

REGULAR ASSEMBLY MEETING 2023-17 MINUTES

July 10, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



<https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar ID: 915 1542 4903

A. CALL TO ORDER

Meeting No. 2023-17: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and via zoom, was called to order at 7:02pm.

B. FLAG SALUTE AND LAND ACKNOWLEDGEMENT were led by Ms. Triem

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: Wade Bryson, Michele Hale, Alicia Hughes-Skandijs, Greg Smith, Christine Woll, 'Wáahlaal Gíidaak, Maria Gladziszewski, Carole Triem, and Mayor Beth Weldon

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Deputy Clerks Diane Cathcart and Andi Hirsh

D. SPECIAL ORDER OF BUSINESS

1. **Proclamation Honoring Wayne Stevens – presented by Mayor Weldon.**

2. Instruction for Public Participation

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

E. APPROVAL OF MINUTES

3. **2023-01-09 Regular Assembly Meeting 2023-01 Minutes - Draft**

4. **2023-01-31 Special Assembly Meeting 2023-03 Minutes - Draft**

5. **2023-06-27 Special Assembly Meeting 2023-15 Minutes - Draft**

6. **2023-06-28 Special Assembly Meeting 2023-16 Minutes – Draft**

MOTION by Ms. Hale to approval all the above minutes as presented and asked for unanimous consent. Hearing no objection, the minutes were approved by unanimous consent.

F. MANAGER'S REQUEST FOR AGENDA CHANGES – None.

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

Mr. David Ignell, a resident of West Juneau, stated that last month he was here to talk about an appalling case of systemic racism in the Juneau's Criminal Justice System. He said that CBJ has a committee dedicated to Systemic

Racism issues and he has not heard anything from them. Two weeks ago, the tribal council of Hoonah Indian Association passed a resolution in support of its tribal member, Thomas Jack, Jr. who has been a victim of systemic racism. Their action called for resolutions of support from local governments and all the CBJ Assemblymembers have been provided a copy of that resolution. He said that he received only a response from Assemblymember Hughes-Skandijs but no commitment. He provided various quotes about those who are silent are in fact endorsing racism. He implored them to pass a unanimous resolution to eradicating systemic racism in the criminal justice system.

Mr. Steve Behnke, a Thane resident, said he was speaking wearing his Renewable Juneau hat this evening. He was asked by Zack Brown from the Tidelands Institute to hand them a copy of his book "The Big Fix, 7 Practical Steps to Save Our Planet" He said that Zach Brown is a climate scientist educator with Tidelands Institute in Gustavus and he has enclosed a letter with the book and why he thinks local government leaders should be interested in it. Many of them have done personal things regarding climate action. This book has a list of several items relevant to CBJ such as buildings, transportation, and how to fix urban places. Some things they are already doing and other things they can still do. Ms. Gladziszewski said that it is fortunate that we have JCOS as they may be interested in looking at it.

Mr. William Quayle, a Willoughby Ave. resident, spoke about his business SEAK Express Pedicab. So far, he has only pulled in \$4,000 this season and has \$6,000 in expenses. He received a letter from George Schaaf saying he cannot take his pedicab through Marine Park. He is asking to be able to go through Marine Park just to get people to the seawalk. He said that Mr. Schaaf is squeezing him for \$500 just to go through the park and has been threatened with a \$300 fine if he goes through Marine Park. He is asking Assembly to let him go through the park.

Ms. Woll asked if there are other places that he takes his pedicab that he is required to pay permit fees to travel through? Mr. Quayle said Whale Park is another place that they charge fees but he does not go through there and Marine park is the only place that he goes that is requiring payment.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda, including the item on the off road park that many people have come to watch pass, and asked for unanimous consent. *Hearing no objection, the Consent Agenda was adopted by unanimous consent.*

I. Ordinances for Introduction

7. **Ordinance 2023-14(b)(A) An Ordinance Appropriating \$60,000 to the Manager for the Mount Bradley Trail Reroute and Restoration Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration, Federal Lands Access Program.**

Parks and Recreation has been awarded an additional \$60,000 in grant funding from the Federal Lands Access Program to relocate and reconstruct the Mount Jumbo Trail from Savikko Park to the Treadwell Ditch. This award increases the \$265,000 grant appropriated under Ordinance 2021-08(b)(am)(V). A local match requirement of \$8,051 will be provided by previously appropriated funds from the Trail Improvement CIP (P46-112) and in-kind labor. Trail Mix is reconstructing the trail and is expected to complete the project in 2024.

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

8. **Ordinance 2023-14(b)(B) An Ordinance Appropriating \$2,000,000 to the Manager for Childcare Programs and Grants; Grant Funding Provided by the State of Alaska.**

The City and Borough of Juneau has been awarded \$2,000,000 in grant funding for childcare programs and grants, focused on improving the availability and quality of childcare in Juneau. The state funding for these grants derives from the American Rescue Plan Act and Coronavirus Response and Relief Supplemental Appropriations Act. These funds will be used to expand existing CBJ programs for FY24 and FY25 as well as create an apprenticeship program for childcare administrators. No local match is required for this grant.

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

9. Ordinance 2023-14(b)(C) An Ordinance Appropriating \$850,215 to the Manager for the Hank Harmon Rifle Range Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game.

This ordinance would appropriate \$850,215 for the Hank Harmon Rifle Range Improvements CIP. This funding would provide for a series of safety, accessibility, and longevity improvements that will address deferred maintenance needs. The improvements will comply with National Rifle Association Standards and will ensure that all Juneau-area hunting and recreational shooters will have continued year-round access to this free facility. The local match requirement will be met through previously appropriated funds in the CIP.

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

10. Ordinance 2023-14(b)(D) An Ordinance Appropriating \$347,340 to the Manager as Funding for Round 2 of the Healthy and Equitable Communities Grant; Grant Funding Provided by the Alaska Department of Health.

CBJ has been awarded an additional \$347,340 in grant funding from the Alaska Department of Health's Healthy and Equitable Communities grant. The Healthy and Equitable Communities unit was established in 2021 in response to widening barriers to health highlighted by the COVID-19 pandemic. This award increases the \$222,953 grant received in FY23. This grant would improve health outcomes for high-risk and underserved Alaskans by providing funding for the following purposes:

Capital City Fire and Rescue (CCFR) Employee Mental Health Training - \$45,000

CCFR Response Van Modifications - \$45,000

Community Health Needs Assessment - \$50,000

Parks & Recreation's Youth Shelter (Shéiyi X̄aat Hít) - \$75,000

Warming Shelter - \$132,340

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

11. Ordinance 2023-27 An Ordinance Authorizing the Manager to Convey Approximately 3,030 Square Feet of Property Located Adjacent to 11260 North Douglas Highway with the Legal Description of a Fraction of Lot 2, USS 3559 Beachside to Jon and Susanne Reiswig for Fair Market Value.

In May 2022, the City Manager received an application to acquire City property from Jon and Susanne Reiswig, the owners of 11260 North Douglas Highway. The application is for roughly 3,000 square feet of City property adjacent to the applicant's 11.6-acre property and the request is being made in order to secure more road frontage on North Douglas Highway. The City property is a large 92-acre parcel, transected by North Douglas Highway. The requested property is managed by the Lands Division and the 2016 Land Management Plan designated this property as retain/dispose. The Plan also states that this property could be utilized for a future residential subdivision.

The LHED Committee reviewed this request at the May 2, 2022 meeting and forwarded the application to the Assembly with a motion of support for disposal. The Planning Commission reviewed this application at the September 13, 2022 meeting and recommended approval of this disposal. The Assembly provided a motion in favor of working with Jon and Susanne Reiswig towards the disposal of City property at the June 12, 2023 meeting. An appraisal was complete in March 2023 which valued the property at \$7,600.

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

J. Resolutions

12. Resolution 3031 A Resolution Supporting the Manager Entering into an Agreement with Juneau Off-Road Vehicle Association for the 35 Mile ORV Riding Park.

This resolution supports the development of the 35 Mile Off-Road Vehicle Riding Park by authorizing the Manager to enter into an agreement with the Juneau Off-Road Vehicle Association (JORA). The management agreement will allow JORA to provide specific maintenance tasks to maintain cleanliness and upkeep of the park. JORA will also provide important stewardship tasks to outreach to the riding community and encourage safe and responsible riding in the park. JORA provides a critical connection to the riding community and by formalizing an agreement with JORA, CBJ will better serve the public interest and be able to operate and manage a successful riding park.

The City Manager recommends the Assembly adopt this resolution.

13. Resolution 3033 A Resolution Amending the Rate and Fare Structure for the Capital Transit System, and Repealing Resolution Serial No. 2614.

This is a housekeeping change to comply with a Federal Transit Administration (FTA) finding. FTA provides grants to Capital Transit and therefore does periodic reviews of policies, procedures, and spending. In the most recent review, FTA determined that the Capital Transit policy of requiring a physician to certify that an individual is ADA Paratransit Eligible was too narrow, and that other health care professionals should also be able to make that certification.

The City Manager recommends that the Assembly adopt this resolution.

K. Transfers

14. Transfer Request T-1063 A Transfer of \$ 1,500,000 from CIP H51-125 Aurora Harbor Improvements to CIP H51-108 Statter Harbor Improvements Phase III.

Docks & Harbors was awarded a \$2 million grant from the Alaska Department of Transportation and Public Facilities' Municipal Harbor Facility Grants Program. The required 50% local match was provided by the 2017 1% Sales Tax Initiative (\$1.5 million) and Harbor fund balance (\$1 million). The allocation of \$1.5 million of 1% Sales Tax was not scheduled until FY24. In March 2023, to execute a bid award to complete project work by the end of the summer, Docks & Harbors requested to temporarily transfer funding from the Statter Harbor Improvements Phase III CIP to the Aurora Harbor Improvements CIP. The 1% Sales Tax funding became available for the Aurora Harbor Improvements CIP on July 1, 2023. This transfer would return the temporary funding for Aurora Harbor back to Statter Harbor.

The Docks and Harbors Board reviewed this request at the June 27, 2023 meeting.

The City Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

15. 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 - RENEWAL

License Type: Beverage Dispensary, License #3720

Licensee: Goldbelt Aerial Tramway, LLC d/b/a Timberline Bar & Grill

Location: 1800 Foot Level, Mt. Robert's, Juneau

License Type: Distillery, License #5506

Licensee: Amalga Distillery, LLC d/b/a Amalga Distillery

Location: 134 N. Franklin St., Juneau

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

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

M. PUBLIC HEARING

16. Ordinance 2023-26(c) An Ordinance Creating a Short Term Rental Registration Program and Providing for a Penalty.

This ordinance requires owners to register the location and occupancy details of each individual short-term rental unit that they operate. Registration of individual short-term rental units has two objectives: first, registration will assist the CBJ Sales Tax Office in ensuring compliance with sales tax and hotel-bed tax requirements, and second, registration will give the Assembly and the public greater visibility into the number, type, and geographical distribution of short-term rental units. This ordinance does not require registration for any dwelling units rented for longer than 30 days. The ordinance also provides for a penalty if owners publicly list short-term rental units without having properly registered those units with CBJ.

The Assembly Committee of the Whole considered this ordinance at its June 26, 2023 meeting and forwarded version (b), as amended, to the Assembly for action.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Kelli Ballou, a Salmon Creek resident and real estate broker, said that she offers her services as an agent for Short Term Rental (STR) owners, she also owns and operates long term and short term rentals for her clients as well as those she owns. She asked the Assembly to please consider modifying the definition in the ordinance of an operator to eliminate confusion for a property owner who hires an agent to manage their property for them. She said it should be the agent who is the operator as they are the ones who collect the taxes and is responsible for compliance with the ordinance. If the owner who pays that property manager also has to have their own business license and tax account and also do quarterly reporting and annual registration then takes all the value out of the service that she is selling to them if they are being required to do all that work. Her intention is to be in compliance with every business requirement that exists. She said this ordinance directly affects her primary income source and if people can't hire her to do those services, she will certainly lose business and suffer financially. She said that Alaska Law requires that a property manager who manages properties other than their own, must have a professional real estate license as well as business license. The law also requires any property owner who rents out their property must have a business license unless they hire a professional real estate licensee to do it for them. She said the value they provide as real estate professionals is to provide the legal requirements and business licenses for those rentals. She said that if the wording is left as is in the ordinance, any future compliance officer can potentially misinterpret the language as written and not as it was intended.

Ms. Woll thanked Ms. Ballou for her testimony, asked Ms. Ballou if she collects hotel/bed tax on behalf of the property owner and remits that to CBJ on behalf of the owner. Ms. Ballou said yes, she collects the tax, keeps it in

a trust account, holds all payments, does all the reporting and pays all required taxes for the rental. She then retains her commission and remits the net income to the property owner.

Lillian Petershoare, a Herbert Place homeowner, said she was born in Juneau and lived here all her life along with her husband. Ms. Petershoare relayed her and her family's history of work and volunteer connection here in Juneau and their connection to this community and its land is an integral part of their identity. For many years, they have been looking for a ranch style home or land to put one on. They have experienced many challenges in finding land to build upon. She encouraged the Assembly to proceed with prompt and sustainable development of the Pederson Hill Phase II and III project with prompt development being a minimum of 10 houses per year with a good portion of them being for lower and middle income people and seniors who want age in place. She also encouraged them to sell land to Tlingit Haida Regional Housing Authority. She also spoke to the Long Range Waterfront Development Plan identifying lots in the North Tee Harbor area as potential residential property for parcels that currently are considered CBJ Parks & Rec land and is undeveloped. She encouraged them to start the process of switching this land from Parks and Rec land into land for sale.

Mayor Weldon thanked Ms. Petershoare for her testimony and said that it really pertains to the next ordinance up for Public Hearing and noted that the testimony they are taking at this time was on the ordinance related to short term rentals. She stated that they will take this testimony into account when they consider the next Ordinance 2023-28.

Tom Williams, an Auke Bay resident, thanked the Assembly for making some changes to STR. He said he was disappointed there couldn't be a roundtable to discuss this further with staff and Assembly as to the real concerns. He suggested two other improvements: 1) delete section 69.40.020(b) as it duplicates section (f). He said that if you are required to make any changes to your listing within 30 days, why are they duplicating that effort and requiring annual registration? In the recommended draft that he sent to the Assembly two weeks prior was to put in a provision that portions from registration information are confidential. The Sales Tax Office is administering this, and it is an end run about disclosing who is required to register with Sales Tax. He said that if they are doing an analysis, they should look at long term rentals as well. He feels confidentiality is important while still allowing aggregate data to be provided to the Assembly as to the nature and the distribution of what is out there in terms of STRs. He said that if they are doing an analysis, they should also be tracking long term rentals so they can do a proper comparison as to what is happening with one vs. the other type of rental. He was concerned that CDD and the Planning Commission will say that STR are not zoned right and would be trying to solve a problem that doesn't exist. Secondly, by identifying all this information to a specific individual, he thinks there is an opportunity for the assessor to target specific individuals and say that their properties are higher values.

Ms. Hale asked Mr. Williams about how he wants the info kept confidential and if he is concerned that someone would do a public records request and learn about their neighbors or if he is asking that the information be kept confidential from internal staff. Mr. Williams answered that his concern is that the city will start to target STRs. He said that the information that talks about who has these. He said that everything this ordinance includes can be found by looking at his website. He said that originally, he thought this was a sales tax issue but he is beginning to think of it more in terms of how the manager was quoted in the newspaper.

Assemblymember Smith said that for full disclosure before they get much further into this topic, he wanted to state that his primary residence is used as a seasonal STR but he has been advised by the City Attorney that he is of a large enough group that he doesn't need to be recused due to a conflict of interest.

Dawn Dulebohn, a Douglas resident, stated that after the last meeting she was approached about participating in a round table to get her insight about being an Airbnb host. She said she did reach out and provided her contact information right after that meeting and she was contacted one business day prior to the COW meeting. She was also given some options for a weekend meeting. She is a small business owner in CBJ who pays taxes and provides a valuable and needed service and guides travelers to local businesses, she advises them on cultural and environmental issues. She allows them the option to spend several days in our community that may not otherwise be an option if the only lodging option was a poor to mediocre hotel room that costs \$300-400 dollars a night. She

is appalled at CBJ targeting STR like hers as a scapegoat to the housing crisis in CBJ. She said that requiring a registration to sleuth out those who are not paying their taxes will cost more to administer than it will ever recover in lost revenue. She said that she uses the word “target” STRs and noted that while registration is the beginning of the process, she asked what is next. She asked will the city restrict much needed lodging, will the city restrict her income by limiting STR viable options by restricting new builds or creative reconstruction of existing, decaying, and old buildings. She asked if the city would continue to restrict needed lodging for events that will be held in town that will bring individual travelers as opposed to cruise passengers to town. Is the city going to hunt down all those homeowners who open their homes for individuals coming to stay for Gold Medal, Celebration, Iron Man? As the city showed when they hired a firm to get registration numbers for STRs, registration is not needed to track down the information from Airbnb and VRBO, this is just a step towards implementing additional restrictions on property owners who have already testified as to the reasons they do not do long term rentals. She said this move by the Assembly is another in a series of actions to show that the city does not support local businesses or small businesses since big brand hotels will not be required to register even though one hotel could easily be turned into studio or one-bedroom apartments. Likewise, the Terry Miller Building could provide viable housing options year round instead of just to legislative staff. Actions such as these to the are a primary concern for those individuals who use STRs as a primary source of income and she urged them stop targeting STRs and find actual viable housing options.

Dale Anderson, an Auke Lake resident, said he has owned and operated Auke Lake BnB since 1987 without any complaints from neighbors or CBJ. He heard that this ordinance was created to catch the bad guys who are not in compliance. It is time for the Assembly to start backing small businesses rather than targeting them. He said this has been recognized as a slippery slope by one of the Assemblymembers and he heartily agrees with that opinion. Government has a way of incremental growth of intrusion into the lives of the citizens. He suggested a friendly amendment to change the ordinance to change the monthly reporting to coincide with the regular quarterly reporting process to streamline with current reporting already taking place. He said these issues could have been worked out if the STRs and BnB owners were part of the initial discussions on this issue. He said they had not received any invitations to those operators to have a discussion about this and they weren’t provided specific notification. One question he has with this ordinance is if he would have to report 5 units or 1 unit with his BnB. He said this is very onerous and asked what happens next. He said the Assembly is going to be pushing this through without any conversation with those who are impacted by this.

Mr. Smith asked if there was any BnB association that staff or the Assembly could speak with about this. Mr. Anderson said that there used to be but there is no longer but the STRs/BnB owners would have been happy to discuss it with CBJ prior to this stage.

Adam Dordea, a West Douglas resident, stated that he owns and operates STRs in Juneau for approximately 6 years and about a year and half ago he made it his primary income and he also manages STRs for other owners. He said that like everyone, he is concerned that this is just the first step. He asked why CBJ didn’t reach out to VRBO and AirBnB like other communities did years ago to collect taxes on its behalf. He said that in municipalities across the country, he has had the apps collect taxes automatically and has not had any issues with compliance. He said if this is just about paying taxes, why has he been paying these taxes for the past 6-7 years and his competitors have not been. He said that he thinks there is an equity question but the simple solution was to just go through the VRBO and AirBnB apps.

Assembly Action

Ms. Gladyszewski said they have discussed the option of tax collection by AirBnB and VRBO multiple times and the testimony they have heard today is different than what they have been told. She asked if staff might provide additional information about that. Mr. Barr said that they have been trying to work with AirBnB and VRBO for quite some time on the collection of taxes through those websites and it continues to be a work in progress. Ms. Gladyszewski said that it has been a work in progress for quite a while and asked if they weren’t getting back to staff or what was happening. Mr. Barr said that after the first Assembly meeting on the topic, there was a new

contact at AirBnB that they were put in contact with but he will need to check with Finance staff to see what the status of that might be.

Mr. Bryson said that he thought there was an exemption for official Bed and Breakfasts (BnBs) vs. hotels and he asked if anyone could speak to that.

Ms. Triem stated that she had made an amendment to exempt BnBs that have a conditional use permit during the COW meeting but that amendment failed.

Mr. Smith said that Finance staff had pursued collection of taxes many times but were not getting any responses from the platforms. He was hopeful that maybe with this new contact, they may have more success. Ms. Triem said that the AML Housing Task Force has had similar non-success in having those platforms collect sales tax.

Mayor Weldon asked Ms. Layne to speak on the type of and nature of the information that they may keep confidential.

Ms. Layne said that normally most documents with CBJ are open to public records and to some extent, some of these documents may be subject to open records. What she and Mr. Barr have been looking at is CBJ Code 69.05.070 that talks about periodic returns that are filed with the sales tax office and in code, it does talk about a certain level of confidentiality for sales tax-related records.

Mayor Weldon and Ms. Layne discussed the types of financial sales tax records that would be redacted or considered confidential.

Mayor Weldon then asked Mr. Barr if someone had a unit that goes in and out of STR and mid-term rental status if they would need to submit a change of information each time that type of change occurred. Mr. Barr – said no, this ordinance would not require that.

Mr. Smith asked if Mr. Barr could speak to the need for the change of information and asked if they might look at switching from monthly reporting to quarterly filings and how that might impact the goals of the ordinance. Mr. Barr said that the reason for requiring an update for change of information data is to primarily keep the presumed future database that this will create up to date with the latest information. That database would be what the vendor would use to help us manage compliance efforts. He said there are three pieces of info that this ordinance would require those items set out on pages 3-4 of the ordinance: a change of information notice business license number, the name, address, and phone number for the operator or operator's designee, etc... He said that when that info changes, that compromises the contractor's ability to search the platforms and check for sales tax compliance and that is the reason they were asking for the thirty day timeframe so the records are up to date.

Mr. Bryson asked about the definitions section and the term "operator." He said that one of the people who testified spoke to amending the definition of an operator. He asked if there was an agent who was managing a STR on behalf of the owner could be the one to complete the required documents and filings for the STR or if that had to be done by the owner. Mayor Weldon said they are taking questions at this time and she will be proposing an amendment to address that issue. Ms. Hughes-Skandijs said she would still like to hear the answer to Mr. Bryson's question.

Mr. Barr said that it may get a little complicated. He said they get questions with the Sales Tax Office (STO) as to who needs to register with the STO and in general the registration has to be done by the owner of a business as opposed to an agent. He spoke to the fact that the owner is the ultimate responsible party for registering and remitting sales taxes. However, there are some circumstances where the owner is receiving a commission rather than the agent. The property manager in those instances files with the sales tax office, collects that revenue and reports that revenue on their IRS filings and the property manager is also reporting those business deductions on their IRS filings. CBJ is following federal practice in that those registrations are done by the property manager. He said that as this is currently written, the operator is the owner and not a property manager, who needs to file with the sales tax office.

Ms. Woll asked if that is a practice or a policy, i.e. is it written into the code or is it just a practice? Mr. Barr said that he was not entirely sure but that he believes it is simply a practice and not in the code.

Ms. Gladziszewski said the owner is responsible for registering and remitting the tax. How do we allow for the owner to be able to hire a property manager to do the filing and remitting? Mr. Barr said that he believes the Mayor's Amendment may address/correct that issue.

MOTION by Ms. Triem to adopt Ord. 2023-30(c).

Mayor Weldon turned the gavel over to Deputy Mayor Gladziszewski so that Mayor Weldon could put forward some amendments.

AMENDMENT #1 by Mayor Weldon, as follows:

Amend Ordinance 2023-26(c) in Section 2, at page 2, line 23 of CBJC 69.40.010 Definitions to read as follows:

"Section 2. Amendment of Title. Title 69 Revenue and Taxation is amended by adding a new Chapter 40, to read:

...

69.40.010 Definitions.

...

Operator means a person, firm, corporation, or other designated legal entity, ~~who who furnishes,~~ offers for rent or otherwise makes available in the City and Borough rooms for monetary or other consideration., ~~whether acting directly or through an agenda or employee."~~

Mayor Weldon said that this definition means that operator is the person who is actually collecting the rent, paying the taxes etc... She said that to make it quite clear that the property owner is still the person ultimately responsible for remitting the sales tax, she will be putting forward a second amendment addressing that issue. Mayor Weldon had provided the members with copies of both her recommended amendments so they could see that text combined.

Additional questions and discussion took place regarding this amendment and how that might be handled in the sales tax office. Mr. Barr said they will work those processes out but if they had snags that needed additional legislative changes, staff would bring those to the Assembly for consideration. Members and Ms. Layne discussed in more detail what the nuances of "designated legal entity" might look like vs. just the property owner.

Ms. Hughes-Skandijs objected to the amendment and spoke to the reasons for her objection.

ROLL CALL Vote on Amendment #1

Ayes: Mr. Bryson, Ms. Hale, Mr. Smith, Ms. Triem, Ms. Woll, 'Wáahlaal Gíidaak, Ms. Gladziszewski, and Mayor Weldon

Nays: Ms. Hughes-Skandijs

Amendment #1 passed: 8 Ayes/1 Nay.

AMENDMENT #2 by Mayor Weldon, as follows:

Amend Ordinance 2023-26(c) in Section 2, page 4, line 8 of CBJC 69.40.020 Registration Required by adding a new subsection (g) to read as follows:

"Section 2. Amendment of Title. Title 69 Revenue and Taxation is amended by adding a new Chapter 40, to read:

...

69.40.020 Registration required.

...

“(g) The property owner of the short-term rental is responsible for taxes, fines, fees, interest, and/or penalties associated with the rental.”

Hearing no objection, Amendment 2 passed by unanimous consent.

AMENDMENT #3 by Mayor Weldon, to include the following language on line 14, that 69.40.020(b) reads:

(b) Registration must be renewed annually. The registration under this chapter may be waived by the Assembly for citywide events.”

In speaking to the reason for this amendment, she said this was to provide for individuals who wish to open up their homes for events such as Iron Man, Celebration, Gold Medal, etc...

Ms. Hughes-Skandijs asked how this might work in practice. Mayor Weldon said in speaking with staff and said that anyone wanting to open their house for a one-time event could be exempted upon announcement by staff to the community, once the exemption was approved by the Assembly.

Ms. Triem asked Ms. Flick if she could speak to how this might work.

Ms. Flick said that if there were an areawide event such as Iron Man last year, if the Assembly should choose to waive a registration, it would be for a specific timeframe around that event. She said that it would be important to recognize that waiver of STR registration would not be a waiver for paying the sales and hotel/bed tax that would be required to be collected during that period.

Ms. Hale said she was not sure how effective this would be if they weren't allowed to waive the taxes.

Ms. Triem said she likes the idea of where this is coming from and has similar concerns to what Ms. Hale raised. In light of that, she would vote no on this amendment but encouraged the Assembly to work on that a little more.

Mayor Weldon withdrew Amendment #3.

Ms. Gladziszewski returned the gavel to Mayor Weldon.

Roll Call Vote on the Motion to adopt Ordinance 2023-26(c) as amended.

Mr. Bryson – objected for purposes of making a statement. He said that he wanted to answer some of the questions that members of the audience raised in their testimony. To answer the question as to why they didn't address this 3-4 years ago, he said it wasn't a problem until last year when Iron Man came to town and they were running into real problems with STRs. He said the Assembly has had approximately 20 hours of discussion at length on this topic and this ordinance did not come about overnight and it is hard to get it just right and they have been looking out for the business community. He said there is no registration fee and the only penalty is if not registered. He said this is not likely the end of their discussions on STRs but it is an evolving situation.

Ms. Gladziszewski asked about the 90 days effective date timeline vs. 30 days and said that she might have an amendment to change the effective date.

Mr. Barr said that from a staff perspective, 30 days would work, however, he thinks more than 30 days is needed for public information.

AMENDMENT #4 by Ms. Gladziszewski to change the effective date on page 5 of 5, Section 4 to be 60 days instead of 90 days.

Objection by Ms. Hale stating that people are very busy managing the current tourism season and 90 days would land this as effective in October.

‘Wáahlaal Gíidaak asked if the amendment would make it a permanent change for people to register 90 days.

Ms. Gladziszewski clarified that the 60 days effective date for the ordinance is just 60 days before the ordinance becomes effective. It would not change the registration timing differently than the 30 days registration once it is

in effect. Ms. Gladziszewski said that by changing this to 60 days effective date, they would hopefully have some data from this summer season.

Mr. Bryson said that he agreed with Ms. Hale that this is a great burden to the STR owners in the middle of this current tourism season and would be better with a 90 day effective date.

Roll Call Vote on Amendment #4

Yeas: Ms. Gladziszewski, Ms. Hughes-Skandijs, Ms. Triem, 'Wáahlaal Gíidaak

Nays: Ms. Hale, Mr. Smith, Ms. Woll, Mr. Bryson, Mayor Weldon

Amendment #4 failed 4 Yeas/5Nays.

Ms. Hale said that they heard from public testimony that this is a slippery slope and that further regulation may be coming. She said that this assembly has spent an enormous amount of time on this topic and there is the possibility that this may lead to additional regulations as has happened in Hawaii and in the Mat-Su and other parts of the country. She said this is the first step and they can't determine what the issue is without the data this ordinance will provide and she doesn't want the public to think that this is the ordinance is the only thing they will be doing in looking at STRs. The Assembly is looking at many issues related to housing and another housing ordinance coming up on this agenda. She said that STR are not the only problem, zoning, and cost of housing are also problems and this is a multipronged approach the Assembly is taking with respect to housing issues.

Mayor Weldon also commented on this ordinance. She said that she has a problem in referring to STR as "a problem." The Assembly has some concerns that STR may be affecting housing but they don't know for sure until they get to see some of the data that this ordinance will be able to provide. She double/triple urged the Assemblymembers to speak with those in the community who have testified and get a better understanding of the effect of STRs on the community and how they may or may not have anything to do with long term rentals.

Ms. Gladziszewski said this ordinance is about collecting data and then determining what effect STRs are having on the community.

Ms. Hughes-Skandijs reminded that fellow Assemblymember that the Assembly did direct staff to bring back potential regulatory language for Assembly consideration as well. She said they wanted to be clear that the community realized that was something the Assembly has asked to see more information about for future consideration.

Hearing no further objection, the motion, as amended, passed by unanimous consent.

The Assembly took a break at 8:29p.m. and returned at 8:36pm

17. Ordinance 2023-28 An Ordinance Authorizing the Manager to Convey Approximately 11.5 Acres of Property Located at Pederson Hill to Tlingit Haida Regional Housing Authority for Less Than Fair Market Value.

Last fall the Assembly authorized the City Manager to enter into negotiations with the THRHA for the disposal of property at Pederson Hill for less than fair market value. THRHA plans to build homes on these lots and sell 50% of them to low-income tribal citizens and the other 50% will be available to moderate income Juneau residents for purchase. The Lands, Housing and Economic Development Committee reviewed this proposed CBJ land disposal at the meeting on August 29, 2022, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property for less than fair market value. The Assembly reviewed this application at the September 12, 2022 meeting, and passed a motion authorizing the City Manager to enter into negotiations with Tlingit Haida Regional Housing Authority towards the disposal of City property for less than fair market value. Fair market value has been determined to be \$700,000. This ordinance will authorize \$600,000 to be forgiven as conditions in the ordinance are met.

The Manager recommends the Assembly adopt this ordinance.

Public Comment

Lillian Petershore, already testified on this ordinance during the previous ordinance.

Alicia Petershore, a Fritz Cove resident, expressed concerns re: the community's housing situation. She stated that she was born & raised in Juneau. In 2016, she moved back to Juneau and stated that it has become a depressed community with a lack of middle and upper middle class income homes. She and her fiancé have been looking for housing since then and been frustrated by looking for housing. She said that prior to moving back to Juneau she worked for the Anchorage housing planning department. She encouraged the Assembly to address Housing Action Plan on goals of building housing homes every year for 30 years. If the housing situation isn't immediately and substantially addressed, she and her fiancé and many other established professionals may end up leaving Juneau to find a place with housing options.

David Ignell, a West Juneau resident, said he has a lot of problems with this ordinance but he stated his support for more low-income housing for Juneau and expressed his support of Ms. Pata. He said that what he does object to is the valuation of \$700,000 for 11.5 acres of flat buildable land for ranch housing does not seem like a true valuation. For 69 houses, that is only \$10,000 per lot. He asked if the real value should be more like \$150,000 per lot. He said that in looking at the fine print of the ordinance, the tribe is only required to build 30 houses over the course of 10 years and we have an immediate need for more housing. They could hold onto this land indefinitely. Ms. Pata's letter estimates the cost of a unit is \$450,000 and that doesn't seem like low income to him. He said that it is only proposing half of the homes to go at low income rates. He said that he is concerned about this giving the tribe an advantage over private developers or home builders who want to build as well. If they are basically getting this land for free, that gives the tribe an advantage over all others and he wants to see this opened up to see the tribe get some competition. He said there is no rush with this ordinance and he would like them to investigate the appraisal amount to determine how accurate that really is. From a legal standpoint, he sees this as a constitutional issue which is using public funds to providing racial discrimination by allowing 50% of this housing going to tribal members.

Assembly Action

Mayor Weldon asked if Ms. Peta was on the Zoom. Ms. Cathcart said she was not.

Ms. Triem asked if staff could talk about the appraisal process.

Mr. Watt brought Lands Manager Dan Bleidorn forward to address Ms. Triem's questions.

Mr. Bleidorn explained that the valuation of the lot as it exists now. He noted that if they are looking at what the valuation might be once all the development was done to it, it would take approximately \$8 million to get it to a buildable lot stage. He said the city assessor isn't involved in this process and Lands staff reviewed the appraisal they received from a 3rd party appraiser that they hired to do the valuation and it came in just under \$700,000 in March 2023.

Ms. Gladziszewski asked Mr. Bleidorn asked about the speed for development and asked if he could speak to how this timeline came to be. Mr. Bleidorn said the timeline was negotiated between the Manager and the application. He said the final plat will need to be finished which will take some time and engineer work initially. Then the first step is after 3 years due to the plan, platting, and design. The second step will be taking approximately 5 years for the building of roads and infrastructure and once they are at the point of building houses, they will have had to go through the planning/permitting process and the Certificate of Occupancy. He noted that they optimistically hope for 15 units to be built and given certificates of occupancy within 5 years of beginning this process but that may be delayed due to planning, permitting, etc... He then spoke to all the phases of the project as outlined in the agreement.

Ms. Hale said that her concern has to do with the issue about 50% being available to moderate income Juneau residents and she didn't see anything in the agreement that would require that language in the MOA. She asked if staff could make sure that language is included as she would hate to see this go for a low amount and then be

bought up by speculators that would turn around and sell them for high rates or even STRs when it is the intent of this to go towards providing low and middle income housing.

Mr. Watt said that it is difficult to put future development requirements but they would work with THRHA to make sure that goal is met.

MOTION by Ms. Triem to adopt Ord. 2023-28 and asked for unanimous consent.

Hearing no objection, motion passed by unanimous consent.

18. Ordinance 2023-29 An Ordinance Amending the Sensitive Areas Requirements of the Land Use Code Related to Marine Mammal and Anadromous Waterbody Habitat Protections.

This ordinance revises the land use code to address future development in stream setback and buffer areas.

For years, maintaining a balance between development and the preservation of fish habitat in the land use code has presented difficulty to developers who struggled with limited work area during construction to ensure the buffer is not disturbed. This ordinance provides flexibility in code by maintaining practical protection of anadromous waterbodies, while allowing development to occur in a portion of the outer buffer during construction -- by providing the work area necessary to construct outside the 50 foot buffer.

Drafts of this ordinance have been worked on since 2017. The full path through the Planning Commission, T49 Committee, the Assembly, and staff and Law review was outlined in a memo to the May 22, 2023 Lands, Housing and Economic Development Committee. The Planning Commission recommended a relatively complex ordinance that would allow development within the full 50' setback. The Manager had staff draft Ord. 2023-29 which simplifies the process and allows an incursion of up to 15 feet into the 50 foot setback, provided that the area is revegetated with native plants during the same construction season. This approach balances the need to relax development rules while still protecting fish stream habitat. The LHED motioned to support adoption of this ordinance.

The Manager recommends the Assembly adopt this ordinance.

Public Comment

Dave Hanna, a Back Loop Road on Auke Lake resident, said that he sat on the Wetlands Review Board for 10 years, was a founding member of local wetland board. He said that if anyone appreciates the need for an ordinance like this, it is him. One thing he sees with this is a requirement for an engineer that there is no disturbance of waterway and he said he doesn't see any engineer who will be willing to do this. He spoke to the grandfathered homes that may be in grey areas. It could be really onerous to current owners whose properties have already been developed when they find out that they can no longer disturb things.

Maria asked what language in the ordinance did he suggest changing related to the requirement for an engineer to certify.

Mr. Hanna said the language he was referencing was on page 2 of 4 of the ordinance that states: "Upon request of the director, the developer shall provide evidence of compliance by certification of a professional engineer."

Ms. Hale asked further clarification about the concerns he's raised as it related to grandfathered rights or not.

Mr. Hanna said that he attended the Planning Commission/Title 49 meetings where this was discussed. He is not concerned about stuff that happened before the stream set back ordinance but he is concerned about existing properties who might want to change and may be told to go back to undoing previous changes.

There was additional discussion, questions and answers by staff related to how this might affect or put in jeopardy renovations that happened prior to this ordinance.

Ms. Maclean said that the PC/Title 49 was not making any changes to **49.70.320 Watersheds**. And that is existing language in the code. Ms. Maclean provided a broad stroke overview of what this ordinance does and spoke to non-conforming certificates. She said they do try to be flexible with those who may be grandfathered and there

isn't a permit on file because it was something happened in 1960s they try to work with those. She then spoke with property owners about the permit process as it currently stands.

Assembly Action

MOTION by Ms. Triem to adopt Ord 2023-29 and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

19. Ordinance 2023-31 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$27,000,000 to Finance Construction and Equipping of a New City Hall for the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 3, 2023.

This ordinance would send a bond package to the voters to consider in the municipal election on October 3, 2023. This ordinance would send one general obligation bond proposition of up to \$27 million for the construction and equipment of a new city hall. The total project cost, with underground parking, is currently estimated at \$43.3 million, and the Assembly has already appropriated \$16.3 million of general funds.

The new City Hall would be built on Whittier Avenue, across the street from the State museum. A new facility would have a number of positive attributes for the City and our citizens, including the following: an end to office space rent payments in excess of \$800,000 annually, the freeing up of historical apartment spaces, and the ability for customers and employees to do municipal business in a more efficient manner as CBJ offices would be located in one place, instead of five different locations. Additionally, a new structure would be more economical to maintain as the existing City Hall is one of our most expensive municipal buildings to maintain (actually slightly more costly to maintain than the 60-year-old Augustus Brown Pool).

The Committee of the Whole selected 450 Whittier Street as the preferred site for a new city hall during the April 11, 2022 meeting. The Assembly requested staff introduce an ordinance to submit a proposition to the voters on the October 3, 2023 election ballot during the June 5, 2023 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Greg Adler, a West Juneau resident, stated that Rorie Watt as the CBJ City Manager is part of the executive branch of the CBJ and subject to the provisions of the Hatch Act partly because the CBJ budget receives federal funding. He said that city employees may engage in free speech but during the conduct of their official duties, they may not engage in political activity. He said this is the wrong time to put forward an initiative for a new City Hall. He stated that non-partisanship needs to prevail in this matter and the \$50,000 allocated for advocacy about the new city hall needs to be split between non-CBJ entities weighing in both sides of the issue. He spoke to the issues related to the incorrect assessment of the properties in the community in an attempt to raise bond funds for the new city hall.

Sally Willson, a downtown resident, said she has never worked on a financial projection that was correct, they are always wrong. That has never reviewed a financial projection that was correct, they are always wrong but that does not negate the importance of financial projections as it requires those to review full disclosure. One of the concerns in the information that was presented in this brief summary as read by Mr. Watt was the some of the information was not conveyed. She said that when they talk about the cost of this new city hall, they need to talk about all the financial costs such as the cost of cancelled rents for those places currently being rented. She also asked what will it cost to dispose of the current city hall or bringing it up to saleable status. She advocated for a clear presentation of all the costs associated. There will also be debt service costs and maintenance costs of the new city hall if we own it. Her final point, in interest of full disclosure we need to inform the voters of the other capital projects lurking in the background. She mentioned projects such as the Eaglecrest gondola and the 2nd crossing/bridge to Douglas. She is not advocated for or against a new city hall but she wants them to stress the importance to disclose ALL of the costs involved with this project.

Nano Brooks, an Auke Bay resident, said he is an owner of multiple businesses in Juneau. He has a day job doing plumbing and HVAC and a lot of experience with buildings and the construction process from start to finish. Some of those buildings include the State Library, Archives, and Museum as well as other buildings in Sitka, Ketchikan, and the Hoonah Tribal House in Glacier Bay. He sees these numbers and thinks there are many more affordable options for alternatives for a new City Hall. He suggested the 2 acres for sale over in Lemon Creek by Home Depot owned by Alaskan Brewing. He spoke to the current property tax exemption that property has due to the manufacturing status of that property as well as the centralized location of that property vs. being located downtown. He said with that location, you wouldn't need underground parking which would drop a large majority of the cost of what is being proposed with this ordinance. He said it may also be able to address the deferred maintenance issues related to the current city hall.

Frank Bergstrom, a Lemon Creek resident, said that on this issue, there was an ordinance passed about \$50,000 for public campaign for this issue. He said that he tried to get the existing information on the city hall project. He said that he was told that he could request it via the request for public information process. He said that he feels the \$50,000 is less than optimal when you can't even see what the project costs are based upon. He did look at what he could see what was the CIP list. He came up with \$101 million dollars needed for maintenance to all the CBJ facilities and to him, that would be a much higher priority than a new city hall. The info isn't there to do an adequate analysis. \$1.142 billion of maintenance listed on the 10 years CIP project and nowhere on list is a new city hall. He questioned of why this ordinance and this concept is priority 1 since it isn't even on the list.

David Ignell, a West Juneau resident, said that it bothers him that the Assembly is going to vote shortly on this and he doesn't think they know and understand what the actual costs of this thing are and what the savings will actually be. He said his professional experience was in commercial real estate and he asked about the triple net expenses such as taxes, janitorial, etc...and had asked for that info from Mr. Watt last month but did not receive it. He said that from the information he was able to find, he calculated the savings not at \$820,000/year but rather approximately \$270,000/year. He echoed Ms. Willson's comments that they need to know all the costs. He said that in considering that all bids are 1.5x the estimates. He said that Juneau's population is declining with 47% of Juneau's student population is dropping and he encouraged them to look at using the school buildings due to the drop of enrollment. He agrees with Mr. Adler that it is unethical for the Assembly to spend money on advocating on this topic.

Mr. Smith asked Mr. Ignell to explain how he came up with amounts that he did. Mr. Ignell provided a brief explanation of his calculations using \$16 per square feet number vs. what is currently being paid at \$24/sf for rent. He said that he'd be happy to share copies of the math for them via email. He asked for the data but didn't get it.

Dave Hanna, a Back Loop Road resident, said he didn't intend to testify on this. He said that everyone who testified made very valid points and that full disclosure of all the data is fair. He said that if there is an information booklet put out there, it would only be fair for someone with a different opinion to be able present that, provided it could be done based on facts, that would be great.

Assembly Action

MOTION by Ms. Triem to adopt Ord. 2023-31 and asked for unanimous consent.

Mr. Smith asked Mr. Watt if he could provide some of the information to address some of the concerns addressed tonight. Mr. Watt said that they are already working on compiling all that factual information from last year and update it with this year's information. He said that some of those who testified were just ahead of staff's process and they are working on compiling all that information gathering process and making it accessible to everyone in the public in a timely manner in advance of the election.

Ms. Gladziszewski she asked Mr. Watt about the voter information pamphlet and how they may have provided for pros/cons statements in past voter pamphlets. She asked Mr. Watt to speak to how they might do something similar for providing someone to include a "con" statement in the packet.

Mr. Watt said that in the past they have had “pro/con” issues in a voter pamphlet and those have been policy issues such as fluoride in the water but they have not done that for capital projects but those are fundamentally different from policy issues. Generally the pro/cons are on policy issues were on issues that the City didn’t have any position one. Ms. Gladziszewski said the only one she recalled was the fluoride issue having pro and con statements and the city did not have a position on that.

Hearing no objection, the motion passed by unanimous consent.

The Assembly took a break at 9:32p.m. and returned at 9:39p.m.

20. Ordinance 2022-06(b)(AX) An Ordinance Appropriating \$8,100,000 to the Manager for the Purchase of the Juneau Bone and Joint Center Property at 3220 Hospital Drive; Funding Provided by Hospital Funds.

This ordinance would appropriate \$8,100,000 of hospital funds for the purchase of the BBGH Development, LLC property at 3220 and 3230 Hospital Drive, Juneau, AK. The property includes over 21k sq. ft. of medical and commercial space in two buildings on a 53k sq. ft. parcel. With clinical and healthcare administration space challenging to come by in the current real estate market, this acquisition would represent one of the few opportunities to increase Bartlett’s (BRH) space for growth near our existing campus. Additionally, the existing property offers steady commercial rental income, providing immediate access to positive cash flow.

This ordinance will appropriate authority to a capital improvement project for the purchase of this building to offer Bartlett maximum flexibility in transaction closing.

This request was reviewed by the Hospital Board at the April 25th, 2023 meeting. The Committee of the Whole reviewed this request at the June 26, 2023 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

David Ignell, a West Juneau resident, said that Einstein said the definition of insanity is doing the same thing and expecting a different result. He said that the Assembly has repeatedly received unanimous public comment against ordinances and the Assembly votes in favor of them unanimously. He said that it doesn’t matter what the public says, the Assembly is not taking that into consideration. He said it appears to him that the City Manager is running this town and the Assembly. He said this brings up very deep concerns about the hiring process for the future City Manager. He said that he has a lot of questions about the valuation on this property. He also spoke to the fact that the City doesn’t take care of the buildings it does own. He said that the City Manager is recommending the Assembly adopt this and asked why CBJ is getting in the real estate business and competing against private industry.

Assembly Action

Mayor Weldon asked Assemblymembers if they had any questions of Mr. Ignell, Mr. Watt, or BRH Director Keith or the members of the Hospital Board who were present at the meeting in regard to this ordinance. No one had any questions.

MOTION by Ms. Triem to adopt Ordinance 2022-06(b)(AX) and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

21. Ordinance 2022-06(b)(AY) An Ordinance Appropriating up to \$500,000 to the Manager for the Information Technology Infrastructure Capital Improvement Project for the Purchase of Permitting, Land Management, and Property Valuation Software; Funding Provided by General Funds.

This ordinance would appropriate up to \$500,000 for permitting, land management and property valuation software for the Community Development and Finance Departments. The software would provide an online public portal for permit and land use applications, inspection requests, status updates, and payments. The software would maintain property data, property valuation, and ensure tax equity through uniform valuations for

the Assessor's Office. Additionally, the Assessor's Office would use the software for the administration of exemptions, assessment notifications, appeals processing, and reporting. The software would increase staff productivity while offering faster, more accurate, and user-friendly systems for permit and land use applicants and property owners in the CBJ.

The software cost will exceed the requested \$500,000 by an estimated \$300,000. The excess funds would be provided by previously appropriated funds in the Information Technology Infrastructure CIP.

The Mayor's Housing and Development Task Force recommended the CBJ acquire permitting software as a major outtake of its work.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-06(b)(AY) and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

N. UNFINISHED BUSINESS

O. NEW BUSINESS

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

There are 8 property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

Ms. Gladziszewski stated that the Assembly has reviewed each application individually.

MOTION by Ms. Gladziszewski to accept hardship applications for Gerald Harvey, Patricia Adkison, Richard Steele, Glenn Sicks, Larry Snyder, Deborah Cantrell, and Walter Bennett and the late filed senior or disabled veteran exemption application from Rachel Beck and to direct the Assessor to work with each requestor listed and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

P. STAFF REPORTS

23. Assembly Calendar-Meeting Schedule Changes (Verbal Report) – Mr. Watt said that due to City Manager process the regularly scheduled Assembly meeting of July 31 would be cancelled and replace it with a special meeting that would include consent agenda items only with maybe a few other items. He noted that the items that were on today's Consent Agenda were not time critical and could wait for action at the meeting in August instead of July 31. Mr. Smith asked when the replacement would be. Mr. Watt said that it would be a short meeting on July 31 for consent agenda/introduction of ordinances only.

24. Tourism Report – Ms. Pierce stated that the Assembly has read her memo that was in the packet and she'd be happy to take questions. Ms. Hale said that she has been in conversation with Ms. Pierce and others about the ridership of the buses are being turned away due to tourists who cannot go to the glacier due to limitation by the

USFS of permit tours. Ms. Hale said CBJ needs to look at all options such as school buses, churches, etc... and asked how we are addressing this issue.

Ms. Pierce said they have the contractor that they are working with on the circulator study is in town. She mentioned the driver shortage with Capital Transit and that they are having a hard time filling those vacancies which is also contributing to the bussing shortage. Ms. Pierce said when there are additional drivers available, Capital Transit is trying to fill those needs. She said they have also had drivers track the number of people who are getting passed so they can understand the needs better. She said they have a meeting with USFS scheduled to understand their environmental permits allowed per season. She said in speaking with the bus companies that sell privately and on the dock, they still have enough permits to take existing bookings but it is the sales off the docks that are no longer available. She said there are still a number of city and glacier tours still available for use. She'll be talking with providers and the USFS tomorrow but what is available is nothing near what will be needed to meet the demand. Trying to do everything they can to give people other options to use for other attractions using the information channels they have available.

Ms. Hale asked if they might be able to get those Capital Transit numbers of people being turned away to the in time for the next COW meeting next Monday. Ms. Hale asked her to look at all possible options. Ms. Pierce said that she will try to explore options and bring back more info to the Assembly.

Ms. Hughes-Skandijs questions about Whale Watching and would like to hear more about her meeting with them and she would like that info to come to a future COW. Another issue was regarding the commercial recreational use and how we manage things. When it gets closer to doing the RFP in the fall, she would like an update on that so they are good on the scope of what that money is being spent on.

Ms. Pierce said they held a meeting with the Whale Watching operators. She said that Kirby Day gave a brief overview of what happened in the early 2000's with respect to flightseeing which is a similar situation to where they are at with Whale Watching operations. CBJ doesn't have a lot of jurisdiction authority on Whale Watching because it is out on the water with USCG federal jurisdiction. What came out of the flightseeing process was much more stringent guidelines and regulations. They talked about the Whale Watching group coming up with better guidelines and they have agreed to form a committee being led by Bob Janes to work on that to see what that might look like as well as what a public outreach strategy might look like. The first meeting of that group is on Thursday night. In spirit of TBMP, it is important that the operators come up with the guidelines themselves. She will try to bring an update back to the Assembly at a future meeting. As with other tourism related things, CBJ has blunt tools.

Regarding the RFP issue related to the commercial recreational use, Ms. Pierce said she will bring that information back to a future meeting.

Ms. Gladyszewski said she will schedule a tourism update on a future COW meeting.

She asked if Ms. Pierce might be able to provide an update on the problem with slow or non-existent cell service bandwidth when all the cruise ships are in town. Ms. Pierce said her concerns are valid and last year she worked with GCI but the staff member she worked with is no longer there and she has not had a lot of success working with them at this time.

Ms. Gladyszewski asked if Ms. Pierce could share any information about the Huna Totem Dock Conditional Use Permit (CUP) on tomorrow's Planning Commission agenda. Ms. Pierce confirmed that CUP Permit is on the PC meeting tomorrow night and she encouraged the Assembly to watch that process closely. She said that depending on if the CUP was approved, some of the discussions/conditions at that meeting may affect any potential leases that come before the Assembly.

Mayor Weldon thanked Ms. Pierce for her report.

Q. ASSEMBLY REPORTS

[10:03p.m.]

Mayor Weldon noted that this was going to be different type of report tonight. She said that regrettably, she had to accept a letter or resignation from Assemblymember Carole Triem. She invited staff to do their presentation first.

Mr. Barr said that one of their parting gifts has to do with a conversation they had related to possible cat licensing. He presented Ms. Triem with a custom made CBJ Cat License #1.

Deputy Clerk Cathcart presented Ms. Triem with an framed Assembly photo and Mayor Weldon presented her with an Alaskan flag that flew over the capital building today thanks to Sen. Kiehl. The final presentation of the flag will be given to her in a custom flag box with the dates of her service on the CBJ Assembly.

Mayor Weldon then read a poem that she composed for Ms. Triem. All the Assemblymembers and staff expressed their appreciation for Ms. Triem and her service to the community and how much she will be missed.

Ms. Triem said that the last 5 years have been pretty incredible. All members at the dais have often disagreed with each other but she has always felt that every one of them is serving for the same reason. It has been an honor to work with each and every one of them. She said that she thinks CBJ has the best staff in the entire world, and they make the Assembly's job a lot easier. She appreciates the hard work that they do, the sense of humor and that while this job could be awful, they make it fun. She will miss everyone a lot and hopes to be back in Juneau before too long.

Mayor's Report

Mayor Weldon said that Ms. Triem's resignation is effective tonight at midnight. Mayor Weldon said that there is some concern that with others being gone on vacation, the Assembly will be short on numbers so at this time she passed the gavel to Ms. Gladziszewski for a motion she'd like to make.

Mayor Weldon nominated Loren Jones to finish up Carole Triem's vacant Areawide Assembly seat until the next regular election and asked for unanimous consent.

Ms. Gladziszewski stated for the record that Ms. Triem wasn't voting on that motion because the vacancy did not yet exist. She then handed the gavel back to Mayor Weldon.

Mayor Weldon said that Ms. Triem would like to make the next nomination.

Nomination by Ms. Triem to have Ms. Woll serve as AFC Chair from midnight tonight until the reorganization meeting in October. Hearing no objection the motion passed by unanimous consent.

Mayor Weldon noted that Ms. Triem was also the BRH liaison, and that Ms. Hale has agreed to serve as BRH liaison in the interim. Hearing no objection, that appointment was confirmed.

Committee and Liaison Reports

COW Chair Gladziszewski reported that she was going to be leaving town the next day and returning just before the next Assembly meeting on July 31.

Human Resources Committee (HRC) Chair Smith forwarded the following board recommendations for appointment:

Historic Resources Advisory Committee (HRAC) Eric Moots to a term beginning July 1, 2023, and expiring June 30, 2026 and the reappointments of Grant Ritter, Stuart Cohen, Janet Hall-Schempf to terms expiring May 31, 2026.

Juneau Human Rights Commission (JHRC) reappointments of Paula Drake, Lance Mitchell Haifa Forugi to terms expiring May 31, 2026, and the appointment of John Dripps to a term beginning immediately and expiring May 31, 2025.

Personnel Board appointment Alison Redford to a term beginning immediately and expiring January 31, 2025.

Local Emergency Planning Committee the recommendation to forward to the State of Alaska Emergency Response Commission the appointments of Nathan Rumsey to the BRH Hospital Seat 5a and Nicole Ferrin to the Haz/Mat Transporter Seat 10 both for less than 6-month unexpired terms beginning immediately and ending December 31, 2023 and full-terms beginning January 1, 2024 and ending December 31, 2026 on the Local Emergency Planning Committee and ask for unanimous consent.

Hearing no objections, all the appointments passed by unanimous consent.

Ms. Woll noted that there was a School Board meeting scheduled for 4:30p.m. tomorrow night.

Mr. Hughes-Skandijs said they will be getting into the hazard/landslide maps topic at the next Lands, Housing, Economic Development Committee next meeting with all the info at the last meeting in June to look at as their homework.

Public Works & Facilities Committee (PWFC) Chair Bryson reported that at the last meeting they discussed Safe streets, JAR, the RAISE grant for N. Douglas 2nd Crossing, and they met the new chancellor at UAS. Mr. Bryson reported that he also had the honor of serving as one of the Grand Marshalls at 4th of July parade.

Presiding Officer Reports

R. ASSEMBLY COMMENTS & QUESTIONS

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

T. EXECUTIVE SESSION

25. City Manager Recruitment and Selection

MOTION by Ms. Hale "I move we recess into executive session to discuss matters that the immediate knowledge of which would defame or prejudice the character or reputation of any person, specifically those individuals invited to interview with the committee, and to discuss recruitment examination materials that are confidential." Asked for unanimous consent. ***Hearing no objection, they recessed into Executive Session at 10:24p.m.***

U. SUPPLEMENTAL MATERIALS

V. ADJOURNMENT

The Assembly came out of Executive Session and adjourned the meeting at 11:00 p.m.

Signed: _____

Diane Cathcart,
Deputy Municipal Clerk

Signed: _____

Beth A. Weldon,
Mayor