer to provide this service. He said more work could be done in this area if the Assembly was interested.

Mayor Weldon asked about security at the Mill Street site. Mr. Barr said it is a conversation to have with local business owners if the Assembly chooses to move forward with the Mill Street site. Mr. Bryson asked if the security industry had enough staff to expand to this area. Mr. Barr said that recently CBJ has gotten bids for other security projects, but those bids came in very high.

Ms. Woll asked about lighting. Ms. Koester said the section of Thane Road in question is owned by the Alaska Department of Transportation. She said there are instances where CBJ has negotiated and paid for lighting on DOT roads. She said the roads within the Rock Dump subdivision are owned by CBJ.

MOTION by Ms. Hale to introduce Ordinance 2024-14 A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street, refer it to the Committee of the Whole, and set it for public hearing at the next

Regular Assembly meeting. In speaking to her motion, she said this is the most fleshed out option the Assembly has seen but has additional questions for staff.

OBJECTIONS by Mr. Bryson and Mr. Smith.

Mr. Smith said this is a situation with no good options. He said that every location has drawbacks, and he is inclined for CBJ to not run a campground.

Mr. Kelly said he is not in favor of making a change from one bad option to another but wanted to keep this conversation going.

Ms. Adkison said she had serious concerns about dispersed camping, which is what will take place if this ordinance does not pass. She said dispersed camping makes it harder to talk to, get services to, and clean up after campers. She said she would like to see more mitigation on affected business owners in the future.

OBJECTION by Mayor Weldon for purposes of a question. She asked the attorney if she could bring a new ordinance to the Committee of the Whole authorizing a campground at the Little Rock Dump. Mr. Palmer said that she can. She removed her objection. Mayor Weldon said as a previous EMT she had responded to emergencies at the old Thane Campground; she said dispersed camping was not the answer and is more hazardous for emergency responders.

Roll Call vote on Motion to introduce Ordinance 2024-14:

Yeas: Ms. Hale, Ms. Woll, 'Wáahlaal Gídaag, Mr. Kelly, Ms. Adkison, Mayor Weldon

Nays: Mr. Smith, Mr. Bryson

Motion passed: 6 Yeas, 2 Nays.

23. Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

The City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process for people to report potential violations (CBJC 01.45.110). Although the conflict of interest code overlaps with traditional whistleblower protections, it does not mention the phrase “whistleblower” or explicitly provide protections to whistleblowers. This ordinance would create a whistleblower law for municipal employees, which is modeled off the Alaska Whistleblower Act (AS 39.90.130).

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting. The Assembly Human Resources Committee reviewed this at its November 13, 2023, and February 5, 2024, meetings and recommended forwarding to the Assembly for action.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Bryson to adopt Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

24. Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty.

This ordinance will help the Parks & Recreation Department manage large, non-commercial events held in municipal parks or recreation facilities. Currently, a permit is only required for commercial activities or events where admission is charged. Things like concerts, festivals, or even large weddings do not require a permit even if they attract hundreds or thousands of people to a municipal park. These types of events are happening more frequently, impacting the public’s ability to use parks and recreation facilities, and incurring significant costs to taxpayers due to excessive trash, litter, and overcrowded restrooms. This ordinance will allow the Parks & Recreation Department to (1) manage the time, place, and manner of large events in public

parks, (2) require reasonable conditions to protect public safety and property, and (3) recover costs through reasonable permit fees.

The Parks & Recreation Advisory Committee discussed this ordinance on November 7, 2023, and December 5, 2023, and unanimously recommended that it be adopted. The Systemic Racism Review Committee considered this ordinance at its meeting on February 6, 2024.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Woll to adopt Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty and asked for unanimous consent.

OBJECTION by Mr. Smith for purposes of a question. He asked when regulations about this ordinance would come before the Assembly. Mr. Palmer said the goal would be to have a package of regulations out to the public in a week and to the Assembly at the April 29, 2024, meeting. Mr. Smith said he had some concerns limiting large groups, specifically people's first amendment rights, but said his concerns might be allayed by the specific regulations that have not been presented yet. ***He removed his objection.***

Mayor Weldon asked what large events would be required by the permit. Mr. Palmer said that weddings, concerts, festivals, and other large, planned events would fall under these regulations. He said that first amendment activities, such as a protest at Marine Park, are challenging to regulate.

Hearing no objection, Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty passed by unanimous consent.

25. Ordinance 2023-14(b)(Z) An Ordinance Appropriating \$76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

Engineering and Public Works has been awarded \$76,130 in grant funding for the Energy Efficiency and Conservation Block Grant (EECBG) from the U.S. Department of Energy. This funding will be used toward the replacement of a gas-powered utility vehicle with an electric vehicle (EV) truck and the installation of Level 2 EV charging equipment at multiple municipal facilities for CBJ EVs. These investments will reduce community Greenhouse Gas emissions in the near term and will allow the CBJ to assess the cold weather resilience for potential future EV truck purchases. No local match is required for this funding.

Juneau Commission on Sustainability (JCOS) has been consulted and is supportive of this request. The Public Works and Facilities Committee approved this request at the January 29, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Adkison to adopt Ordinance 2023-14(b)(Z) An Ordinance Appropriating \$76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

26. Ordinance 2023-14(b)(AE) An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project.

105 vehicles have been removed from the River Road property, with costs amounting to approximately \$155,000. CBJ has been reimbursed \$105,000 of that amount. As of December 2022, it was estimated that there are approximately 228 vehicles still located at the River Road property. In FY23, Ordinance 2022-06(b)(Z) appropriated \$250,000 to the RecycleWorks operating budget to cover the costs for the removal of the remaining vehicles. Due to lengthy court process and safety concerns for CBJ staff, the removal of the remaining vehicles is pending. Due to the multi-year nature of this work, staff requests to transfer the

\$250,000 from the RecycleWorks FY24 operating budget to the capital budget to cover the costs of the removal of the remaining vehicles on the property when the project can resume.

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting and had the following comment for the Assembly: *This ordinance funds a private property cleanup and is worded in a manner which perhaps unintentionally obscures the use of public funds for the purpose of private property cleanup, even if the city hopes to recoup the costs from the owner. The private property cleanup was identified through a code-enforcement report by community members. The committee discussed how public funds used for this purpose may be better served by other projects which could better serve a broader segment of the community. Enforcement based solely on reports by community members has the potential to further systemic racism.*

The City Manager recommends the Assembly adopt this ordinance.

Public Testimony

Kim Titus, from River Road, owns property adjacent to the property in question. He said the neighborhood is zoned D3 residential. He said the issue about junked cars started 7 to 9 years ago and code violations went before the Planning Commission. He said the largest towing business in Juneau operated out of this residential property; he said they are no longer in business. He said in April 2019 CBJ filed suit in Superior Court about cleanup; the cleanup has not occurred, and the court orders have not been followed. He said though CBJ had removed about 100 cars from the property, new junked cars have since appeared on the property. He said he supports the transfer, assuming CBJ can recoup the cost.

Assembly Action

Ms. Woll asked a clarifying question about the ordinance. Ms. Koester said this ordinance transfers already appropriated money from the Recycleworks operating budget to a CIP project but does not add additional funds. She said the reason to do this is this money will take multiple operational years to spend and currently makes the Recycleworks budget look larger than it is, as these funds are restricted to this usage.

Mr. Kelly asked about the Systemic Racism Review Committee's (SRRC) recommendation. Mr. Barr, who staffs that committee, said the SRRC talked about CBJ being a complaint-driven enforcement organization, which Mr. Barr agreed was an accurate assessment. The SRRC said being a complaint-driven organization may further systemic racism because people in marginalized communities are less likely to complain. The SRRC also commented they did not think this project was a good use of public funds. Mr. Barr said CBJ will try to recoup those funds in the future. Ms. Woll and Mayor Weldon thanked the SRRC for its comments.

Mr. Bryson asked for an update about enforcement and access to the property. Ms. Koester said the Code Enforcement Officer does not feel safe accessing the property due to threats and JPD does not have the resources at this time to support removal of cars from the property. She said they are monitoring the property so when they are more fully staffed, they can move onto enforcement.

Ms. Woll asked about CBJ's confidence in getting reimbursed. Mr. Palmer said he is confident they will recover a large chunk of the money, and maybe all of it, but the process will take some time. He said there are two sources of recovery for this property; the first is they are currently capturing money from the sale of the towing company and the second is they will capture money from the sale of the property through liens.

Mr. Kelly asked what will keep the property owner from adding more junked cars. Mr. Palmer said the property owner sold the towing business but was allowed to keep one tow truck over CBJ's objections and has been adding more cars to the property.

MOTION by Mr. Kelly to adopt Ordinance 2023-14(b)(AE) An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project by unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

Q. UNFINISHED BUSINESS

27. 2024 Export Manufacturing Exemption Applications

The Assessor's Office received the following 2024 Export Manufacturing Exemption Applications for business personal property used in manufacturing: Alaska Glacier Seafood Inc., AKBEV Group LLC, Forbidden Peak Brewery, and Devils Club Brewing Co. The Assembly must approve any export manufacturing exemption for real or business personal property, CBJ 69.10.020(1)(c).

This request was reviewed at the March 7, 2024, Assembly Finance Committee and forwarded to the full Assembly for approval.

The property owners listed above have had Assembly approval in the past. It is recommended their new applications be approved.

MOTION by Mr. Smith to approve the applications for Alaska Glacier Seafood Inc., AKBEV Group LLC, Forbidden Peak Brewery, and Devils Club Brewing Co. export manufacturing exemption be approved and asked for unanimous consent. *Hearing no objection, the applications were approved.*

R. NEW BUSINESS

15. BE24-147 Adair Kennedy Baseball Field Improvements *Removed from Consent Agenda at request of the City Manager for the purposes of correcting a typo (underlined below)*

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No 1	Add. Alt. No 2	TOTAL BID
Dawson Construction, LLC	\$2,629,802.89	\$15,000.00	\$315,000.00	\$2,959,802.89
Coogan Construction Co.	\$2,650,689.89	\$7,500.00	<u>\$25,000.00</u>	\$2,966,189.89
Admiralty Construction, Inc.	\$3,098,265.89	\$25,000.00	\$310,000.00	\$3,433,265.89
North40 Construction Corp.	\$3,108,363.89	\$42,000.00	\$300,000.00	\$3,450,363.89
Engineer's Estimate	\$3,573,537.89	\$50,000.00	\$255,000.00	\$3,878,537.89

The City Manager recommends award of this project, Base Bid and both alternates to Dawson Construction, LLC for the total amount bid of \$2,959,802.89.

Mayor Weldon recused herself from this topic as her son is employed by Dawson Construction.

Ms. Koester said the typo in the agenda and memo was related to Coogan Construction's Additional Alternative Number 2, which was listed as \$25,000 but should have been \$308,000. She said that the total bid numbers in the agenda were correct, as were the numbers in the posting notice of bid.

MOTION by 'Wáahlaal Gídaag to award this project, Base Bid and both alternatives for a total amount bid of \$2,959,802.89, to Dawson Construction and asked for unanimous consent. *Hearing no objection, this motion passed.*

28. Ruschmann Request to Purchase CBJ Property

In August 2023 Chris Ruschmann applied to acquire CBJ property adjacent to his property which is located at 15700 Auke Rec Bypass Road. This CBJ property is located outside of the sewer service boundary and is not served by municipal water. The applicant's property is served by municipal water and if this application

moves forward, there is an opportunity to negotiate an access and utility easement through the applicant's property to provide municipal drinking water to the remaining CBJ parcel. Access to municipal water would increase the value and developability of the remaining CBJ property in a way that makes this proposal beneficial to the CBJ.

According to 53.09.260, the Assembly shall determine "whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals". If the Assembly provides a motion to negotiate with the original proposer on these two lots, and if the negotiations are successful, ordinances with terms and conditions of the sales will be introduced prior to a public hearing. The LHED Committee reviewed this application at the March 11, 2024, meeting and passed a motion of support for working with the original proposer.

The Manager recommends the Assembly pass a motion of support to work with the original proposer in accordance with City Code 53.09.260.

MOTION by Ms. Hale to send this proposal back to the Lands Committee for more information about the property, including size and property lines.

Ms. Koester said to answer some of Ms. Hale's questions, staff need direction to negotiate with the original proposer. She said CBJ has a 29-acre parcel and the intention for the sale is to be one acre or less in exchange for the easement. She said any negotiated proposal could come before the Assembly again, which they could reject.

OBJECTION by Mayor Weldon for purposes of a question. Mayor Weldon asked about alternative easements. Ms. Koester said that the AEL&P easement Mayor Weldon is referring to is on CBJ land and would not serve the purpose of getting water to the parcel. Ms. Koester said the Lands Manager, Dan Bleidorn, thought it would be prohibitively expensive to get the water through Glacier Highway due to how long the connection would have to be. Mayor Weldon removed her objection.

Ms. Hale removed her original motion.

MOTION by Ms. Hale to work with the original proposer and for the Lands Manager to explore other options for getting water to the site and asked for unanimous consent. ***Hearing no objection, this motion passed by unanimous consent.***

29. Addition of an Assembly Goal under "Economic Development," specifically: *"Collaborate with USCG and other partners to clear local hurdles in Icebreaker homeporting efforts."*

MOTION by Mr. Smith to add an Assembly Goal under Economic Development: Collaborate with USCG and other partners on homeporting an Icebreaker in Juneau and to share that additional goal with appropriate federal partners and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

S. STAFF REPORTS

30. Update on Draft MOA on Daily Passenger Limits

Ms. Pierce, Tourism Manager, provided an update to the Assembly about negotiated passenger limits to go into effect for the 2026 cruise ship season. Ms. Pierce noted that cruise ship schedules are set two years in advance and that 2025 will be the first season with the new five (5) ship limit. She said that if you look at the schedule in 2025, there are some days that appear to have more than five (5) ships because the National Geographic ship has under 100 passengers and is exempt from the five (5) ship limit. She said in a recent meeting the cruise line agencies and CBJ conceptually agreed to the concept of a daily passenger limit with quieter Saturdays. She said they have not come up with a number yet. Ms. Pierce said the cruise ship agencies are also evaluating how to end hot berthing (two ships using the same berth in a single day). She said there was also discussion on how to reduce congestion. She said they also discussed options with the private dock owners, including the best-ship-best-dock concept, rates, the sea walk, access, easements, and passenger fees.

Mayor Weldon said she supported trying to get to the daily passenger limit goals mentioned by using the CBJ owned docks for scheduling as needed.

Mr. Bryson asked what the cruise industry's reaction to the request for daily limits was. Ms. Pierce said the industry's gut reaction to is look out for their own interests and long-term plans. She said the industry has agreed to daily limits elsewhere in the world and they were asked to come ready to discuss daily limits.

Mr. Kelly asked if they discussed the length of the cruise ship season. Ms. Pierce said no.

31. Update on Municipal Way office space and staffing

Mr. Barr said they have been moving staff out of the Municipal Way building for health and safety reasons due to the construction. He said this effort is not part of the broader City Hall effort. He said they signed a letter of intent with the real estate agent who manages the Burns building with a targeted lease start date of May 1, 2024.

He said they have a current lease for the Municipal Way building and the lease costs for that building are not included in the budget. He said they are exercising their subject to appropriation authority in that budget to discontinue the lease.

T. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon provided condolences to Karen Crane's family in her passing. Ms. Crane had served on the Assembly previously.

Mayor Weldon had a meeting with Admiral Dean and gave her a small key to the city. She said they have started conversations about CBJ becoming a USCG city. Mayor Weldon said they will eventually be forming a community task force on this, but other work must be done first. She also sent thank you letters to Senators Sullivan and Murkowski and Representative Peltola for getting the Icebreaker homeported in Juneau.

Committee and Liaison Reports & Comments

Mr. Bryson said the Public Works and Facilities Committee met and discussed the day tripper concept, the Juneau Douglas North Crossing, and the CIP list. He attended a Bartlett Regional Hospital Board meeting and met with the CEO. Mr. Bryson said he was impressed by the CEO's understanding of the hospital's position and finances. Mr. Bryson testified at the Senate Regional Affairs Committee, the Senate Finance Committee, and the House Health and Social Services Committee about increasing State disaster aid funding from \$21,000 to \$50,000. Mr. Bryson said that someone bequeathed \$430,000 to Eaglecrest and noted how special Eaglecrest is to the community.

Ms. Woll said the Finance Committee will meet on Saturday at 8:30 a.m. She said the meeting is for information gathering with presentations and time to ask questions, but they will not be taking many actions. She said the audit has been published and noted while the results were better than last year there are still areas to improve. Ms. Woll said the Juneau Chamber of Commerce met and mentioned that they had sent multiple letters to the Assembly with no response. Ms. Woll assured them that Assemblymembers read the emails that come in, even if they do not respond to them. Ms. Woll commended the people who came and spoke about a ceasefire, remarking that it takes a lot of courage to stand up and say things in this community about things that people don't want to talk about. She clarified that she would be supportive of a resolution for an Israel-Gaza ceasefire.

Ms. Adkison reported that Docks and Harbors board met this last Thursday and reviewed the Title 5 changes, and they had specific questions and concerns about how responsibilities would be allocated. She was unable to make it to the Juneau Economic Development meeting this last month. Mr. Adkison attended the Juneau Commission on Sustainability meeting where they discussed the CIP projects.

MOTON to ask staff to meet with business owners in the 100 Mill Street area regarding the proposed campground and asked for unanimous consent.

Ms. Woll said that staff may need more clarification about if and how they should move forward with that site. Ms. Adkison said she would like to see staff begin preparations on the site.

Hearing no objection, the motion passed by unanimous consent.

Mr. Kelly said he would also support a ceasefire resolution. Mr. Kelly said he had attended two Planning Commission meetings and said a discussion of Blueprint Downtown will be heading to a full hearing soon. He said the School Board Finance committee has not met recently. Mr. Kelly attended the Juneau Chamber luncheon last Thursday.

Mr. Smith said the Assembly Human Resources Committee met and unanimously approved to send the following appointments to the full Assembly:

MOTION by Mr. Smith for the reappointment of **Donna Pierce** to the **Juneau Public Library Endowment Board Public Seat** for a term beginning immediately and ending January 31, 2027, and the appointment of **Sharon Tabor** to the **Juneau Public Library Endowment Board Friends of the Library Seat** for an unexpired term beginning immediately and ending January 31, 2025, and asked for unanimous consent. *Hearing no objection, motion passed.*

Mr. Smith said they reviewed and made some changes to the CBJ Board application and empowered board questions. He said the School Board last met on March 14, 2024, where they passed their final budget and reduction in force plan.

‘Wáahlaal Gídaag said the Juneau Commission on Aging had a conversation about website design and a brochure they are developing. She said the Airport Board had a discussion on a chemical backup electric boiler and the use of CARES funding to complete the design on that. She noted there is a potential conflict of interest at the Airport Board level, including the Chair of Airport Finance Committee. ‘Wáahlaal Gídaag said she attended the Arctic Winter Games and Juneau athletes brought home several medals.

Ms. Hale said the Parks & Recreation Advisory Committee met and talked about pickleball, specifically converting some tennis courts to pickleball courts at Adair Kennedy Park. She said they discussed conflicts between walkers and bikers on the Christopher Trail. She said the Committee of the Whole met on March 11, 2024, and talked about dock electrification, campgrounds, rules and procedures and City Hall. She said she attended a lunch and learn about the assessment and appeals process and said it is recorded and available for people to view.

Mayor Weldon commented that in the consent agenda they approved the sale of a used fire truck at less than fair market value to Yakutat.

Presiding Officer Reports

32. APL 2023-AA01 Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal. The State Office of Administrative Hearings held oral argument on January 24, 2024. The Hearing Officer issued a draft decision to the parties. Huna Totem Corp. filed an objection and Ms. Hart filed a letter of support. The Hearing Officer is considering those pleadings and will have a final draft decision for the Assembly to consider at the regular Assembly meeting on April 29, 2024. Notably, no public testimony was/is? allowed on this topic.

There is no action for the Assembly at this time.

Mr. Palmer said the Hearing Officer offered a proposed decision, which was appealed. He said the matter is back before the Hearing Officer again and anticipated that decision would be before the Assembly at their April 29, 2024, meeting for discussion.

U. ASSEMBLY COMMENTS & QUESTIONS

V. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

W. EXECUTIVE SESSION

X. SUPPLEMENTAL MATERIALS

Y. ADJOURNMENT – 10:54 p.m.

There being no further business to come before the Assembly, the meeting was adjourned at 10:54 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor