

REGULAR ASSEMBLY MEETING 2023-05 MINUTES

February 27, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream



Meeting No. 2023-05: The Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 7:00 p.m.

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

Christine Woll provided the following land acknowledgment: We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous peoples 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: Maria Gladyszewski, Christine Woll, Greg Smith, Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, Carole Triem and Mayor Beth Weldon.

Assemblymembers Absent: 'Wáahlaal Gíidaak

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Assistant City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Port Director Carl Uchytel, Community Development Director Jill Maclean, Lands Division Manager Dan Bleidorn, Parks & Recreation Director George Schaaf, Engineering/Public Works Director Katie Koester, Tourism Manager Alexandra Pierce, Assistant City Attorney Benjamin Brown, BRH CEO David Keith, CDD Planner Irene Gallion

D. SPECIAL ORDER OF BUSINESS

1. Instructions for Public Participation Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform or to sign up at the back of the Assembly Chambers for those in person wishing to testify.

2. Proclamation: National Engineers Week

City Manager Rorie Watt was asked by Mayor Weldon to read the proclamation of National Engineers Week, recognizing the importance of engineers within and outside the city. The proclamation stated that, Mayor Beth Weldon on behalf of the City and Borough Assembly does hereby proclaim February 19-25, 2023 as National Engineers Week in Juneau, Alaska and calls upon the people of Juneau to recognize engineers' importance and achievements.

E. APPROVAL OF MINUTES

3. August 1, 2022 Regular Assembly Meeting 2022-18 Draft Minutes

4. August 8, 2022 Special Assembly Meeting 2022-19 Draft Minutes

5. August 29, 2022 Special Assembly Meeting 2022-21 Draft Minutes

6. September 12, 2022 Regular Assembly Meeting 2022-22 Draft Minutes

Hearing no objection, the above 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. Skip Gray, a Twin Lakes resident, testified on the historical significance of the Telephone Hill neighborhood area of Juneau in response to plans for redevelopment by the city in that area. Mr. Gray distributed a packet to each Assemblymember that went over historical significance of the area, each building, as well as how these buildings under NPS could be registered as a Historic District as meeting Historical Register Criteria. Mr. Gray gave a brief summary of historical details on the area.

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. Gladyszewski to adopt the Consent Agenda and asked for unanimous consent. ***Hearing no objection, the motion carried.***

I. Ordinances for Introduction

7. Ordinance 2023-02 An Ordinance Amending the Assessing Standards for the City and Borough of Juneau.

The CBJ Assessor's office is required by state law to value property at full and true value each year. In doing so, they follow the standards and practices set by the International Association of Assessing Officers and the Alaska Association of Assessing Officers. Codifying these IAAO and AAAO standards for mass appraisal can lead to greater public understanding of and trust in the assessment process. The public should note that these assessment standards have generally been written for jurisdictions with mandatory real estate price disclosure, and without such disclosure, the Juneau Assessor must depend more heavily on local knowledge and other economic information in determining full and true value.

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

8. Ordinance 2023-09 An Ordinance Authorizing the Manager to Lease a 1.50 Acre Parcel of Land near 100520 Crazy Horse Drive at a Reduced Rate to Provide for the Southeast Alaska Food Bank Food Warehouse Expansion.

Since 2005, the Southeast Alaska Food Bank has leased a fraction of U.S. Survey 1041 from the City for \$1.00 per year. This property is located in the Mendenhall Valley at the end of Crazy Horse Drive. The lease was amended in 2015 to increase the leased area to ½ acre. The current application states that the new area is needed because the opportunity has arisen to fund a new warehouse building making the food bank more sustainable for the future. The food bank already secured a grant in the amount of \$500,000.00 toward the expansion. The LHED Committee provided a motion of support to amend the Food Bank lease at the January 23, 2023 meeting.

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

9. Ordinance 2023-10 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Tidelands Addition to the City of Juneau, Block 68, Lot 8 Fractions, Lots 9, 10, 11, 12 Fraction, 12A, 13, and 14 Fraction; Tidelands Addition to the City of Juneau, Block 74, Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9; Tidelands Addition to the City of Juneau, Block 75, Lot A; Juneau Subport Lot A, and USS 3566, Lot 3 Fraction and 2A Fraction; from Mixed Use 2 (MU2) to Mixed Use (MU).

AME2022 0008: A Rezone Request from MU2 to MU in the Aak'w Kwaan District

At the [Regular Planning Commission meeting on February 14, 2023](#), the Commission voted to recommend approval of a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 6.6 acres that encompass Centennial Hall, the Juneau Arts and Culture Center, Zach Gordon Youth Center, the proposed location of a new City Hall, and the Four Points Sheraton. If AME22-06 is approved, this would be a southward extension that creates clean boundaries along streets. This area includes the 5.7 acres in the applicant's application, and a staff-proposed expansion of 0.9 acres. This rezone would reduce setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

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

10. Ordinance 2023-11 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Indian Village, Blocks 3 & 4, Kasaan City, Lot 2, and Tideland Addition to the City of Juneau, Block 68, Lots 1, 2, 3, 4, 5, 6, and 12FR, from Mixed Use 2 (MU2) to Mixed Use (MU).

AME2022 0006: A Rezone Request from MU2 to MU in the Aak'w Kwaan District

At the [Regular Planning Commission meeting on February 14, 2023](#), the Commission voted to recommend approval of a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 4.2 acres that encompass the Indian Village, the Andrew Hope Building, and current offices of the Alaska Department of Environmental Conservation. This area includes the 3.7 acres in the applicant's application, and a staff-proposed expansion of half an acre. This rezone would reduce zoning setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby District Land Use Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

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

11. Ordinance 2022-06(b)(AK) An Ordinance Appropriating \$1,200,000 to the Manager for a Loan for the Ridgeview Subdivision Project; Funding Provided by the Affordable Housing Fund.

During the Fall 2022, Round Two competition of the Juneau Affordable Housing Fund (JAHF), four projects were awarded funding through a competitive funding round. The awardees were announced at the November 28, 2022 Lands Housing and Economic Development Committee meeting and approved at the December 12, 2022 Assembly meeting. The phase one preliminary plat and the preliminary alternative residential development plan were approved by the Planning Commission on December 12, 2022.

This ordinance is appropriating \$1.2 million to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. This first phase will include five units affordable to individuals with income of 80% or less of Area Median Income (AMI). The loan will be secured by a deed of trust on the property.

This project meets the intent of the JAHF award guidelines document and the 2016 Housing Action Plan.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Committee of the Whole.

12. Ordinance 2022-06(b)(AM) An Ordinance Appropriating \$2,000,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$2 million of grant funds from the Alaska Department of Transportation and Public Facilities' Municipal Harbor Facility Grants Program. The required 50% local match is provided by the 2017 1% Sales Tax Initiative (\$1.5 million) and Harbor fund balance (\$1 million). This project would construct one main float in the north end of Aurora Harbor with slips to accommodate 48-foot and 60-foot vessels. Docks and Harbors anticipates a bid award in March 2023.

The Docks and Harbor Board recommended this action at its regular Board meeting on February 23, 2023.

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

13. Ordinance 2022-06(b)(AN) An Ordinance Appropriating \$31,500 to the Manager as Funding for Phase 2 of a Building Survey and Inventory of the Juneau Townsite Historic Neighborhood; Grant Funding Provided by the Alaska Department of Natural Resources.

The Juneau Townsite Historic Neighborhood is a mixed-use commercial and residential neighborhood, located between the Downtown and Chicken Ridge historic districts. This ordinance would appropriate \$31,500 of grant funding to survey and inventory approximately 42 structures in the area and document their historical significance. This survey will complete the survey and inventory and determine whether the Juneau Townsite Historic Neighborhood is eligible to be listed on the National Register of Historic Places. The benefits of becoming a listed district include access to Historic Tax credits and Historic Preservation Fund grants. These benefits would be available for property owners for rehabilitation and maintenance work.

CBJ's Community Development Department, City Museum, and Historic Resources Advisory Committee will partner with a historic architecture consultant to perform the scope of work for this project. Total project costs are estimated to be \$52,515. The 40% local match requirement will be met with CBJ personnel service costs, for which expenditure authority has already been appropriated in the FY23 operating budget.

The Historic Resources Advisory Committee recommended CBJ staff apply for this grant at the February 3, 2021 meeting.

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

14. Ordinance 2023-12 An Ordinance Providing for the Issuance and Sale of Port Revenue Bonds in one or more series in the Aggregate Principal Amount of Not to Exceed \$5,100,000; Providing for the Form and Terms of the Bonds; Providing a Method of Payment Therefor; and Reserving the Right to Issue Revenue Bonds on a Parity with the Bonds upon Compliance with Certain Conditions.

This ordinance authorizes the sale of \$5.1 million of revenue bonds for the first phase of electrifying CBJ's municipally owned cruise ship docks. The bond will be fully repaid within 15 years at an expected annual cost of approximately \$450,000 assuming an interest rate of 4.0%. This revenue bond will be repaid entirely by passenger fees, and does not pledge any borough tax revenue. Issuance of this bond will not impact the debt service mill rate.

The Docks and Harbors Board approved this request at the December 29, 2022 meeting. The Assembly Finance Committee approved this request at the January 4, 2023 meeting.

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

15. Ordinance 2023-13 An Ordinance Providing for the Issuance and Sale of General Obligation Bonds in One or More Series to Provide Not to Exceed \$6,600,000 in Net Proceeds; and Providing for the Form and Terms of the Bonds and for Unlimited Tax Levies to Pay the Bonds.

This ordinance authorizes the sale of \$6.6 million of general obligation bonds as authorized by voters in the October 4, 2022 municipal election. Per the authorizing ballot measure, these bond funds will be used for

installation of an artificial field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, a new public use cabin, and areawide trail maintenance. The bond will be fully repaid within 6 years at an expected annual cost of approximately \$3.1 million in the first year and \$775,000 in the following five years assuming an interest rate of 3.9%. Issuance of this bond will not increase the debt service mill rate from its current level.

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

16. Ordinance 2022-06(b)(AO) An Ordinance Appropriating \$6,600,000 to the Manager for the Areawide Trail Improvements, Adair-Kennedy Memorial Park, and Public Use Cabins Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.

This ordinance would appropriate \$6.6 million of general obligation bond proceeds for the Areawide Trail Improvements, Adair-Kennedy Memorial Park, and Public Use Cabins capital improvement projects. This funding provides for installation of an artificial field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, a new public use cabin, and areawide trail maintenance.

This appropriation of project funding is consistent with the intent of the \$6.6 million general obligation bond package approved by voters in the October 4, 2022 municipal election.

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

17. Ordinance 2022-06(b)(AP) An Ordinance Appropriating \$5,000,000 to the Manager for the Dock Electrification Capital Improvement Project; Funding Provided by Port Revenue Bond Proceeds.

This ordinance would appropriate \$5 million for the Dock Electrification Capital Improvement Project. Funding for this request is provided by port revenue bond proceeds and will facilitate the procurement and installation of two load tap changer transformers for the docks owned by CBJ at Alaska Steamship and Cruise Ship Terminal. The revenue bond will be repaid with port development fees.

The Docks and Harbors Board approved this request at the December 29, 2022 meeting. The Assembly Finance Committee approved this request at the January 4, 2023 meeting.

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

18. Ordinance 2022-06(b)(AJ) An Ordinance Appropriating \$5,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds and Hotel-Bed Tax Funds.

This ordinance would appropriate \$5 million for the Capital Civic Center CIP. This project is an expansion of Centennial Hall that will include upgrades to satisfy the goals of the business community, the travel industry, and the arts economy. This appropriation is intended to leverage grant funding and should not be expended until such time as sufficient grant funding is secured for the project that would require local matching funds in the amounts of this appropriation.

This request is funded equally by general funds and hotel-bed tax funds.

The Assembly Finance Committee will review this request at the March 1, 2023 meeting.

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

J. Resolutions

19. Resolution 3015 A Resolution Authorizing the Chief Executive Officer of Bartlett Regional Hospital (BRH) to Execute a Transition Agreement with Wildflower Court (WFC), and Negotiate for a Potential Transfer of Wildflower Court to BRH, with the Consent of the BRH Board.

For some time, Wildflower Court and Bartlett Regional Hospital have been in discussions regarding a management agreement and eventual transition of operations from WFC to BRH. BRH staff provided a memo outlining the rationale behind this operational change at the Assembly's February 13, 2023 Committee of the Whole meeting. BRH staff believe this transition is in the best interest of the community in that it will both maintain key services for our aging population while also contributing positively to the hospital's bottom line.

The Assembly Committee of the Whole forwarded this resolution to the Assembly for adoption at its February 13, 2023 meeting. The Bartlett Regional Hospital Board passed a motion of support for this process at its February 17, 2023 meeting and plans to continue its discussion and analysis of this topic.

The City Manager recommends the Assembly adopt this resolution.

20. Resolution 3023(b) A Resolution of the City and Borough of Juneau Opposing the Wild Fish Conservancy Lawsuit and Protecting the Southeast Alaska Troll Fishery from Closure.

The Assembly Committee of the Whole discussed this resolution at their February 13, 2023 meeting and moved this resolution to the Assembly for adoption.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

L. Transfers

21. Transfer Request T-1051 A Transfer of \$ 54,731.48 from CIP H51-121 Pile Anode Installation to CIP H51-108 Statter Harbor Improvements Phase III.

The Pile Anode Installation work is complete and the project is ready to close out. This request would transfer the remaining unspent balance of \$54,731.48 to the Statter Harbor Improvements Phase III CIP for construction work.

The Docks and Harbors Board reviewed this request at the February 23, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor Licenses

22. Liquor License Renewals for Review

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

Licensee: Genuine Ventures LLC, d/b/a Tracy's King Crab Shack

Liquor License Type: Restaurant Eating Place, License #4584

Location: Lot C1, Juneau Subport, Section 23, Township 41S Range 67E. Juneau

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

Liquor License Type: Restaurant Eating Place, License #1690

Location: 9108 Mendenhall Mall Rd., Juneau

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

Liquor License Type: Package Store, License #849

Location: 214 Front St., Juneau

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

Liquor License Type: Package Store, License #828

Location: 1017 3rd St., Douglas

Staff from 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 renewal 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 renewals.

N. PUBLIC HEARING

23. Ordinance 2022-64(b) An Ordinance Reorganizing and Consolidating the Aquatics Board, the Treadwell Arena Advisory Board, the Jensen-Olson Arboretum Advisory Board, and the Parks and Recreation Advisory Committee.

This ordinance would dissolve the Treadwell Arena Advisory Board, the Aquatics Board, the Jensen-Olson Arboretum Advisory Board, and transfer those board duties to the Parks & Recreation Advisory Board ("PRAC"). The various Parks & Recreation boards were created when there were pressing community issues, which have waned and decreased community interest for so many boards. Because recruitment and retention for so many community volunteers is so difficult, we have prolonged vacancies and frequently cancelled meetings due to lack of quorum. Consolidation into the PRAC will result in more effective and impactful meetings, which will improve morale of board members and community engagement. If a discrete community concern arises, the PRAC or the Assembly would be able to create a temporary task force to address a future concern.

The Assembly Committee of the Whole discussed this topic on November 7, 2022 and amended Ord. 2022-64 at the February 13, 2023 COW meeting creating version Ord. 2022-64(b).

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2022-64(b) and asked for unanimous consent.

Objection by Mayor Weldon for purposes of amendment. Mayor Weldon passed the gavel to Ms. Gladziszewski as Mayor Weldon proposed three amendments to the ordinance.

Amendment #1 by Mayor Weldon to change page 5, line 16 of the ordinance changing the number of times the Facilities Subcommittee meets **from one to two times** per year and asked for unanimous consent. The amendment reads as follows:

Amend **Section 6** CBJC 67.01.230(c) to read:

...

At a minimum of ~~once~~ **two times** per year the Facilities Subcommittee shall engage users of each facility to hear from those users and to plan for facility needs.

Ms. Woll objected for purposes of a clarification. Ms. Woll said that when she first read this portion of the ordinance, she thought that each facility would get a meeting with the Facilities Subcommittee as opposed to the Facilities Subcommittee meeting just once a year. She asked if that would mean that each pool would now get two meetings a year with the subcommittee under the Mayor's amendment. Ms. Gladziszewski said that she read it to mean the same as Ms. Woll's interpretation.

Mayor Weldon said that she did not interpret it that way but rather, her interpretation was that the Facilities Subcommittee would hold two meetings a year at which they would lump together many facilities in each of those two meetings. Ms. Layne said that she also interpreted it the same as Mayor Weldon. Ms. Layne said that there is nothing in this language that would prohibit them from having more than one facility on a particular agenda but that they need to meet with those facilities at least two times a year.

Additional discussion took place regarding the language interpretation.

Ms. Woll removed her objection and the motion passed by unanimous consent with the interpretation as provided by Mayor Weldon and Ms. Layne.

Mayor Weldon noted that Amendment #2 was being proposed in light of the Aquatics Board and to care for the reasons that the Aquatics Board was created in the first place.

Amendment #2 by Mayor Weldon to amend Section 6CBJC 67.01.250 to require the director of each parks and recreation facility to provide quarterly reports to the PRAC and asked for unanimous consent.

Objection by Ms. Hughes-Skandijs for purposes of a question. Ms. Hughes-Skandijs said she wanted to be careful and not get too prescriptive and burdensome to staff. She asked the Manager if he could speak to the type of reports that may be presented. Mr. Watt said that it would depend on what is happening with a particular facility, the reports could be as simple as “users love us and everyone’s happy.” Ms. Hughes-Skandijs thanked him and removed her objection.

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

Mayor Weldon said that it is likely the Assembly will not have this transition done by April 1, 2023 and that is why they were recommending moving the effective date to July 1, 2023.

Amendment #3 by Mayor Weldon to amend Section 7 transition period change from April 1, 2023 to July 1, 2023.

Ms. Hale spoke to that amendment, stating that the reason for the date change was that there was not any way they could complete the process with new appointed members in effect and ready to meet by April 1.

Mr. Smith noted that this amendment would also need a change to the ordinance on page 6 that states “Current members of the PRAC will continue to serve through March 30, 2023...” and that if they were amending the April 1, 2023 date above that, they should also change that March 30, 2023 date to June 30, 2023.

Mayor Weldon thanked Mr. Smith for pointing that out and said that she would include that in her Amendment #3 to change the dates in Section 7 to the following: ~~April 1, 2023~~ to July 1, 2023 and ~~March 30, 2023~~ to June 30, 2023.

Ms. Gladziszewski asked the manager if that is too far into the future. Mr. Watt said that would be a bit far into the future. Ms. Gladziszewski called for a brief at ease to confer with staff.

Upon returning from the break, Mayor Weldon said she withdraws Amendment #3 to replace it with the following amendment:

NEW Amendment #3 by Mayor Weldon to make the following changes to Section 7:

Section 7. Parks and Recreation Advisory Committee Transition Period. The Assembly intends on reestablishing the PRAC by ~~April 1, 2023~~ **May 1, 2023**. Current members of the PRAC will continue to serve through ~~March 30, 2023~~, **April 30, 2023**, and need to reapply if interested in a future PRAC position.

Ms. Hale objected for purposes of a statement. She said that by doing that, they just stacked more meetings on top of an already busy meeting schedule in April for the Assembly. Ms. Hale removed her objection.

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

Ms. Gladziszewski noted that all three of Mayor Weldon’s amendments passed and she returned the gavel to Mayor Weldon. Mayor Weldon called for any further amendments or discussion on the ordinance, as amended.

Mr. Smith said that the Assembly Rules of Procedure state that the full Assembly shall meet as the Human Resources Committee (HRC) and while this is not one of those empowered boards, as HRC Chair, he will explore doing a more robust appointment process when they take up the appointments to the new PRAC.

Additional discussion took place regarding whether it is the full Assembly sitting as the HRC that will do these appointments or if it will just be the regular four-member HRC body reviewing and making recommendations about those appointments.

MOTION by Ms. Gladziszewski to have the first round of appointments to the newly constituted Parks and Recreation Advisory Committee go through the application/interview process of the Full Assembly sitting as the Human Resources Committee similar to how they are done for the empowered boards.

Objection by Mr. Bryson for a question. Mr. Bryson asked if this would follow the same process they did for the Systemic Racism Review Committee such that they did the first round of appointments similar to the empowered boards but then subsequent appointments were done similar to all other advisory boards.

Additional discussion took place regarding processes for Assembly Standing Committee protocols.

ROLL CALL VOTE on Full Assembly as HRC process

Yeas: Smith, Woll, Gladziszewski, Weldon

Nays: Bryson, Hale, Hughes-Skandijs, Triem

Motion failed 4:4

Vote on the main motion to pass Ordinance 2022-64(b) as amended.

Objection by Ms. Woll for purposes of a comment. Ms. Woll expressed her gratitude to staff for bringing this to the Assembly. She then removed her objection.

Hearing no further objection, Ordinance 2022-64(b), as amended, was adopted by unanimous consent.

Mayor Weldon thanked the members of the Aquatics Board, the Jensen-Olsen Arboretum Advisory Board, the Treadwell Arena Advisory Board, and the Parks and Recreation Advisory Committee for their service. She encouraged them to apply to serve on the new PRAC and to encourage any other community members that may be interested in service to submit an application.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

24. iRide Alaska Lease Request for use of West Douglas Pioneer Road

The City received an application from iRide Alaska for the use of the West Douglas Pioneer Road (WDPR). This application requests commercial use of the WDPR for guided e-bike tours between May 1 and October 30. The application has been received and according to city code, CBJC 53.09.260(a), the next step in processing the application is for the Assembly to 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. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.” Currently the City does not have a policy regarding the commercial use of the WDPR. The attached draft 2017 policy on the Interim Public Use of West Douglas Pioneer Road was never adopted by the Assembly but the WDPR has been managed similarly to the management described in the policy. Unfortunately, the draft policy was not included in the LHED Committee review of this request when they forwarded it to the Assembly for discussion. LHEDC forwarded this issue without recommendation.

If the Assembly provides a motion of support to work with the original proposer, the Manager would commence negotiations which could include terms and conditions to alleviate impacts to the property.

If the Assembly wants to proceed with determining draft lease details, the Manager recommends the Assembly pass a motion of support to work with iRide Alaska as the original proposer in accordance with CBJC 53.09.260.

Public Comment

Ms. Kim Metcalfe, a Gold Street resident, testified against the issuance of a lease to iRide Alaska to use the WDPR, for e-bike tours. Her main concerns lie with the explosive growth of foreign flagged, non-U.S. tax-paying, cruise ship tourism in Juneau. Ms. Metcalfe said that she sees this as another incursion of tourists into recreation areas used by locals in the summer months. She expressed that not only should the city be limiting the number of cruise ships but also the number of shoreside, water based, and air operating excursions. She suggested that a limited entry permit process, similar to those used in other industries, could be a model employed by the city with respect to tourism related excursions. She called for the city to study the lease request carefully as well as other cruise line orientated businesses and examine the data to determine visitor use limits, citing issues with residential areas being closed to tourist activities.

Mr. Paul DeSloover, a North Douglas resident, said that he has lived here for 50 years and has always been very welcoming to tourists, giving them directions, information, and often times he has provided them with rides depending on his schedule and the direction they are going. He said that he spends a lot of time on the trails and especially the Pioneer Road. He stated that since COVID began, use of the trails and Pioneer Road has increased significantly. The Pioneer Road is unique in its width unlike many of the trails, which are single file hiking trails. He said that many times he uses that road for running and hiking multiple times a week. He sees many young families with young children using the road. He sees the senior citizens that used to be the Parks and Recreation hiking group but are now doing it on their own using the road. They are all able to spread out or walk side by side due to the width of the road. He said that it is a very hilly road and adding e-bikes to that mix will make for a dangerous situation as you can't see who/what is coming over the top of the hill until you are there. He urged the Assembly to consider not entering into this lease and leaving this as one of the only spots in Juneau that local residents don't need to compete with tourists during the summer.

Mr. James King, a Sunny Point resident, said that he grew up in Juneau and was the first Director of TrailMix and worked as the Director of State Parks and spent most of his life working on trails and recreation. He said that he loves to mountain bike. He said that one thing he has noticed as his hair begins to turn grey is that it is not as easy to ride bikes up hills. He said that e-bikes are an equalizer to give those who love to do those things the ability to continue to do so. He said that what they are doing with iRide's proposal is to do tours on the Pioneer Road. He said that there are three classes of e-bikes and what they are proposing are to use the 'pedal-assist' e-bikes. There is no throttle and you can't ride it like a motorcycle. He said they see this as an opportunity for other individuals to enjoy our community and also enjoy these e-bikes which are somewhat new in our society. He said they are proposing to conduct three tours, six days a week, and not to do it on Sundays. He said that the purpose of the grant money used to build that road was to foster economic development. He said this would also provide an opportunity to generate revenue that will help with the maintenance of the road. He spoke to Mr. DeSloover's testimony that this is a wide road and has enough space to share with those who are also using the road. He encouraged the Assembly to direct the Manager to work with iRide on the proposal.

Assemblymember Smith asked Mr. King about how fast e-bikes can go. Mr. King responded that there are three classifications of e-bike. iRide is using class 1 e-bikes with pedal assist, with a maximum speed of 20 miles per hour. Mr. King then described the other classifications of e-bikes. He stressed that despite its electric nature, one must still shift gears on hills and use one's own energy to keep the bike in motion, that one can reach 20 miles normally on a regular bike going downhill.

Mr. King then proceeded to answer additional questions from Assemblymembers about the types of communications that will occur, the frequency and numbers in each tour each day, and if the business model

would be feasible if the Assembly only granted the permit for one season. He also answered a number of questions from Assemblymembers related to his service with TrailMix and the state parks.

Assemblymembers discussed the Rainforest Trail vs. the False Outer Point trail. Ms. Gladziszewski noted that the Rainforest Trail was built specifically for commercial use purposes. Mr. Watt clarified that the Rainforest Trail was built using Marine Passenger Fee project money.

Assembly Action

MOTION by Mr. Smith to refer this lease back to the Lands, Housing, and Economic Development Committee.

In speaking to his motion, Mr. Smith noted that the LHED Committee is typically where leases of this type are decided and he feels they now have the full information regarding the unadopted interim public use Pioneer Road plan. Mr. Smith stated that while this may be a small proposal, it could result in large consequences and LHED may be better equipped to handle this proposal.

Mayor Weldon deferred to the LHED Committee Chair and asked if this is something they would be willing to take up again.

Ms. Hughes-Skandijs reported that this proposal has already come to the Lands Committee and if it suffered for anything, that was because it was discussed at a special two-hour meeting focused on housing. She had tasked her members with looking at it further and asking staff questions if they had more questions. She initially thought they passed it out of LHED with a recommendation to approve but was informed by staff that there was not a motion of support from LHED. She said that she would reluctantly approve this coming back to LHED.

Ms. Hughes-Skandijs said she has questions for the Manager in regards to the huge implications of designating class one e-bikes as motorized vs non-motorized and depending on the answer to that question, it could create policy issues about how that may or may not apply to other trails and uses in Juneau.

Mr. Watt said with respect to procedures, Title 53 requires direction by the Assembly for the manager to begin negotiation, stating that if the general Assembly wants more information prior to it going to LHED, they need to provide him direction to enter into negotiations. Otherwise, he will just pass it along to LHED.

Mr. Watt stated that when the proposal was in the Lands committee, Committee Member Woll recognized the larger policy question that comes with relatively small tourism proposals and made a motion to forward it out of committee without a recommendation. He said that is why there is no recommendation for the manager in the Manager's Report. Ultimately the procedural question is do they want work done before it goes to the LHED or does the Assembly think LHED can effectively hash this out and either forward a motion or not directing the manager to enter into negotiations with the requestor.

Members asked Mr. Watt if he could bring back additional information to the Assembly or the LHED without directing him to negotiate with the requestor. Mr. Watt stated that staff would provide any information that they thought would be relevant.

Ms. Gladziszewski called for further information and further analysis, stating a personal interest in review of the previously mentioned tourist survey in conjunction of trail assessment of use for commercial and non-commercial purposes. She supports moving it to a different committee that is more versed in understanding the ground work and evaluations of this type of proposal.

Assemblymember Woll stated that the reason the Assembly is reviewing it here today is because it was not going to pass out of the Lands Committee, but she didn't think it was fair to kill something in committee. Ms. Woll said that the Assembly should not be the decision making body for commercial use permits on trails. Those types of permits are handled by the Parks and Recreation Department. Ms. Woll asked if there is another option here such as sending it back to staff with the direction to handle this the way you would handle a trail in Juneau.

Mr. Watt stated that this is a quirk of our system and that the Pioneer Road is not a trail and is not managed by the Parks and Recreation Department. Rather, it is a piece of city property. He said that they did not anticipate

commercial use. In 2017, they wanted to be sure that the public didn't become too attached to the Pioneer Road as a recreational trail. Formally, if they were to have the Parks and Recreation Department manage it, that would involve transferring management authority away from the Lands Division and over to Parks and Recreation. Mr. Watt stressed the uniqueness of the Pioneer Road stating that it may not be treated any differently under Parks and Recreation. He said that ultimately, he thinks the Assembly just needs to decide.

Additional discussion took place about whether or not this would be precedent setting for other trails or use of e-bikes on trails. They also discussed whether this should be sent to the LHED or the COW.

Amendment #1 by Ms. Hale to refer this to the Assembly COW rather than LHED with direction to the manager to hold off on negotiations until after that meeting occurs.

Additional discussion took place regarding the status of the Pioneer Road not being a trail but it is an economic corridor as well as which body it would be best to refer this matter to.

Mayor Weldon asked Ms. Layne and Mr. Watt if they could modify the motion to include negotiation without commitment.

Mr. Watt stated that by Code, it is implied and that any negotiation that has begun would have to come back to the Assembly by way of an ordinance.

Mr. Smith asked Ms. Hale to restate her motion.

Ms. Hale clarified her motion that the iRide Alaska proposal move to the Committee of the Whole. Earlier she said for the manager not to negotiate with the applicant but she would like to change that to state that the Manager can work with the applicant, including negotiation, but make no commitment until it comes back to the Assembly for a decision. She said this would allow for an exchange of information that both the applicant and the manager would benefit the Assembly as they work through this process.

Ms. Hughes-Skandijs objected for purposes of a question. She asked the Manager if he could bring information back without making a commitment and if he thinks he will be able to get something more useful without negotiation.

Mr. Watt said they would pull together as much information as they could, citing that there probably are new questions and ideas from the applicant and committee members as this meeting goes on.

Mayor called for the question and clarified that the motion was that this issue is referred to the Committee of the Whole while at the same time Mr. Watt will start negotiations. She asked for any objection.

Ms. Woll asked a procedural question about the amendment vs. the main motion.

Mayor Weldon called for a two-minute recess.

Mr. Smith removed his motion to refer to LHED upon advice from the City Manager and City Attorney.

Mayor Weldon stated that at this time there is one motion on the floor and that would be to refer this matter to the Committee of the Whole and to direct the City Manager to start negotiations with the application but without making any commitments.

Ms. Woll objected. She said that during the Assembly's last retreat, this is the type of thing they didn't want to spend the Assembly's time on. She called for the Assembly to just make a decision tonight.

Roll call vote on Motion to Refer iRide proposal to the COW:

Yeas: Hale, Bryson, Smith, Triem, Gladziszewski

Nays: Hughes-Skandijs, Woll, Weldon

Motion passed 5 Yeas: 3 Nays

Q. STAFF REPORTS

Assemblymember Triem left the meeting at the 8:42 break.

25. Staff Report on Dependent Care

Mr. Barr provided an update to three recruitment programs that they brought up at a January Finance Committee meeting. This is the third of those programs related to Dependent Care Flexible Spending Account. Since last fall, a core group from the Leadership Team have been working on tools to provide for employee recruitment and retention. Dependent Care is a key piece of allowing employees to come to work. The packet has a memo detailing the proposal. All full time employees, who are employed for at least one year, would be eligible. They would like direction from the Assembly to either include these proposals in the upcoming budget or to stop pursuing this option.

Mr. Barr then proceeded to answer questions from Assemblymembers about the proposal.

When asked what other benefits were offered to employees without dependents, Mr. Watt discussed a number of benefits that CBJ offers to some employees and not others based on a variety of factors such as sign-on bonuses for hard to fill positions, the 457 program that only some employees chose to participate in and more. This new benefit is targeted at potential employees who are trying to get into the workforce, who may have a hurdle. Mr. Watt stated that of course not all benefits and breaks are available to everyone across the board in general, i.e. Senior Tax exemption, but that doesn't mean they shouldn't be made available.

Members expressed their support of this and Mayor Weldon noted that there was no objection to staff moving forward with this proposal.

R. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon reported that she attended AML meetings this past week. She also attended the Symphony of Seafood along with Assemblymember Greg Smith.

Mayor Weldon noted that she also had meetings with Senators Dan Sullivan and Lisa Murkowski and their staff.

Committee and Liaison Reports

Committee of the Whole (COW) Chair Gladziszewski reported that the COW met on February 13 and the next meeting is scheduled for March 6.

Mayor Weldon noted that Ms. Triem had to leave the meeting early but there is an **Assembly Finance Committee** meeting scheduled for Wednesday, March 1. Mayor Weldon noted that it is going to be a long meeting with meaty topics.

Lands, Housing, Economic Development Committee (LHED) Chair Hughes-Skandijs reported that as previously discussed, the LHED met and discussed the iRide lease, and held a two-hour worksession on Housing and will be holding another one in the future.

Assembly Human Resources Committee (HRC) Chair Smith reported that the HRC met just prior to this meeting and forwarded to the Assembly the following recommendations for board appointments:

Local Emergency Planning Committee: to appoint Louisa Phillips to the 4A. General Public Alternate seat

Hearing no objection, that nomination will be forwarded to the state for appointment.

Juneau Economic Development Council: to appoint Trenton English to the organized labor seat on JEDC to a term expiring on/about November 2025.

Hearing no objection, that appointment was approved.

Public Works and Facilities Committee (PWFC) Chair Bryson reported that during a recent PWFC meeting, they discussed the \$16.82 million in funding for the Capital Civic Center. He said that the MPF projects are currently out

for public comment due tomorrow. The PWFC will hold a Town Hall on March 2 about the N. Douglas 2nd Crossing and will allow for in-person testimony only.

Joint School Board/Assembly Facilities Committee Chair Hale reported that their committee met on February 3 and the next meeting is scheduled for March 30.

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS

Mr. Bryson reported on recent Docks & Harbors Board meeting actions. He reported about the presentation given by Jamie Bursell at the LEPC meeting. He said that he attended a dinner with Senator Dan Sullivan at which he asked the senator what CBJ can do to bring the icebreaker to Juneau and Senator Sullivan replied – housing!

Ms. Hughes-Skandijs said she attended AML Conferences, and the National Association of Counties Housing Task Force meeting along with the NACO Legislative Conference. She also attended the Eaglecrest Board meeting and they discussed staffing issues.

Ms. Woll reported that February is School Board appreciation month and the School Board meets next week. She also reported on the Aquatics Board meeting last week – the Augustus Brown Pool will be closed from March 3, 2023-January 2024. They will be holding a dog pool party before closing the pool down for repairs.

Mr. Smith reported that there was no PRAC meeting in February. He reported that Travel Juneau had to cancel its retreat. He said he attended a community meeting on opioid and substance abuse issues and invited their presenters to give a presentation to the Assembly HRC in the future. Lastly, he reported that on Saturday, 1500 ticketed people went through the gates at Eaglecrest.

Ms. Hale reported that the Airport Board met and discussed rate increase proposals. She said that the Juneau Commission on Aging met and elected its officers. They are partnering with AARP on an Age-Friendly Communities project. JCOA will hold three listening sessions at the libraries about the age-friendly pillars. She attended AML meetings and thanked Ms. Hughes-Skandijs for her work on the NACO Housing Task Force.

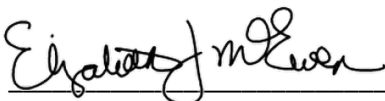
Ms. Gladziszewski reported that at the February 15 Juneau Commission on Sustainability meeting, they heard from the consultants on the greenhouse gas inventory. A preliminary draft of that report will be coming to the Assembly COW at a future meeting. She attended the AARP reception. She asked the Manager if the Telephone Hill RPF is going to have a “Do Nothing” alternative to leave the houses on the hill included in all the other options that may be considered.

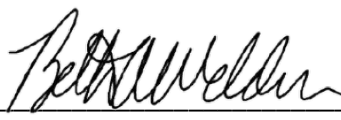
T. EXECUTIVE SESSION

U. SUPPLEMENTAL MATERIALS

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:06 p.m.

Signed: 
Elizabeth J. McEwen
Municipal Clerk

Signed: 
Beth A. Weldon
Mayor