



ASSEMBLY COMMITTEE OF THE WHOLE AGENDA

May 05, 2025 at 6:30 PM

Assembly Chambers/Zoom Webinar

Assembly Committee of the Whole Worksession - No Public Testimony will be taken.

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

A. CALL TO ORDER

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES

- [1.](#) July 15, 2024, Assembly COW DRAFT Minutes
- [2.](#) August 5, 2024, Assembly COW DRAFT Minutes
- [3.](#) September 9, 2024, Assembly COW DRAFT Minutes

F. AGENDA TOPICS

- [4.](#) Mendenhall Glacier Visitor Center Operation (for action)
 - a. Ordinance 2024-01(b)(AL)
 - b. Resolution 4010
- [5.](#) Telephone Hill Next Steps (for discussion)
- [6.](#) Ordinance 2025-13 Election Code Ranked Choice Voting (for discussion)
- [7.](#) Ordinance 2025-05(b) An Ordinance Setting Forth the Policy and Procedures for the Release of Body Worn Camera Video Footage in Critical Incidents. (for action)

G. STAFF REPORTS

H. NEXT MEETING DATE

June 2, 2025

I. SUPPLEMENTAL MATERIALS

J. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, e-mail: city.clerk@juneau.gov.

ASSEMBLY COMMITTEE OF THE WHOLE

DRAFT MINUTES

July 15, 2024, at 6:00 PM



Assembly Chambers/Zoom Webinar

A. CALL TO ORDER

The July 15, 2024, Assembly Committee of the Whole meeting was called to order by Deputy Mayor Michelle Hale at 6:15 pm.

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers present: Ella Adkison, 'Wáahlaal Gidaag, Paul Kelly, Greg Smith, Wade Bryson, Christine Woll, Alicia Hughes-Skandijs, Deputy Mayor Michelle Hale, Mayor Beth Weldon

Assemblymembers absent: None

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Assistant City Attorney Emily Wright, Assistant City Attorney Sherri Layne, Clerk Tech Kevin Allen, Eaglecrest Interim General Manager Erin Lupro, Lands Manager Dan Bleidorn, Engineering and Public Works Director Denise Koch, Parks and Recreation Director George Schaaf, Assistant City Attorney Nicole Lynch, Bartlett Regional Hospital (BRH) Chief Financial Officer Joe Wanner, BRH Chief Operating Officer Kim McDowell, BRH Community Relations Director Erin Hardin

D. MANAGER'S REQUEST FOR AGENDA CHANGES/APPROVAL OF AGENDA

Manager Koester did not have any agenda changes but provided a statement. She wanted to acknowledge the tragedy that occurred earlier that day when Steven Kissack was shot and killed by local law enforcement.

E. AGENDA TOPICS

1. Bartlett Regional Hospital (BRH) Fiscal Sustainability

BRH Chair Kenny Solomon-Gross, outlined the public process by which the proposals/requests in the packet were developed and voted upon and now before the Assembly for consideration. He then asked BRH Finance Chair Max Mertz to provide the presentation by the BRH Board on each of those topics.

BRH Board Finance Chair Max Mertz talked about BRH's financial sustainability, as the hospital had been operating at a loss since 2019. Mr. Mertz noted that the numbers presented to the Assembly had been updated since the May 29, 2024, meeting.

Mr. Mertz said Behavioral Outpatient Psychiatric Services (BOPS) was originally identified as a non-core service, but the BRH board reevaluated and believed it was a core service of the hospital. He said they would continue to support BOPS. He said Applied Behavioral Analysis (ABA) had been transferred to an independent practice.

Mr. Mertz said BRH planned to continue Hospice and Home Health Care Services (HHS). He said they had a detailed five-year projection for that program, and they expected the program to become solvent. The BRH board asked for operational support for the next five years, estimated at \$386,000 per year, which included unrecovered administrative overhead costs. He said they were also looking at fundraising and general community support. Joe

Wanner, Chief Financial Officer for BRH, said administration costs were estimated at \$249,000 per year. 'Wáahlaal Gidaag asked about the number of tribal citizens who receive Hospice and Home Health care. Mr. Wanner said they would provide that information as soon as possible after the meeting.

Mr. Mertz said the Crisis Care Services building opened in late 2023. He said it was originally envisioned to provide voluntary and involuntary inpatient mental health services to adults and youth, but currently only provided voluntary services to youth for up to 7 days. He said it was not meeting the needs of the community. Mr. Mertz said the BRH Board recommended closing the facility. Kenny Solomon-Gross, BRH Board President, said they still planned to provide crisis care and spoke to the Mobile Integrated Health Unit's ability to deescalate potential issues. He spoke to multiple discussions that they have had with staff and partners on providing crisis care in the community and while they are hoping to provide those services in the community, this is not meeting that need. Ms. Hughes-Skandijs asked about closing a youth mental health facility when they were in short supply across the state. Mr. Solomon-Gross said the building's physical setup severely limited the services. Mr. Mertz said the program and building were not meeting the needs of youth or the community and the state and what they need to do is figure out the best way to meet that need going forward. He said that what they have ended up with is a program that is not meeting the need and has costs at a significantly higher amount than initially estimated.

Mr. Mertz said the Rainforest Recovery Center (RRC) provided intensive inpatient substance use treatment disorder services. He said that it is difficult to separate finances from impact and that it is a small number of individuals who are using this program. He said the BRH Board would continue to look for third-party operators but that if none were secured then BRH would request \$1.76 million in operational support in perpetuity. He said RRC served a small population, with 40% coming from Juneau and 60% from other communities. He said if this program closed then people would need to travel to Anchorage or Seattle for treatment. Mr. Mertz said this program used to get an annual subsidy from CBJ, receiving approximately \$1.5 million in 2020, and without they kind of CBJ funding or funding from a third-party operator, they would need to close the program. Mr. Mertz said they are hoping to get clarity from the Assembly on the direction to take for these as they are starting to lose some staff as a result of the uncertainty of program continuity.

'Wáahlaal Gidaag said that she found it interesting that only tribal citizens were named as a racial group and she was curious as to how many Caucasian, Asian, and other ethnic groups make up the remaining 50% of participants. Mr. Mertz said that he did not know those statistics but that they can try to find that information and relay that to the Assembly.

Ms. Hale commented that when she looked over the packet before it went to press, the point of having the tribal citizens identified in there was that Southeast Alaska Regional Health Consortium (SEARHC) offered a similar, though less intensive, service and CBJ hasn't gotten that reimbursement from SEARHC. She said that has been part of the conversation in exploring this further but she apologized for that type of approach. Mayor Weldon said that after a very productive meeting with SEARHC, SEARHC handles its clients with outpatient services as opposed to inpatient services and she asked if BRH has run a model on potentially switching RRC to an outpatient service to see how much that costs. Mr. Mertz said they had not looked at converting to a lower level of service. Ms. Hale asked about the recidivism rate for inpatient verses outpatient models. Mr. Solomon-Gross said about 37% of people using RRC had used the service in the previous year; he did not have numbers for outpatient models. He said SEARHC closed their inpatient service in Sitka due to high financial cost.

Mr. Wanner said they had been restructuring and streamlining core hospital services as well, not just cutting programs. He said they instituted a Full Time Equivalent (FTE) control board and have reduced hospital staffing by 27.8 FTE since February. He said they have been reviewing contracts and have trimmed \$539,000 in contracts deemed unnecessary. He said they were working on becoming a Critical Access Designation Hospital, which would improve the Medicare reimbursement rate. Mayor Weldon asked how being a critical access hospital would affect HHS. Mr. Wanner said HHS would not be affected, but BRH was estimated to receive an additional \$5.6 million in reimbursement for outpatient services like infusion, therapy, and radiology.

Ms. Hughes-Skandijs asked how BRH defined core services. Mr. Mertz said core services were defined as traditional services of a community hospital. He said one metric was when the revenue stream was outside of Medicare, Medicaid, or a third-party insurer. He said services like RRC were normally run by a nonprofit, not a governmental service.

Manager Koester said the Assembly needed to discuss potential subsidies to the hospital in FY25 and ongoing funding for future years. She said if the Assembly wanted to put an advisory vote to the people on the October 2024 ballot, that would need to pass by the 7/29/2024 Assembly meeting. Manager Koester said she recommended a one-time subsidy for Hospice and Home Health Care in FY25 and revisit any potential subsidy in future years. She said she could not recommend taking on the operating cost of RRC or Crisis Care.

Manager Koester said the easiest funding lever for the Assembly for one-time spending was the fund balance, which was currently at \$6.3 million, and for ongoing subsidies was property tax. She said the Assembly could also reduce city services or ask the voters to increase the sales tax.

MOTION by Mayor Weldon to direct staff to draft an appropriating ordinance for \$386,000 for the Hospice and Home Health Care Services program and forward it to the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, motion passed by unanimous consent.*

Assemblymembers shared their thoughts on funding Rainforest Recovery Center. Mr. Kelly said he would like to provide at least one year of funding for RRC. Mr. Bryson disagreed, saying that only funding for a single year would make it harder to retain or recruit staff. He supported a permanent solution, such as closing the facility or funding for longer than a single year. Ms. Woll said RRC was a crucial service for the community and there were other items in the CBJ budget items to cut before RRC. She said she would like this conversation to continue in an Assembly Finance Committee (AFC). Mayor Weldon said she needed more information before she could support providing \$1.7 million for the program. Ms. Hughes-Skandijs said while RRC only served a small number of people, that was true of many hospital services. She supported moving this topic to the AFC. Ms. Adkison said this was a vital health service in the region and wanted to support it. Ms. Hale said RRC provided benefits to Capital City Fire and Rescue and Juneau Police Department which were not captured in financial numbers.

MOTION by Mr. Kelly to direct staff to draft an appropriating ordinance for \$1.7 million for the Rainforest Recovery Center and forward it to the Assembly Finance Committee and asked for unanimous consent.

OBJECTION by Mr. Bryson. **OBJECTION** by Mayor Weldon. They did not want to commit to a dollar amount before further discussion.

Mr. Kelly withdrew his motion.

MOTION by Mr. Kelly to refer the discussion of the Rainforest Recovery Center to the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, motion passed by unanimous consent.*

Assemblymembers shared their thoughts on funding Crisis Care Services. Ms. Hughes-Skandijs said the Assembly and BRH needed to take responsibility for signing off on funding a building that did not meet the community's need. Ms. Woll supported the BRH Board recommendation to close the building. Mayor Weldon supported finding a different model of crisis care. Mr. Bryson said families who use this service were going through one of the worst times of their lives, but he could not see BRH continuing to run the facility because it was unsustainable. Ms. Hughes-Skandijs said she would like to continue this conversation. Ms. Hale cautioned the Assembly that it was the job of the BRH Board to know the fine details and did not want the Assembly to take over the BRH Board's job.

Ms. Adkison asked if there was anything the Assembly could do to help with an active Mobile Integrated Health Unit. Mr. Solomon-Gross said they would not ask for financial support now but they may come back to the Assembly in the future.

The Assembly chose not to make a motion to fund the Crisis Care Services or continue discussion at another meeting.

Mayor Weldon said she did not believe an advisory proposition was necessary and that any additional funding provided could be found elsewhere in the budget. The rest of the Assembly agreed.

2. Eaglecrest Gondola Update

Manager Koester provided an update to the Eaglecrest Gondola project. She said the project was at about 35% design and did not provide a firm estimate for total cost due to the unique nature of what they are trying to build. She said the towers need to be able to safely carry 12 to 15 passengers in a heavy wind environment. She said CBJ Engineering believed installing the Gondola within the \$12.5 million funded project cost was achievable by scaling down the project to backbone infrastructure with no amenities. She said as the gondola became revenue positive, additional amenities could be built. Manager Koester said the Assembly approved an alternative procurement process for the Eaglecrest Gondola project which brings the contractor on early in the design process.

Manager Koester said CBJ Engineering believed that the gondola could be built by the summer of 2026, but Eaglecrest staff noted that there would still need to be testing, staff training, the creation of safety protocols, and the actual sale of tickets. She said it looked like 2027 was more realistic for a full summer season.

Manager Koester said the franchise agreement with Goldbelt was still pending.

Manager Koester said, unrelated to the gondola, the Eaglecrest Board hired Kirk Duncan, a former Eaglecrest General Manager, to advise the board on the hiring of a new general manager, winter operations, and an infrastructure assessment. Manager Koester reminded the Assembly they provided a loan to Eaglecrest of just over \$.5 million, authorized a 6% increase to staff salaries, and funded a \$50,000 study. She said Mr. Duncan's preliminary analysis confirmed the current budget was sufficient for winter operations but there were outstanding near-term capital needs that needed to be addressed.

3. Grants Pass vs. Johnson Update (Camping in Public Places)

Mr. Barr said that after the shooting of Steven Kissack, a person experiencing homelessness, earlier in the day they thought about pulling this agenda item. The Manager's office ultimately decided to continue with it and reiterated their sympathy for Steven Kissack's family and friends.

Mr. Barr said the Assembly decided, at the June 3, 2024 Committee of the Whole meeting, to revisit camping in public places after the Supreme Court decided *Grants Pass v Johnson*. Ms. Layne, Assistant Municipal Attorney, said they had been operating under a 9th Circuit Court ruling that had stated cities could not criminalize people for sleeping in public places if they have nowhere else to go. That was appealed to the Supreme Court who vacated the decision. She said local communities, in the absence of state legislation, could now enforce bans on camping, littering, or anything related to sleeping in public.

Mr. Barr said CBJ had code in place that defined rules around camping in public places. He said it prohibited camping on public right of ways or living inside most vehicles and allowed camping on most other public lands for up to 48 hours. He said violations of those code sections were defined as non-criminal infractions and thus punishable by fines. He said that unless given other direction by the Assembly, they planned on using the current sections of code to address especially challenging sites and situations.

Mr. Barr said there were more people experiencing homelessness than shelter space available and noted that shelters do not work for all people. He said there will always be some people camping. He said they can selectively enforce the code already in place on a criteria-driven basis, focusing only on sites that present the most significant health and safety concerns.

Ms. Adkison asked about having a designated camping area next year. Mr. Barr said they are currently preparing the Cold Weather Emergency Shelter for this winter to include better restrooms and potable water. He said they do not have a good plan for the following summer.

Mr. Bryson asked what the service providers such as The Glory Hall and St. Vincent de Paul, organizations that help people experiencing homelessness, thought of CBJ's proposed course of action. Mr. Barr said that in broad

strokes the organizations supported this. Mr. Bryson asked about impounding vehicles. Mr. Barr said the largest limiting factor was the capacity of the impound yard.

Mr. Kelly asked for more clarification on health or safety concerns that might trigger enforcement. Mr. Barr said they look at a variety of health and safety impacts including excessive amounts of human waste, garbage, needles, and evidence of criminal activity.

Ms. Hughes-Skandijs asked about enforcement actions since this Supreme Court decision came down. Mr. Barr said no enforcement actions had been taken. He said the Manager's office wanted to bring this information to the Assembly before the code was utilized again.

Ms. Woll asked about the downtown camping limitations. Mr. Barr said the downtown camping code was limited to private property, so nothing had changed due to the Supreme Court decision.

Mr. Smith asked about an exclusionary zone around The Glory Hall and Teal Street Center. Mr. Barr said the code currently on the books would allow the Juneau Police Department to take enforcement actions as necessary, and that a shelter safety zone may not be necessary. He said the Assembly could choose to implement a shelter safety zone.

Ms. Woll asked for the development of metrics to make sure that these code provisions were not applied in a discriminatory manner. Ms. Hughes-Skandijs said homelessness was a spectacular failure by the federal and state government and that it was not justifiable to criminalize the act of existing in public spaces. Mr. Bryson said he wanted to come up with an effective solution that helps service providers; he said Juneau provided better and more services to people experiencing homelessness than anywhere else in the State. Multiple staff members echoed Ms. Woll's request and Chair Hale asked for a verbal update in a couple of months.

F. STAFF REPORTS

4. Informational Only: CBJ Downtown Office Temporary Shuffle

Manager Koester said Human Resources staff moved into City Hall and IT staff moved to working remotely for now and will be relocated to Marie Drake when possible.

G. NEXT MEETING DATE - August 5, 2024, 6:00 pm.

H. SUPPLEMENTAL MATERIALS

I. ADJOURNMENT

There being no further business to come before the Assembly Committee of the Whole, the meeting adjourned at 8:47 pm.

ASSEMBLY COMMITTEE OF THE WHOLE MINUTES **DRAFT**

August 05, 2024 at 6:05 PM



Assembly Chambers/Zoom Webinar

A. CALL TO ORDER: Deputy Mayor Hale called the meeting to order at 6:10 pm

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers present: Mayor Beth Weldon, Deputy Mayor Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, Greg Smith, Paul Kelly, Ella Adkison

Assemblymembers absent: 'Wáahlaal Gidaag, Christine Woll

Staff Present: City Manager Katie Koester, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Lands Manager Dan Bleidorn, Eng/PW Director Denise Koch, Meeting Clerk/Tech Support Kevin Allen, Eng/PW Project Manager Nick Druyvestein, and via Zoom: Deputy Manager Robert Barr, Parks & Recreation Director George Schaaf, Assistant Attorney Emily Wright, Assistant Attorney Sherri Layne, Assistant Attorney Nicole Lynch, CDD Planner Irene Gallion

D. APPROVAL OF AGENDA

Manager Koester added a flood update to the agenda as item 1, moved the Floyd Dryden and Marie Drake Schools - Proposed Uses to item 2, and crossed out Blueprint Downtown from the topics. *Hearing no objection, the agenda changes were approved as requested.*

E. APPROVAL OF MINUTES

1. August 28, 2023 Assembly Committee of the Whole DRAFT Minutes

Hearing no objection, the August 28, 2023 minutes were adopted by unanimous consent.

F. AGENDA TOPICS

2. Flood Update

Manager Koester said Aaron Jacobs with the National Weather Service was present via zoom to provide a forecast update.

Mr. Jacobs provided a report of river levels and when the crest was expected to happen. He said the peak was expected to be around the midnight hours.

Mr. Bryson asked if the NWS was tracking the flow of the river. Mr. Jacobs answered that the flow was currently 18,000ths cubic ft. per second, and the max forecast was 27,000; last year's peak was about 25,000.

Mr. Smith inquired about the location of the gauge. Mr. Jacobs said the USGS gauge was located on the lake itself up along the rock out cropping.

Mr. Bryson asked about bank erosion. Mr. Jacobs answered he had not seen any erosion that would be critical for infrastructure.

Manager Koester informed members about the start of joint Emergency Operations Council (EOC) meetings and communications. She also updated members on flooding precautions that were currently being taken.

Director Koch spoke about a new emergency text notification software that would be used during this year's event. She pointed out that, according to NWS inundation maps, roads west of riverside would see water at 16 ft. She said Floyd Dryden would open tonight as a shelter.

Mayor Weldon asked whether the evacuations would ever be mandatory. Manager Koester said the evacuations are not mandatory, and that there are rare circumstances where evacuations would be mandatory. Mayor Weldon inquired about impact support after the event. Manager Koester said it would depend on the severity of the event, and that there may not be the same level of resources, but the Assembly could lean in to offer more.

Mr. Bryson said the Public Works and Facilities Committee (PWFC) found that the backflow prevention devices would be the top action item the city could do to prevent damage, outside of studies.

3. Floyd Dryden and Marie Drake Schools - Proposed Uses

Manager Koester said staff were looking for directions on leasing out space to Tlingit & Haida, as well as allowing negotiations to start with the community use form PWFC made.

Director Koch provided a report on the community use form ranking process. She said Tlingit & Haida requested half to two-thirds of the space, and so diagrams were developed for those scenarios. She explained that the Marie Drake floorplan also uses the PWFC's use form, but parking was the top challenge. She said staff have been using the PWFC's ranking as a guide for the preferred uses of the building.

MOTION by Mayor Weldon to direct staff to proceed with Tlingit & Haida using up to two-thirds of Floyd Dryden.

Mr. Kelly objected to the motion. He said he sees the opportunity for the building to be used by many other organizations and so preferred the half option.

Mayor Weldon said that Tlingit & Haida was requesting this so they can centralize their childcare, and that Head Start is a program open to non-native children. She said she is giving the option of "up to two-thirds" so they can just use half, if they so choose.

Mr. Kelly said that homelessness is another issue of importance, and he would like to see space for Family Promise to be included. He asked if there would be adequate space for them in the models where Tlingit & Haida uses two-thirds of the building. Director Koch answered no, UAS and Auke Lake Preschool also planned to do daycare, and they ranked higher on the PWFC list than Family Promise. He inquired that, if items 3 and 4 were skipped, would there be enough room for Family Promise. Director Koch said they could probably fit them, but that is part of staff asking for guidance in using the PWFC's rankings.

Roll Call vote on the motion to allow Tlingit & Haida to use up to two-thirds of Floyd Dryden:

Yeas: Mayor Weldon, Mr. Bryson, Mr. Smith, Ms. Hughes-Skandijs, Mr. Kelly, Ms. Adkison, Deputy Mayor Hale

Nays: none

Motion passed 7-0

MOTION by Mr. Kelly to direct staff to enter into discussions with Family Promise and Tlingit & Haida to work with the remaining third of Floyd Dryden and asked for unanimous consent.

Ms. Adkison objected to the motion. She said she is not interested in replacing the rankings, as it was ranked to prioritize childcare.

Roll Call vote on the motion to enter into discussions with Family Promis and Tlingit & Haida for the use of the remaining third of Floyd Dryden.

Yeas: Mr. Kelly

Nays: Mr. Smith, Ms. Adkison, Ms. Hughes-Skandijs, Mr. Bryson, Deputy Mayor Hale, Mayor Weldon

Motion failed 1-6

MOTION by Mr. Smith to authorize staff to negotiate with the proposers on space needs per the ranking and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

The committee took an at-ease from 7:00pm to 7:10pm.

4. Telephone Hill Place Guide/Zero Parking

Manager Koester directed members to her memo in the packet (packet pg. 16), explaining the issues and the her recommendations starting with the first recommendation: “Move to introduce an ordinance to expand the No Parking Required Area to include Telephone Hill as depicted in Attachment A.”

Mr. Kelly asked if no parking was expanded to this area and if someone with ADA needs acquired an apartment, would there be handicapped parking available. Manager Koester answered that there are designated ADA spaces at the downtown parking garage. She said she will get back to him regarding whether a developer would be mandated by code to include ADA spaces.

MOTION by Mayor Weldon to introduce an ordinance to expand the No Parking Required Area to include Telephone Hill as depicted in Attachment A of the packet and asked for unanimous consent.

Chair Hale objected for the purpose of a comment. She said that, if CBJ moves out of downtown, that would free up 100 parking spaces downtown. Manager Koester confirmed that there are 165 year-round employees downtown. She said it is important that the Assembly doesn’t just add units to a downtown area that is already crammed for parking. She removed her objection. *There being no further objections, the motion passed by unanimous consent.*

Manager Koester asked for Assembly direction and explained the second recommendation from the memo: “Move to approve a target of 20% units at 80% affordability as part of the Telephone Hill redevelopment guidelines.”

Mayor Weldon asked about “target of 20% units at 80% affordability”. Manager Koester explained that 20% of 155 units would be the guidance the city would give developers.

Ms. Adkison asked if this locks developers into either making affordable units or don’t come to Juneau. Manager Koester explained this is the guidance to developers and the city will take bids and score them based on the guidance.

Ms. Hughes-Skandijs sought confirmation that there hasn’t been discussion or direction about the remaining 80%. Manager Koester responded that was correct and explained that FirstFortyFeet’s fiscal analysis assumes that a portion of the condos will be high-end. Ms. Hughes-Skandijs asked about the market analysis Leland did and how it came with different numbers than FirstFortyFeet’s report.

Eng/PW Project Manager Nick Druyvestein said that FirstFortyFeet explained that the market analysis was their first step before the feasibility analysis. He said the conflicting numbers were because it took six months to put together and the market shifts.

Mayor Weldon asked if the city sells the land, could the city dictate that the buyer has to build something within a certain number of years. City Attorney Robert Palmer responded that yes, it could have those types of conditions added. Mayor Weldon asked whether staff would bring bids to the Assembly, even if they aren’t geared toward affordability. Manager Koester answered yes.

MOTION by Mayor Weldon to approve a target of 20% units at 80% affordability as part of the Telephone Hill redevelopment guidelines.

Chair Hale said that the Assembly may have to think about subsidizing the affordable units, because if it isn't the Assembly, then it is the other units in the building subsidizing them.

Ms. Hughes-Skandijs pointed to outmigration statistics and said it is incumbent on the Assembly to create a housing situation where people are coming to town rather than leaving.

Mr. Kelly said that, if there was someone that had a more creative idea that creates affordable housing, this motion would not restrict that.

There being no further objection, the motion was passed by unanimous consent.

Manager Koester, then spoke to item in her memo. "Provide feedback on the Draft Telephone Hill Place Guide (Attachment B)."

Chair Hale asked about packet page 63 and said Telephone Hill would be a good opportunity for a small, covered area, but she does not see that in the place guide. Mr. Druyvestein said they heard feedback but had chosen not to be prescriptive in the place guide.

Ms. Hughes-Skandijs asked about page 28 of the Place Guide regarding height limits and the value of including it. Mr. Druyvestein said the height limit protects viewsheds.

Mayor Weldon asked if a proposal could come to the Assembly even if it is over 65 feet. Mr. Druyvestein answered he will bring all the options to the Assembly, but advised that going to 65 feet would require use of steel structures rather than wooden structures.

Chair Hale asked if the place guide include some form of outdoor space allocated to each building.

Mayor Weldon asked if the city already requires some amount of green space for a building. Manager Koester advised that the opportunities are for unbuildable land. She said it would be helpful for staff if the Assembly could provide guidance on what it is willing to sacrifice otherwise.

Ms. Hughes-Skandijs said she would prefer to maximize buildability on all the space.

Chair Hale passed the gavel to Mayor Weldon

MOTION by Deputy Mayor Hale that the Place Guide include some form of outdoor space allocated to each building.

Manager Koester advised that, to answer a previous question, there is no green space requirement in the city.

Ms. Hughes-Skandijs maintained her objection.

Roll Call vote on the motion that the Place Guide include some form of outdoor space allocated to each building.

Yeas: Deputy Mayor Hale, Mr. Bryson, Mr. Smith, Mr. Kelly, Mayor Weldon

Nays: Ms. Hughes-Skandijs, Ms. Adkison

Motion passed 5-2

Mayor Weldon returned the gavel to Chair Hale.

Manager Koester asked for Assembly guidance on recommendation 4 from the memo: "Direct staff to issue a Request for Information for redevelopment of Telephone Hill based on the Draft Telephone Hill Place Guide."

MOTION by Mayor Weldon to direct staff to issue a Request for Information for redevelopment of Telephone Hill based on the Draft Telephone Hill Place Guide and asked for unanimous consent.

Ms. Hughes-Skandijs asked that, when the ROI is sent out, that it would be distributed nationally and outside of the city's normal developer pool.

There being no further objection, the motion passed by unanimous consent.

The committee took an at-ease from 7:50pm to 8:00pm.

Mr. Bryson left during the break.

5. Downtown Office Space

Manager Koester provided an overview of the memo on packet pg. 84 as it related to Downtown City Employee Office Space.

Mayor Weldon asked about the \$3.5 – \$5.25 million for tenant improvements to the Burns Building and if that was included in the \$17.5 million. She also asked if that number would be the same if the city just leased the space. Manger Koester answered yes to both.

Ms. Adkison asked how the city will figure out if it is purchasing the Burns building at market value or not. Manager Koester said their recommendation would be hire a commercial appraiser to do the analysis. Ms. Adkison inquired about this being in conflict with what the voters decided in voting down the new city hall. Manager Koester said there is no status quo option.

Mayor Weldon asked about parking. Manager Koester outlined that the building comes with 87 parking spaces, and there are 165 downtown city parking permits along with ADA parking requirements needed. Mayor Weldon asked about the "significant maintenance and operations of \$650,000 a year" and if that figure would apply in both situations. Manager Koester explained that the maintenance costs would be included in the rent if the city were to lease the facility, whereas they would be condo association dues if the city were to own it.

MOTION by Mayor Weldon to hire a mutually agreed upon appraiser to value the building as a business condo and get more information.

Ms. Adkison said she is not happy with leasing the space for 10 years and is deeply uncomfortable at the idea of buying space.

Mr. Kelly commented that this is different than what the voters turned down in building a new City Hall. He said he is more comfortable with this proposal than he would be with building a new City Hall.

Mayor Weldon said the building is expensive and so would like an appraisal for more information.

Additional discussion took place about the concerns that Ms. Adkison expressed.

There being no further objection, the motion was adopted by unanimous consent.

Ms. Hughes-Skandijs had a question for Manager Koester regarding the timelines involved, if they were to hold this in committee what impact that might have on negotiations and all the other factors involved with current city offices. Manager Koester responded that we have renewed the current leases of other properties through July 1, 2025. She said that with the Mayor's motion to hire an appraiser, that keeps the ball moving while keeping the topic in the COW where the Assembly can still work on it.

Chair Hale said the sense she is getting from the committee is to keep this matter with the COW and continue to work on it in committee while awaiting the appraisal information.

6. Capital Civic Center

Chair Hale disclosed that she has been in conversation with the Partnership and had pledged to help raise funds for the center after she is off the Assembly.

Chair Hale passed the gavel to Mayor Weldon and asked the Assembly if they would be comfortable with stating her involvement but yet staying in the conversation.

Attorney Palmer advised that if the Assembly disagreed wants to go another path, they can say so at this time.

Ms. Hughes-Skandijs asked Ms. Hale if she would be volunteering or would be employed by the Partnership. Deputy Mayor Hale stands to gain nothing personally and answered she would be only volunteering.

Mayor Weldon asked the committee if they were OK with Ms. Hale not recusing herself and staying at the dais to be part of the conversation since she will not be receiving any financial gain. *There was no objection to Ms. Hale remaining at the dais and participating in the conversation.*

Manager Koester said that she would like to invite members of The Partnership forward to give a presentation and then she would like to ask the Assembly to give staff directions based on the questions posed in her memo that was included in the packet.

Bob Banghart, Executive Director of The Partnership, and John Clough, Co-Chair of The Partnership Board, gave a presentation regarding the Capital Civic Center using the slides on packet pages 89 to 94. Mr. Banghart shared all the various avenues of financial support from private and federal funding sources. He said that what they are hoping for at this time is to enter into an agreement with CBJ to pick up where they left off, which 2022 when they got the estimated costs for the Civic Center in total, the base price came in way over everybody's expectations. They went back to the drawing board and reduced the cost by approximately \$33M and they are now looking to prove out that process and take that concept to the 65% stage and do the pro formas to prove the building's economic viability and get community input on that new concept.

Mr. Smith asked if they have received support from organizations like Travel Juneau and the Chamber of Commerce on this new idea. Mr. Banghart said yes, they have approximately 25 letters of support that The Partnership have sent to the federal government to show support for the project. Mr. Smith asked about the matching numbers and how much it might cost to get the documents they are proposing. Mr. Banghart said that it will depend on the scope of the commons venture. He said they are looking at approximately \$3.5-\$4M and would want to include a pro forma in that.

Ms. Hughes-Skandijs asked, not including the parking analysis and not including the commons, approximately how much of the percentage of design so far could be used. Mr. Banghart said when they last left the project they were at 65%, which is the stopping point prior to going forward with construction documents. He said they've estimated that 75% of that 65% would be applicable for moving forward with the new building design. The challenge is that they would be raising the design of the building up by 18 inches to meet floor level with centennial hall and shifting it to the east. He said they'd have to go back and reapply their design fees for the project to change foundation, HVAC integrations, and site work into the new design. Ms. Hughes-Skandijs asked about the \$3.5 to \$4 million request. Mr. Banghart responded that the \$3.5-4M figure would be the combined total of adding The Partnership's portion along with the city's contribution. Right now, CBJ has approximately \$1.7-\$1.8 M and they would use Partnership funds to make up the rest to bring it up to 65% with the new design.

Mayor Weldon asked if they would do pro-forma again on the original design and on the commons or the full project. Mr. Banghart said it would be impending on them to do a pro-forma as designed as a full unit as they may be looking at holding larger events than there is current capacity to handle

Ms. Hughes-Skandijs sought confirmation that The Partnership wants to use the \$1.8 million to move to the next step. Mr. Banghart answered yes, but The Partnership wants an agreement to make this a joint venture with CBJ.

Ms. Hughes-Skandijs asked staff to describe from CBJ's perspective, what the \$1.8 million was to be used for. Manager Koester answered that \$2 million was appropriated in 2022 to design the Capital Civic Center, and \$200,000 was spent on design that included all the things that the community wanted for Centennial Hall and also included the performing arts center aspect but the project got too expensive at approximately \$75M.

She explained that The Partnership is here to phase in the idea of a Capital Civic Center. She said the can't really use that design work as when they were discussing this in 2022, it wasn't at the 65% design level, rather there were conceptual drawings, stakeholder discussions, community outreach and discussions focused on the various options/concepts that may eventually make it into the final design. She said that CBJ has \$1.8M and they aren't asking to use all of those funds to accomplish steps 1-4 of the memo. Rather, they are asking to spend funds to answer those specific questions related to a detailed parking analysis, design of a commons joining the two facilities, legal research on public private partnerships including model contracts, and preliminary design and cost estimating for improvements to Centennial Hall that are more efficient to build concurrent with the construction of the commons – HVAC upgrades and expanding the lobby.

Mr. Smith asked if there is a need for the commons. Mr. Banghart said that when speaking with the user groups, especially the larger user groups such as Celebration, Folk Festival, and the Public Market, the answer they would say is "Yes, there is a need for the commons." Mr Banghart said that what the commons would look like eventually is still an open question and that is what they are trying to suss out at this time. There has been a desire expressed to not have a stand alone arts and culture section, but rather that they take advantage of combining the facilities and that is what is being called the commons and that is what they are trying to work through with community input. He said they are not able to meet all the requested needs, including all the breakout rooms that were requested by Travel Juneau so they are trying to look at what they can do with a redesign.

Mayor Weldon asked what they could do to come up with a design that would not require a second floor since that would require an elevator with a significant cost increase. Mr. Banghart spoke to having a second floor/mezzanine level for the arts and culture center but that due to cost constraints, they would not include a second floor over the Centennial Hall portion of the project.

Mayor Weldon asked Manager Koester if she wanted to speak to the issues contained in her memo.

Manager Koester shared that the four main points she would like to receive Assembly direction on were:

- 1) Direction for spending some money on a parking analysis;
- 2) Getting feedback from the Assembly on the need for commons. She explained that she would not bring back a 100% design but rather to look at bringing back visions and costs for those visions with conceptual drawings to get a further sense from the body before moving forward;
- 3) Expanding the project to include elements of Centennial Hall renovations, which doesn't have to be done before the construction of the Capital Civic Center but they should look at the pinch point in the lobby and renovations to the HVAC system while they are looking at the big picture; and
- 4) Give feedback on the idea of a public/private partnership with The Partnership.

Manager Koester said that the key points that she is looking for direction on has to do with information gathering to be able to bring back to the Assembly for next steps.

Manager Koester then answered questions from Assemblymembers on the above topics.

MOTION by Mr. Smith that the Assembly direct staff to spend from the \$1.8 million, for any of the four items listed in the manager's memo which includes parking analysis, design of the commons, legal review of public/private partnerships, and design and cost estimates for Centennial Hall to be done in concert with the Capital Civic Center and asked for unanimous consent.

Ms. Hughes-Skandijs objected for purposes of a question. She said she has heard The Partnership's idea of the public/private partnership is a means to leverage the CBJ dollars to help figure out some of this stuff. They are currently at a sticking point and while she understands that some money needs to be spent to get it to the next step, she asked the Manager if she foresees the need to spend the entire \$1.8M to accomplish all the things discussed in her four points.

Manager Koester explained that she does not foresee using the full \$1.8M but she doesn't have a particular number in mind as to what that amount might look like. She said that if the Assembly wants to pick a specific

number with a fence, that would take them to the next decision point but she didn't see using the full \$1.8M before providing the Assembly with additional info/next steps.

Mayor Weldon asked if there was an amendment that Ms. Hughes-Skandijs wanted to make to the motion. Ms. Hughes-Skandijs said that she was confident that based on Manager Koester's verbal assurance, she would be keeping it below the \$1.8M amount, so no amendment was needed and she removed her objection.

Hearing no further objection, the motion was adopted by unanimous consent.

6. Blueprint Downtown

Per Manager Koester's request for Agenda Changes at the beginning of the meeting, the Blueprint Downtown discussion was removed from the agenda.

G. NEXT MEETING DATE – September 4, 2024, 6:00 pm

H. ADJOURNMENT

There being no further business to come before the Assembly Committee of the Whole, the meeting adjourned at 8:58 pm.

ASSEMBLY COMMITTEE OF THE WHOLE

DRAFT MINUTES

September 09, 2024 at 6:00 PM



Assembly Chambers/Zoom Webinar

Assembly Committee of the Whole Worksession - No Public Testimony will be taken.

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

A. CALL TO ORDER

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers present: Ella Adkison, Paul Kelly, Greg Smith, Wade Bryson, Alicia Hughes-Skandijs, Deputy Mayor Michelle Hale, Mayor Beth Weldon, 'Wáahlaal Gidaag (via Zoom), and Christine Woll (via Zoom)

Assemblymembers absent: None

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Emily Wright, Municipal Clerk Beth McEwen, Clerk Tech Kevin Allen, Lands Manager Dan Bleidorn, Engineering and Public Works Director Denise Koch, Planning Manager Scott Ciambor, Senior Planner Minta Montalbo, Planner II Forrest Courtney

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES

1. September 18, 2023 Assembly COW DRAFT Minutes
2. December 18, 2023 Assembly COW DRAFT Minutes

Hearing no objections, the minutes of September 18, 2023 and December 18, 2023 Committee of the Whole meetings were approved by unanimous consent.

F. AGENDA TOPICS

3. Flood Mitigation Update

Manager Koester noted that there was a red folder memo at the back of the room and added to the online packet under Supplemental Materials that gave an overview of the multi-agency meeting that was held in Anchorage on September 6 related to the proposed flood mitigation strategies. As mentioned in the memo, there were a wide range of attendees at that meeting including engineers, hydrologists, representatives from the National Weather Service (NWS), AK Department of Transportation (AKDOT), Natural Resource Conservation Service (NRCS), US Army Corps of Engineers (USACE), US Geological Survey, US Forest Service, Tlingit & Haida, staff from the offices of US Senators Lisa Murkowski and Dan Sullivan, and CBJ staff.

That group reviewed the list of mitigation options presented at the August 19, 2024 Assembly COW meeting plus other proposals that had been suggested by the public. Each option was vetted through the following criteria: timelines, constructability, funding, community acceptance, and risk/unintended consequences.

After those discussions, it underscored the importance of the need for action both in the long term and short term and that they could not pursue any of the options without pursuing additional study of the river, how it behaves and to expand the inundation maps.

Deputy Manager Barr then shared photos of the present situation at the Suicide Basin as it was starting to fill up again. He shared photos from the NWS website showing the images to see the filling of the water in the basin over time. He noted that at the current rate of filling, the basin fills in two ways 1) precipitation and 2) from the waterfall from Suicide Glacier and that we were approximately 1 month or so out from the basin being refilled. The fact that we have seen partial releases in the past, when the water releases, it stops before we see the full amount reduced down to what we think of as its base. The likely scenario is when/if it releases again this season, it will release down to its base and where it was approximately on August 7. He stated that if it releases right now, that would be a better scenario as it will not be at the full flood stage.

Manager Koester stated that as the ice decreased in suicide basin, the volume of water increases. She explained the unique situation that Juneau faces which is very different from flooding that occurs in other communities. She stressed the huge volume of water that this type of event causes in a very short period of time but that it is also reoccurring on a not necessarily predictable basis. It could happen during the middle of an atmospheric river or at any other time with strong water systems. She said at that meeting CBJ staff reviewed the jökulhlaup event and wanted to drive home to everyone at the meeting the severity of what has happened in our community and the need for urgency to address it. There were a wide range of options at the August 18 Assembly meeting. They reevaluated those options to see what/if might be able to be completed in 10-20 months, ranging from \$10,000 to a half billion dollars. They also weighed the various risks involved and some options were surprising such as potential tunneling. They also discussed multipronged approaches with potential combinations of things such as a levy, channelizing, bank hardening, etc.... She noted that it was all hard to determine what were good solutions without additional mapping of the river and she suggested they move forward with new hydrological study and new mapping as part of the short and long term solutions.

She also noted that the flood mapping and congressional spending doesn't meet with the urgency and timeline needed in advance of next year's flooding season. It became obvious that there is no short-term construction solution trenching, drilling, solution that could be done successfully by next summer. That required them to pivot the discussion to flood fighting. She said an example would be sandbags placed 6 feet high on riverbanks that have been filled by loaders strategically placed and then hardening of the bank on the opposite side. She noted that USACE has to deal with flooding across the nation so she feels that leaning into flood fighting in the near term will be the best short-term solution to get them to a long-term solution.

She noted that it would cost approximately \$100,000 of additional funding to be able to issue an RFP, they are working with AKDOT on a scope of work for the RFP, to do a hydrological study and mapping. They already have \$300,000 which is a combination of the emergency appropriation that they had appropriated and there is a \$150,000 appropriation in this year's CIP to deal with Glacial Lake Outburst Flooding (GLOF) mitigation efforts. She said that together with those funding sources, they will be able to do a robust RFP along with funding some incidental things such as travel to lobby for some of the longer and mid-term projects. There will be a local commitment involved in whatever flood fighting model(s) move forward. Senator Murkowski is working on a continuing resolution for emergency funding. The White House released an "anomaly" over the weekend which allows for an extension of federal budget authority to help with emergency response. She said they are hopeful to get funding within that legislation to help with flood fighting, planning, etc.... Manager Koester noted that there will also need to be an appropriation for a longer-term solution.

For the near-term solution, to pursue flood fighting, it will require a request from the Governor Dunlevy and the State of AK to request USACE support as well as Tlingit & Haida Central Council (THCC) to request USACE support. Manager Koester acknowledged the partnership and key role that THCC has had in this response as well as planning for mitigating future events.

Manager Koester and Deputy Manager Barr then answered questions from Assemblymembers. They discussed inundation maps, flood fighting resources, what the frequency of these types of flooding might look like in the future, and potential mitigation efforts that they can do in advance of the next flood. They did say that they don't know what they might be able to do in advance of additional flooding in October, if that were to occur, but they will be watching it closely. Mr. Barr said that the forecasting is being done daily by the NWS, and he didn't want to give unnecessary pessimism and/or unnecessary optimism. They need to see what this looks like in the weeks to come and what they may be able to do to the extent that they can respond.

There was a question about what measures CBJ was doing prior to this year's flood, and if we were fixing those ourselves or was that something USACE was doing. Manager Koester said that CBJ was already working on repairing the duck bills. She noted that there were some lessons learned about public notice and they have identified a number of things that can be improved on that and other things for future events. They then discussed the potential of the next flooding happening this fall vs. next summer. Manager Koester shared some of the data that had been experienced with past events but there is no crystal ball to really know and predict if it will follow those same patterns going forward. They then discussed the need for outreach efforts in keeping the public informed.

Manager Koester said that they have been compiling a list of contacts from those individuals who have reached out to the floodresponse@juneau.gov contact over the past two years and they will be providing a summary of this meeting to the individuals on that list. She said that when they have a better idea of what flood fighting looks like, they will also be holding neighborhood meetings. It will be important to have those conversations, depending on what the flood fighting process includes, it may become very invasive on individuals' private property and CBJ will be providing an outline of a plan. She said that they can bring the experts to engage with the community much better.

Mayor Weldon and Deputy Mayor Hale made suggestions for some types of notifications that could occur if the basin continues to fill up and release again in the next month or so. Mayor Weldon noted that people will likely be paying more attention to it now and Deputy Mayor Hale asked if staff might be able to include messaging on what people might be able to do with their houses and how to respond in those types of situations.

Manager Koester reiterated that staff are requesting an additional \$100,000 to do the hydrological study and inundation maps. They are also requesting that Gov. Dunlevy submit a letter to the USACE for assistance with flood fighting since that request must come from the state. She said that they are also sending letters to Senators Murkowski and Sullivan to request money towards planning and implementation for flood fighting and also to match a general investigation study for the USACE for a long-term solution.

Manager Koester, in speaking to the long-term solutions, said that there have been several ideas that have been discussed in a wide range of venues. They want to be able to engage the USACE in that effort. The USACE is prepared and they came to Juneau last week and took some high-water mark measurements to begin that process. The general investigation study is for the feasibility, planning, and design for that effort. The general investigation study is a \$6M dollar project with a \$3M commitment from a non-federal, local sponsor, CBJ in this case, and then a \$3M from the federal government. She said that we initiate that request by sending them a letter. It doesn't commit CBJ to funding until they actually have an agreement in place but it allows them to start on the project to begin the general investigation study. Manager Koester said that it was her intention, provided the Assembly approves this request, to send that request. It would also require CBJ to find federal funding along with their own \$3M funding. She noted that the letters she is hoping they will send to Senators Murkowski and Sullivan will include a request for federal funding in the amount of \$3M to fund the USACE side of that project match.

MOTION by Mayor Weldon to ask staff to draft an appropriating ordinance in the amount of \$3M with funding sources to come from a deappropriation of \$2M from the purchase of the UAS land by the High School and deappropriate \$900,000 from the Affordable Housing Fund that was tagged for Wayne Coogan's project that has

not yet begun. In the meantime, Ms. Wright and Ms. Koester will find the remaining \$100,000. Mayor Weldon asked for that ordinance to be drafted and introduced at the next Assembly meeting.

Ms. Woll asked if it was the Mayor's intent to introduce multiple ordinances to deappropriate those funds or if all that legislation would be coming as one piece from her motion. Attorney Wright said that it would be coming to the Assembly as one complete packet but they are still working on the vessel whether that would be one ordinance or one ordinance with two accompanying resolutions.

Ms. Woll said she felt this was happening pretty quickly and the Assembly is not opposed to committing the \$3M but she is hesitant to specify sources until they have had more conversation about those.

AMENDMENT #1 by Ms. Woll to simplify the Mayor's motion to introduce only the ordinance for the \$3M without identifying the sources of funding. Mayor Weldon said that she understands the funding source has to be identified when they write the legislation.

Manager Koester said that they would need to identify some fund source and for the purposes of starting this, they would default to using the Fund Balance as the funding source and later on they could backfill those funds by deappropriating other funds to replace those dollars in the Fund Balance.

Hearing no objection, Ms. Woll's amendment #1 passed by unanimous consent.

Hearing no objection, Mayor Weldon's main motion, as amended, passed by unanimous consent.

MOTION by Mayor Weldon to direct staff to draft an appropriating ordinance for \$100,000 for the mapping, modeling, and incidentals for introduction at the September 16 meeting.

Additional discussion to answer clarifying questions.

Hearing no objection, the motion passed by unanimous consent.

Mayor Weldon polled the members for their availability to attend a Special Assembly meeting on September 23 at Noon in order to hold a public hearing and take action on those pieces of legislation they just requested be introduced at the September 16 meeting. All members agreed upon their availability to attend a September 23 Special Assembly meeting via Zoom.

Additional discussion took place regarding the resources needed and/or funding sources that might be available in the event of a near-term flood if one should happen this fall prior to next summer. Manager Koester then answered questions regarding the federal funding processes.

Deputy Mayor Hale recessed for a 10-minute break at 6:53pm and resumed the meeting at 7:05p.m.

4. Adding an Emergency Management position to the budget

Manager Koester said that the next item doesn't require Assembly action but it does require Assembly guidance and comfort because it is a policy pivot. They are asking to repurpose the JSD position that was included in the budget for monitoring JSD finances and through some juggling of positions to use that money towards an additional emergency management position. Manager Koester provided some background info on this policy change and the reasons it would work and she proceeded to answer questions from Assemblymembers.

Manager Koester said that while this type of pivot does not require an ordinance to be passed, it does need approval by the Assembly to make that significant of a staffing change.

Mayor Weldon said that she discussed this with School Board President Elizabeth Siddon and she was OK with this change. They have hired a Finance Director and an Administrative Services Director so the same person isn't trying to do two different jobs. She said that if we did have that position and that individual did work for JSD, JSD would then need to pay for their services out of their budget and that would mess up their budget.

Assemblymembers then discussed the role for which the position overseeing the JSD finances was formed and if they pivot these funds to an emergency management position how that would potentially reduce the oversight of the JSD budget as they would like assurances that the information they are receiving on JSD finances are accurate.

Ms. Hale noted that 'Wáahlaal Gidaag had to leave the meeting to catch a plane.

In response to Assemblymembers' concerns about the JSD position, Manager Koester said she was trying to find solutions that do not increase FTEs. She said that it would not be part of the manager's position to bring the JSD position forward as part of the Manager's proposed budget for next year.

Mr. Kelly noted that the hiring of Ms. Pierce was to replace Ms. Olin the previous finance director and in his role as the liaison to the JSD Finance Committee, the committee has had discussions about being more transparent and putting more of the financial information online.

Mayor Weldon noted that she also shares concerns about the JSD budget and wasn't making comments lightly. When they look at the audits, they will be looking at 3 separate audits and the JSD has a special auditor.

Mr. Smith said he was in support of this shift because of the immediate need for the emergency management and even if we don't have a JSD oversight position as a result of this, there will still be some type of review of the JSD finances via the audit.

Manager Koester said that Mr. Smith was correct that the audit is the venue for that oversight. She and Mayor Weldon have a standing monthly meeting with Superintendent Hauser and she said that Finance Director Angie Flick also meets with JSD Finance Director Pierce and they do have more collaboration partnership than in the past.

Ms. Woll said that she was very supportive of this change and that meeting disaster relief is one of our most critical needs at this time. She expressed her appreciation for staff working this into the budget.

Other members also expressed their agreement with Ms. Woll's comments.

Ms. Hughes-Skandijs requested that as we approach the JSD financial budget cycle, if there were any delays, if the Manager could bring that information to the Assembly right away.

5. Blueprint Downtown

Staff memo re: AME18-07 A Text Amendment to adopt the Blueprint Downtown Area Plan as part of the CBJ Comprehensive Plan

Attachment A: Blueprint Downtown Draft Plan - *Hardcopies already provided to Assemblymembers* [\(link only\)](#)

Attachment B: Plan Appendices [\(link only\)](#)

Attachment C: Answer to Planning Commissioner questions

Attachment D: Proposed Revisions

Attachment E: Agency Comments to Lands, Housing & Economic Development Committee (LHEDC)

Attachment F: PowerPoint Slides to LHEDC

Planning Manager Scott Ciambor gave a presentation on the Blueprint Downtown Plan. Small area plan that has been in the works for quite a while. This is the same slide show that was presented to the Planning Commission, the Planning Commission Committee of the Whole and the Lands, Housing, and Economic Development Committee.

Mr. Ciambor discussed the various meetings/public process that has taken place since this began. He also gave an overview of the various amendments to the Comprehensive Plan "Comp Plan" which was last adopted in 2013. The Downtown Blueprint was to take what was developed in the Comp Plan and provide updated information for this area to the present. He noted that Plans A – O have been adopted and incorporated into the Comp Plan via Title 49 ordinances since 2013. This would be adopted via ordinance. Alternatively, the Assembly could chose to

adopt only a portion of the plan if that was their desire. He noted that was what they did when they only adopted Chapter 5 of the Willoughby Area plan.

Following his presentation, Mr. Ciambor answered questions from Assemblymembers about the plan, the work of the Steering Committee, and that it was the Steering Committee's and Planning Commission's recommendations to adopt the plan by ordinance. In answer to the potential for increased restrictions if the plan was adopted by ordinance, Mr. Ciambor noted that the

Assembly has an opportunity to adopt ordinances that might change specifics in the plan. All CBJ plans themselves are visionary and provide guidance tools. He noted that an example of this would be that any rezone ordinances would still need to be adopted separately from the plan even if the plan was recommending a change of zone to particular areas.

Additional discussion re: restrictions if this were to be adopted by ordinance.

MOTION by Ms. Woll that the Assembly direct staff to draft an ordinance to be introduced to adopt the Blueprint Downtown Plan as part of the Comprehensive Plan and asked for unanimous consent.

Ms. Woll said that while she appreciates the conversation, she doesn't feel strongly about whether this is adopted by ordinance or a resolution. She thinks that the Steering Committee did a good job in assuaging any issues. This document is being put into place to provide more guidance for staff and the Planning Commission.

Mr. Smith objected for purposes of a question. He noted that on page 28 of the COW packet, there are agency recommendations, he asked if the spelling/revisions being suggested in the packet had been incorporated into the draft plan. Mr. Ciambor said the Assembly would need to consider whether to take the recommendations and decide if they want to keep the recommendations or strike them from the plan.

Mr. Smith removed his objection.

Ms. Hale objected and said that she believes they should adopt this via resolution and not an ordinance. It is an excellent plan, but she believes that in Juneau it is really hard to develop and there are many rules and layers that makes things like getting housing through the pipeline. If there is something the Assembly can do to ease that burden, she would prefer to go in that direction.

ROLL CALL VOTE:

Yeas: Ella Adkison, Paul Kelly, Greg Smith, Wade Bryson, Alicia Hughes-Skandijs, Mayor Beth Weldon, and Christine Woll (via Zoom)

Nays: Deputy Mayor Michelle Hale

G. STAFF REPORTS – None.

Mayor Weldon noted that this was Ms. Hale's last Assembly Committee of the Whole meeting. She acknowledged Ms. Hale's leadership as Deputy Mayor and thanked her for leading the COW as Chair.

H. NEXT MEETING DATE - November 4, 2024, 6:00p.m.

I. SUPPLEMENTAL MATERIALS

6. RED FOLDER - Memo re Flood Mitigation Meeting

J. ADJOURNMENT

There being no further business to come before the body, the meeting was adjourned at 8:00p.m.



MEMORANDUM

DATE: May 1, 2025

TO: Assembly Finance Committee

FROM: Alexandra Pierce, Visitor Industry Director

SUBJECT: Supplemental Funding to Support Mendenhall Services

On February 14, thirty-one federal employees were laid off at the Mendenhall Glacier Recreation Area (MGRA) leaving one staffer dedicated to the Mendenhall Visitor's Center remaining. Since that time, local U.S. Forest Service (USFS) leadership have scrambled to develop and implement a backup plan. CBJ, USFS, and organizations with co-stewardship or operating agreements at the MGRA (Tlingit & Haida and Discovery Southeast) settled on a plan that would keep the Visitor's Center open half time (7 hours/day) and maintain a small staff presence during the remaining "normal" operational hours to accommodate tour operations without the Visitors' Center (MGVC) by pulling staff from other areas of the USFS to cover shifts. This would have required external funding to supplement staff time by providing funds to organizations with operating agreements.

Fortunately, on March 20, CBJ staff received confirmation that the thirty-one positions connected to Mendenhall operations have been reinstated. Subsequently, USFS staff were offered another buyout, and more employees took the buyout than were reinstated. Currently, the MGVC is operating on a limited schedule with staff pulled from other areas of the local USFS. USFS staff have been notified that additional cuts may be coming over the next several months. The MGVC is profitable, and USFS leadership is working to gain access to the funds it collects. Currently, local USFS leadership does not have access to those funds and is under a hiring freeze for new employees.

Due to the tumultuous and uncertain nature of this situation, Ordinance 2024-01(b)(AM) requests a \$200,000 appropriation of State Commercial Passenger Vessel fees to the Manager's Office to be used as needed to support local organizations currently staffing the MGRA in the event of additional cuts or other unforeseen circumstances. Ideally, these funds could be used to fill existing positions by allowing partner organizations to hire terminated employees. Currently, the USFS, Tlingit & Haida, Discovery Southeast, and many local tour operators dependent on the MGRA are taking a collaborative approach to operations, with several tour operators stationing staff at the MGVC to direct traffic and answer questions. One potential use for a portion of the funds is a coordinating position to manage the donated personnel. Another option is to hold the funds in reserve to be used in the event of another reduction in force.

Additionally, Resolution 4010 affirms CBJ's support for continued public ownership of the Tongass National Forest and Mendenhall Glacier Recreation Area. This resolution will be shared with our federal delegation and underscores the importance of these lands to our community.

Staff remains hopeful that we will not need to spend the funds and that the MGRA will operate consistently and successfully all year. This is neither a long-term solution nor an attempt to prop up the federal government. However, with a full summer tourism season expected, and so many local businesses dependent on the MGRA, it is important that we have a secure backup plan that can be implemented quickly. All parties involved agree that the priority should be to ensure that the MGRA remains public land and that the many businesses and organizations dependent on this important facility are able to operate through the summer.

Recommended Committee Action:

Forward Ordinance 2024-01(b)(AM), a \$200,000 appropriation of State Commercial Passenger Vessel fees to the Manager's Office for supplementary services at the Mendenhall Glacier for approval at the May 19 Regular Assembly meeting.

Forward Resolution 4010 to the full Assembly for approval at the May 19 Regular Assembly Meeting.

Presented by: The Manager
Introduced: April 7, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AL)

An Ordinance Appropriating \$200,000 to the Manager for Contingency Federal Staffing Support Related to Tourism; Funding Provided by State Marine Passenger Fees.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$200,000 as funding for contingency federal staffing support related to tourism.

Section 3. Source of Funds

State Marine Passenger Fees \$ 200,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 05/19/2025
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 4010

**A Resolution Supporting the Continued Public Ownership of the
Tongass National Forest and Mendenhall Glacier Recreation Area.**

WHEREAS, Juneau has worked to stabilize and manage visitor numbers over the past five years; and

WHEREAS, the Tongass National Forest is a primary tourist draw in Southeast Alaska and the Mendenhall Glacier is the highest capacity visitor destination in Juneau; and

WHEREAS, more than 700,000 commercial visitors and an estimated one million total people visit annually; and

WHEREAS, the Mendenhall Glacier National Recreation Area is a beloved community asset; and

WHEREAS, the 2025 tour season started on April 14, 2025; and

WHEREAS, federal management of sites like the Mendenhall Glacier National Recreation Area provides balanced opportunities to local businesses and local recreation; and

WHEREAS, the Mendenhall Glacier National Recreation Area is a major economic driver and a profitable operation that subsidizes other United States Forest Service Assets; and

WHEREAS, tribal co-management has provided valuable interpretive and workforce opportunities, enhancing the experience for both commercial and non-commercial users; and

WHEREAS, US Forest Service staff ensure visitor safety, a consistent visitor experience, sanitation services, and management of commercial use; and

WHEREAS, recent firings of federal workers and forthcoming reduction in workforce will prevent the US Forest Service and the Mendenhall from providing effective services.

BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The Tongass National Forest, and sites like the Mendenhall Glacier, are valuable public lands. The United States Forest Service should rehire employees and retain sufficient staff force to provide for visitor safety, consistent visitor experience, sanitation, and adaptive management of commercial use across the Tongass National Forest.

Section 2. The Tongass National Forest, and especially Mendenhall Glacier Recreation Area, should remain a federally managed resource to ensure these public lands are accessible to all.

Section 3. The Mendenhall Glacier and other US Forest Service sites need to be a responsive and adaptive part of CBJ's response to visitor demands. The US Forest Service and the Tribe are essential partners.

Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



City and Borough of Juneau
City & Borough Manager's Office
155 Heritage Way
Juneau, Alaska 99801

Telephone: 907-586-5240 | Facsimile: 907-586-5385

TO: Deputy Mayor Smith and Committee of the Whole
FROM: Katie Koester, City Manager
DATE: May 1, 2025
RE: Telephone Hill Next Steps

Background

On March 21, 2023, Telephone Hill was conveyed from the State of Alaska to the City & Borough of Juneau (CBJ) for the CBJ to facilitate redevelopment of the property. The site consists of 4.2 acres which includes the Transit Center, Park, Garage, and Shoppers Lot, all located on one 1.7-acres of property. In addition to these uses, the site includes an additional 2.5 acres consisting of 13 residential units on 19 individual properties and three (3) rights-of-way (ROW).

CBJ hired First Forty Feet to conduct public outreach and develop a vision for the project that aligns with community and Assembly values. Over the course of 2023 First Forty and CBJ held public meetings, conducted an online survey, hosted public engagement sessions and presented to the CBJ Assembly (see [project website](#) with timeline). This work culminated in the [Telephone Hill Place Guide](#). The Telephone Hill Place Guide recommendation on parking alternatives led to the Assembly authorizing the expansion of the No Parking Required Area to include Telephone Hill which was authorized by ordinance 2024-20.

At the August 5, 2024, COW meeting the Committee passed a motion to direct staff to issue a Request for Information for redevelopment of Telephone Hill based on the draft [Telephone Hill Place Guide](#). Key elements the City was looking for in a development included:

- A mix of studio, 1-bed, and 2-bed units.
- Create affordable housing (defined as 80% AMI) for 20% of the total units.
- A 65' height limit throughout the site.
- Stairway connection from the top of hill down to Willoughby Avenue and Main Street.
- Preserve or reestablish tree canopy.

The Request for Information was an opportunity for developers to inform the Assembly as to what incentives to provide or what actions the Assembly could take to facilitate the redevelopment of this property. The CBJ only received one response (attached). Staff met with the members of the proposal team that included Northwind Architects to answer more questions on what is needed to spur development. They indicated that demolition, re-subdivision and ROW alignment/construction add a level of uncertainty to the cost analysis and development timeline that it hinders development interest. Informal communications with local developers aligned with this. Completing this work before soliciting development partners will increase the value of the property and remove huge financial uncertainty for future developments. This work could be completed by the CBJ and take place while the CBJ solicits development partners. A preliminary construction by First Forty indicated this work would cost \$5M (construction only – add 40% for total project cost). CBJ Engineering has refined the cost estimate to \$9M total project cost, which includes generous contingencies given we have done no design work and have a lot of hazardous materials to deal with.

Coming up with \$9M in the current fiscal climate is difficult. Possible funding sources are listed below.

Source	Amount	Note
Telephone Hill CIP	\$1.7M	Funding from 1%
Pederson Hill CIP	\$2M	Would divert funds from Pederson Hill to Telephone Hill. Both are on Legislative Priority List (4&5). Would leave \$300K in Pederson Hill CIP which would allow Lands to continue to make progress on design work for phase 2 while THRHA builds the remaining phase 1.
FY26 AHF Round	\$2.5M	We would not have a FY26 AHF round. Would leave \$245K in fund for Mobile Home Downpayment Assistance Program and ADU Grants.
TOTAL	\$6.2M	Phase 1 needs \$5.5M
Unrestricted General Fund Balance	\$15.9M	The Assembly has many pressures on fund balance. Also, as the fiscal climate becomes more uncertain, there is a greater need to keep the restricted budget reserve on target, which would require a transfer of \$9.6M

Timeline

Redevelopment of Telephone Hill is a high priority for the Assembly. If we want to move quickly, staff has developed an aggressive timeline below that could allow for development next summer.

Telephone Hill Proposed Schedule \$9M (demo, site prep and road construction)

- **June 2025**
 - June 2, 2025, COW Assembly gives direction to proceed with funding demolition, site preparation and road construction, creating 4 lots available for RFP development in short-term future.
 - June 9, 2025, Regular Meeting Introduce Ordinance to fund development of Telephone Hill (or include in budget process)
- **July 2025**
 - Funding for Phase 1 secured either as part of budget process (7/1) or separate ordinance (7/28)
 - Issue RFP1 for designing the new ROW and plat process.
 - Issue RFP2 for demolition and site preparation.
 - July 15, 2025: Lease Termination Notices/ Eviction Notice #1 - with 9/15/25 lease termination date for residents and also the SOA surface parking lot. This gives tenants 3 months' notice and has them looking for new housing after the summer tourism season.
- **August, 2025**
 - August 4, 2025, COW. Assembly direction on RFP for construction of buildings.
 - Issue RFP3 for construction of building(s)
 - Assembly awards bid for RFP1 design/ plat process
 - Assembly awards bid for RFP2 demolition and site preparation
 - Issue RFP4 for road construction
- **October, 2025**
 - Award bid to RFP3 – building construction
 - Award bid to RFP4 – road construction
 - Begin demolition and site preparation
- **December 2025.** End demolition and site prep.
- **April 2026 - July 2026.** Construct road as CBJ project.
- **July 2026.** Director approval of final plat.
- **August 2026.** Developer begins construction of building.

What about Phasing?

The project could be broken into two phases by asking the developer to fund the road construction. However, that could drive costs so high that it does not pencil out to incorporate the affordability and density components the Assembly is looking for. If that were the case, we would lose a year by phasing the project and not be able to initiate construction until summer of 2027. The more restrictive we make the development

the more we will have to subsidize the project. What that secret sauce is, we really do not know until we have a real product (a clear developable parcel of land) to sell.

Phase 1 Demo and site prep (Fall 2025) - \$5.5M

Phase 2 Street and utilities (as early as Spring 2026 or developer expense) - \$3.5M

Options

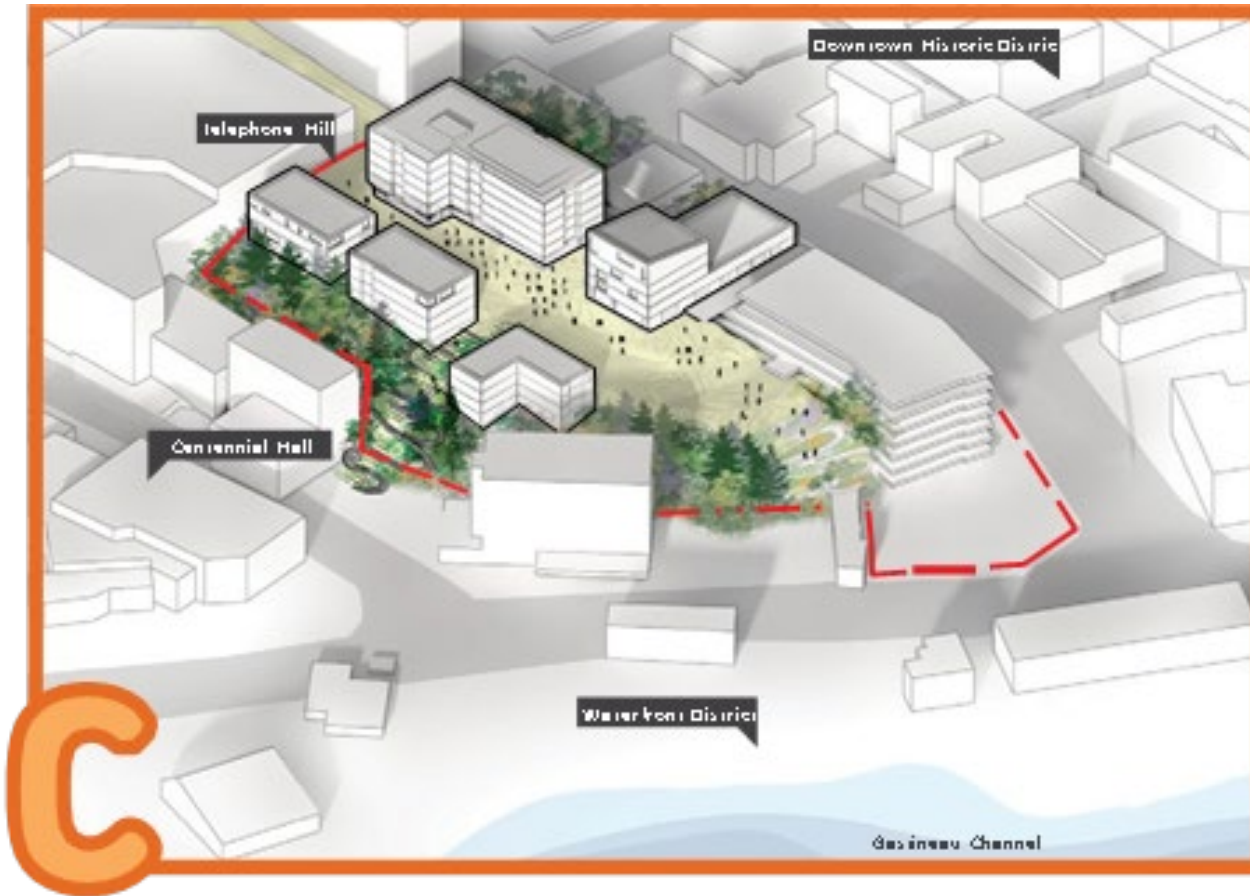
I have outlined potential options for moving forward below. There is no option that meets the Assembly goals of affordability, density and speed without investing significant CBJ funds up front into the project. Keep in mind the product we get will be 4 lots that have a significant value with improved access, buildability and utilities. What that investment will be worth to developers is an unknown. However, it certainly puts us in a better position to make demands of any potential project that are consistent with Assembly goals.

1. \$100K Re-plat Telephone Hill as one lot. Do no demolition or site improvements. Sell to the highest bidder via sealed competitive bid without development restrictions.
 - a. Pro: Simple, quick and affordable. We would have some expense and time in re-plating only.
 - b. Con: Does not achieve Assembly goals or any elements of the Telephone Hill Place Guide
2. \$5.5M Fund Phase 1 of Telephone Hill redevelopment which consists of demolition, site development, and re-plating into 4 developable lots. Developer funds road construction as part of project costs.
 - a. Pro: We would be able to make real and tangible progress quickly and set the project up for a possible construction schedule of next summer.
 - b. Con: It might drive project costs for developers to the extent that we get no bids, road construction costs are a known development constraint. It also might not be feasible if there is more than one developer on the site or if the construction of the buildings is phased.
3. \$9M. Fund the entire project (demolition, site preparation and road construction)
 - a. Pro: Allows for an aggressive schedule that places construction in summer of 2026. Sets the project up for success with minimum barriers to development and clean lots with all utilities.
 - b. Con: Represents a significant investment with unknowns on how effective it will be at leveraging desired development.
4. \$10M+ in the future. Wait and build reserves to be able to fund the entire project.
 - a. Pro: This gives the Assembly time to put away funds. Allows the current tenants maximum time on site.
 - b. Con: This would take time, costs would escalate.

Recommendation: Discuss options presented above and what information you need from staff to be able to make a recommendation on next steps/ funding.

Enclosed: Johnson & Carr Response to Telephone Hill RFI

Telephone Hill



Preliminary Concept C: Mid-Rise Apartments ¹

Concept C was the most urban of all the concepts presented at the second engagement session and, ultimately, was selected as the preferred concept of the four presented. The development scenario included approximately 150 new residential uses of varying sizes including studios, one-bed, and two bed units.

- 150 new residential units
- 3-story parking addition on the top of the existing parking garage

PARCELS & SETBACKS ²

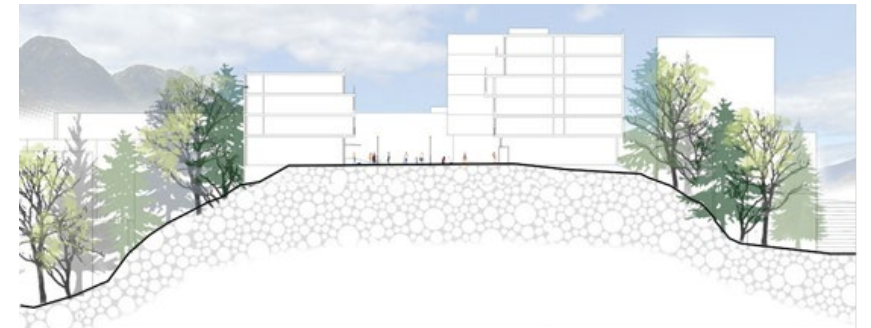
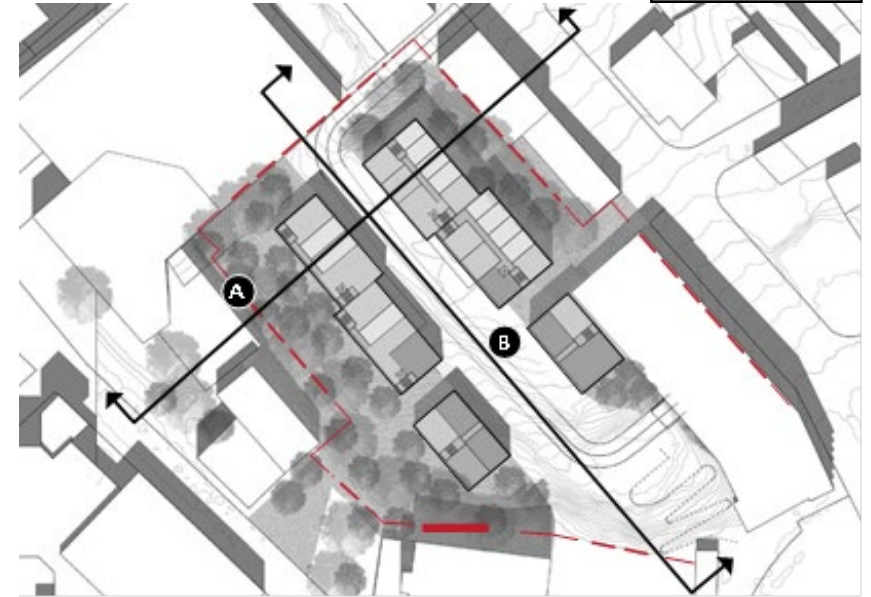
The site parcels diagram (to the right) illustrates the new alignment for 3rd Street, Dixon Street and the new access public easement for the two proposed access stairs.

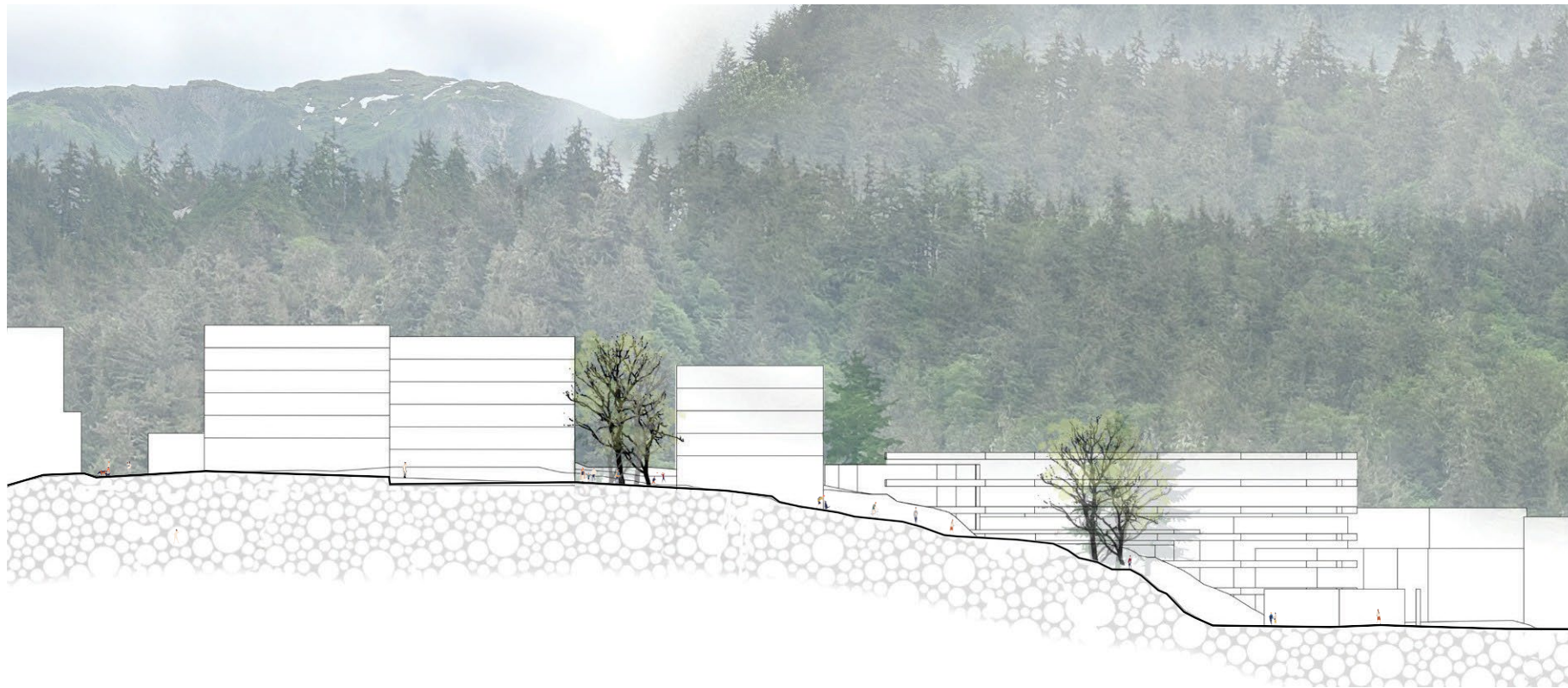
It is recommended that future development conform to the specific development requirements as set out in the diagram. These requirements include front and rear yard setbacks to delineate the buildable area within each parcel.



SITE GRADING ³

Telephone Hill is characterized by steep slopes and is one of the prominent features of the city's landscape, the Hill rises dramatically from the Gastineau Channel, offering sweeping panoramic views of the surrounding fjords, forests, and mountains. Its rugged terrain poses both challenges and opportunities for development, with its slopes requiring innovative engineering solutions. The topography of Telephone Hill also plays a significant role in shaping the city's urban fabric, influencing land use patterns, transportation routes, and the overall aesthetic appeal of the area. Despite the challenges to development because of the Hill's topography, it offers unique vantage points and is set within a natural landscape making it a prized location for residential, minimal commercial, and recreational purposes, contributing to Juneau's distinctive charm and character.





Moving Along Dixon Street

Dixon Street will need to be moved slightly to the northeast of its current location in order to accommodate future development on both sides of the road. As 3rd Street turns into Dixon Street, the site nearly reaches its highest point. Moving toward the Gastineau Channel, the site has a gentle slope and as it approaches the existing stairs to the south, adjacent to the parking garage, the slope accelerates. It is important to keep in mind that any future development should attempt to step building slabs to accommodate ground floor entries.

The New East/West Staircase ⁴

The new stair connecting Willoughby Avenue to Main Street will need to be designed according to Juneau's public stair standards, with some modification to allow for occasional stopping points to sit and enjoy the scenic view to Downtown Juneau and the waterfront.



- References from the [Telephone Hill Place Guide](#)
Published July 2, 2024
 - 1) Page 16
 - 2) Page 32
 - 3) Page 36
 - 4) Page 37



The City and Borough of Juneau
Finance Department, Purchasing Division
155 Heritage Way
Juneau, Alaska 99801

February 15, 2025

Dear Sir or Madame:

This letter will serve as formal response to your RFI 25-224 and notification of interest by Heritage Housing (“Heritage”) a 501 (c) 3, a non-profit entity in formation affiliated with Johnson & Carr, in the purchase and development of that certain property commonly known as Telephone Hill.

The project as envisioned by Johnson & Carr will be in keeping with the CBJ study of the site with no less than some combination of 40 Affordable units for all income groups, modest-price single level housing for seniors, and, likely, market rate for-sale condominiums. Taken together, our goal is to create a landmark project with an overall residence count well in excess of 100+ units.

As you’re aware, communities across Alaska struggle to develop new housing of all types due to the lack of economic feasibility. This is particularly true for projects that support our workforce, including single households, aging seniors, and the younger workforce. Without the ability to secure market returns, private capital looks elsewhere for less risky, higher return investment opportunities, leaving Juneau without the benefit of sufficient new housing.

In spite of significant economic obstacles the developer believes that working with the CBJ and the greater Juneau community, and bringing many of the creative strategies previously employed by Johnson & Carr, Telephone Hill can achieve a highly successful outcome. Our team has a decades-long track record of working with local, State, Federal governments and non-profit entities to creatively address the project financing needs along with addressing the substantial cost premium of constructing in Alaska.

We welcome the opportunity to jointly create Telephone Hill as a blueprint for the solution to the housing needs of the greater Juneau community.

Best Regards,

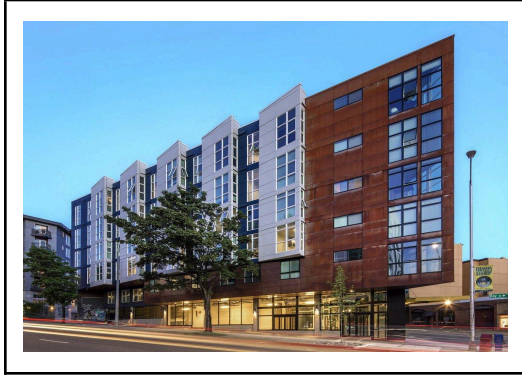
Tyler Carr (JB)

Johnson & Carr, Inc.
Seattle, WA | Ketchum, ID
c 206.719.4971 e tyler@johnsoncarr.com | www.johnsoncarr.com

Project Team

Developer and Ownership Managing Member:

Johnson & Carr (www.johnsoncarr.com)



Johnson & Carr is a Seattle and Central Idaho-based developer with a commitment to expand into the Southeast Alaska market. Specializing in multi-family and mixed-used projects and founded by Tyler Carr and Kelten Johnson in 2010, the company specializes in creative applications of urban infill with a focus on providing affordable and sustainable housing. J&C is responsible for developing roughly 1,500 residential units valuing over \$350MM through the successful execution of 25 ground-up projects, with an additional 580 units at various levels of development. Having established strategic partnerships with like-minded local investors, design professionals, contractors and community stakeholders, J&C's core values are realized through responsible development projects that contribute to the neighborhoods and communities they are within. As Seattle natives and Idaho residents, J&C is a long-term owner, committed to enhancing the built environment of the places they love.

Kelten Johnson has a thorough understanding of how buildings function both operationally and financially, allowing him to be involved in many aspects of the development process. Kelten has been active in real estate development and investment since 2006 with experience in brokerage sales, for profit development, and non-profit development. Kelten has a degree from Colorado State University and a certificate from the University of Washington's Commercial Real Estate Program.

Tyler Carr has expertise in both the tangible and analytical sides of real estate development. Tyler brings 20 years of experience to Johnson & Carr, where he oversees all financial aspects of the business. He began his career in real estate in 2005 when he formed NCS Development, specializing in residential contracting and development. Tyler has a degree in Economics and a certificate in Construction Management from the University of Washington.

Recent Johnson & Carr Projects:

Johnson & Carr's three most recent projects have involved more complex financing strategies, highlighting their growing expertise in executing affordable and workforce housing projects.

- 228 106th PL NE, Bellevue, WA: 172 multifamily units, 60% at 80% AMI, 20% at 60% AMI. This project was funded by a combination of traditional GP capital, conventional bank financing and a \$20M subordinate loan through the Amazon Housing Equity Fund (in exchange for 99 year covenants). County property tax abatement and local grants were also utilized.
- 1522 W State St, Boise, ID: 104 multifamily units, divided into two separate legal projects/entities. Half of the building is funded via traditional market rate methods while the other half is funded through tax credit investor equity, State of Idaho below-market subordinate debt and City grants.
- 2120 152nd Ave NE, Remond, WA : 233 multifamily units, 50% at or below 80% AMI. This project was funded through traditional GP capital, conventional bank financing and a \$15M subordinate loan through the Amazon Housing Equity Fund. County property tax abatement and local grants were also utilized.

Project Owner:

Heritage Housing, LLC, a 501 (c) 3 non-profit entity in formation. A Johnson & Carr-related entity, Managing Member.

Principal Architect:

Northwind Architects, Sean Boily, AIA and James Bibb (www.northwindarch.com)

NorthWind Architects LLC is a Juneau-based architectural firm of three licensed professional architects and six supporting staff. NorthWind is an intimate studio that believes good design comes through a collaborative process that includes clients, users, maintenance staff and community stakeholders. We pursue excellence in architecture, planning, project coordination, and construction administration and have a rich history of public and private design experience throughout Alaska and Oregon.

NorthWind brings over 20 years of collaborative involvement specifically within the Juneau downtown and the State Capitol center. Our office is located directly across Main Street from Telephone Hill. We offer valuable local process experience working with the City and Borough of Juneau. We have detailed knowledge specific to the Telephone Hill site, both as part of the planning, design, and construction of the existing CBJ Downtown Parking Garage and Transportation Center, and in serving the State of Alaska on dozens of projects in the

surrounding State-owned facilities that are the neighbors to this development

Project Co-Design: SHW Architects (www.s-hw.com)

SHW was founded in 2009 by Hugh Schaeffer and Sarah Hatfield in Seattle, WA. Following careers at other local firms, we set out on our own to define our aesthetic and response to the urban environment. Since our inception, we have completed over a thousand residential units and numerous commercial and hospitality projects.Â

The majority of our work is urban infill, reflecting our commitment to the urban environment as a sustainable place to live and work. Our fundamental tenets of inclusive design, urbanism and adaptability are visible in our completed projects.

Our reach is extensive and diverse, but we are not generalists. We take on projects we believe in and know we can execute. We value long-term clients and relationships; clients that believe in us, trust us, and acknowledge our results. We know it takes a team effort to make a successful project. We view our clients, consultants, and contractors as members of our team. By working together, we consistently bring our shared vision from concept into reality.

Project Finance Lead:

GP Realty (www.gprealty.com)

Founded in 1992, GP Realty has financed 1,160 properties resulting in \$7.2 billion in loans. The vast bulk of our work is focused on larger, multi-unit, housing projects. We have spent decades building relationships with a diverse array of capital sources including Fannie Mae, Freddie Mac, FHA (HUD), CMBS, pension funds, life insurance companies, debt funds, as well as numerous banks and credit unions throughout the country. GP Realty is not tied to one lender, so we are able to design a financing package that uniquely fits the needs of Telephone Hill.

GP Realty has financed 100% of all Johnson & Carr projects and has a deep understanding of the capital stack components required for workforce and Affordable housing projects outside of the traditional, completely for-profit, economic equation.

Project Finance Consultant:

Agnew Beck Consulting, LLC, Shanna Zuspan (www.agnewbeck.com)

Agnew:Beck is a multi-disciplinary team of planners, connectors, analysts, researchers, writers, historians, social workers, facilitators, designers, subject matter experts, and people with lived experiences. We work with Tribes, tribal organizations, nonprofits, advocacy and funding entities, health and wellness organizations, local and state governments, public institutions,

private sector, partnerships, coalitions, and people growing healthy, equitable, thriving communities. We work across Alaska and the West, with offices in Alaska, Idaho, and California. We thrive when working with communities of all sizes, Tribes, organizations, and across systems.

Shanna Zuspan is a principal and co-owner of Agnew::Beck Consulting. With a Masters in City Planning from the Massachusetts Institute of Technology, Shanna has 24 years' experience working in housing, land use, and community development. Shanna was born and raised in Alaska and spent her early years in McCarthy, Alaska on Ahtna traditional lands, later moving to her home in Anchorage on Dena'ina lands. Shanna also spent 10 years in Sacramento, California as a project manager in public finance, land use economics and community development before reemerging in Alaska to raise a family over 14 years ago.

Whether working with local governments, Tribal entities, state agencies, or the private sector, Shanna provides objective facts and analytical tools to help organizations find common solutions to controversial issues. She is skilled at translating complex technical data so that it is understandable and transparent. As a former redevelopment professional with a focus on sustainable development projects, Shanna enjoys working with public agencies and businesses to implement public/private partnerships that help achieve common goals. Shanna leads many of Agnew::Beck's housing studies, economic and financial feasibility analyses, market assessments, and business planning efforts.

Community Outreach:

Johnson & Carr will prioritize inclusivity in the Telephone Hill development effort, respecting all members of the CBJ. To that end we have initiated conversations regarding potential participation in the Telephone Hill project with two important local community members:

Lorraine DeAsis, Tlingit & Haida, KIRA Services (THTBC) (www.ccthita.com)

The Central Council of the Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida) is a tribal government representing over 30,000 Tlingit and Haida Indians worldwide, and is a sovereign entity which has a government to government relationship with the United States. THTBC is a deeply experienced property manager for both Income Adjusted Housing and Senior Housing.

Steven Sahlender, Goldbelt, Inc. (www.goldbelt.com)

Goldbelt is an Alaska Native Corporation with a deep connection to both our ancestors and our children – we remember the stories and traditions of the past, while working to build a bright future for our shareholders in Southeast Alaska and beyond. Founded in 1973 and officially incorporated in 1974, Goldbelt, Incorporated is the urban corporation that represents the Juneau area.

Financial Qualifications:

Developer financial statements and banking references under separate cover.

MEMORANDUM

DATE: 2/3/2025
TO: HRC
FROM: Law Department
SUBJECT: Ranked Choice Voting



155 Heritage Way
One Sealaska Plaza
Suite 202
Juneau, AK 99801
Phone: (907) 586-5242

The Law Department was asked to draft legislation to move the City and Borough of Juneau (CBJ) to a ranked choice voting system (RCV).

In 2020, Alaskan voters approved an initiative which moved all state elections to a ranked choice voting system. In 2024, Alaskans rejected an initiative to repeal ranked choice voting. As of today’s date, two new state initiatives to repeal ranked choice voting have been filed with the State Division of Elections. Should these initiatives gain the necessary signatures, voters will be asked again whether they would like to repeal ranked choice voting in the 2026 state election. No matter what happens at the state level, CBJ may set its election process for local races.

Data from the Division of Elections show that Juneau voters overwhelmingly supported ranked choice voting. While at the state level Ballot Measure 2 (repeal RCV) showed a final margin of 49.88% yes to 50.12% no, separated by just 743 votes, at the local level the numbers were quite different.¹ For District 3 (Juneau only) the margin was 39.0% yes to 61.0% no, and for District 4 it was 25.7% yes to 74.3% no.²

Currently CBJ uses two types of voting systems. The first, for single winner races, is referred to as “first past the post.” The second, for races with multiple winners (for example, races which state “vote for no more than 2”), is referred to as “block voting.” CBJ Charter sets out that the city will have both regular and special elections, and that election processes will be set out via ordinance (Charter Article 6). CBJ Code Title 29 sets forth the process of elections.

The attached ordinance matches State law with slight adjustments for CBJ code. We have also included three sample ballots. The first is a ballot from 2021, the second is a ballot using RCV for all races, the third is a ballot that uses a combination of RCV and block voting.

- Several decision points need to be made:
- (1) Do you want to shift to ranked choice voting?
 - (2) If so, do you:
 - a. Want to use RCV voting for single member races and block voting for multimember races? or
 - b. Do you want to move to RCV in all races?

- Things to keep in mind when making these decisions are:
- There is a benefit to having all races handled in a consistent manner; and
 - Block voting has historically been where we see confusion by voters and rejected votes; but
 - Moving to single member races for all races represents a change for school board and early-term assembly vacancy races.

¹ <https://www.juneauempire.com/news/recount-of-ranked-choice-repeal-upholds-voters-rejection-and-increases-margin-by-six-votes/>

² <https://www.elections.alaska.gov/results/24GENR/map/>

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Presented by: The Manager
Presented: 02/03/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-13 vHRC

**An Ordinance Amending the Election Procedures Code to Include
General Procedures for Ballot Count, Relating to Ranked Choice Voting.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. Chapter 29.07, Election Procedures, is amended by adding a new section to read:

Chapter 29.07 ELECTION PROCEDURES

29.07.155 General procedures for ballot count, ranked choice voting.

- (a) All regular or special elections shall be conducted by ranked-choice voting.
- (b) When counting ballots, the Election Official or designees shall initially tabulate each validly cast ballot as one vote for the highest-ranked continuing candidate on that ballot or as an inactive ballot. If a candidate is highest-ranked on more than one-half of the active ballots, that candidate is elected and the tabulation is complete. Otherwise, tabulation proceeds in sequential rounds as follows:
- (1) If two or fewer continuing candidates remain, the candidate with the greatest number of votes is elected and the tabulation is complete; otherwise, the tabulation continues under (2) of this subsection;

- 1
- 2 (2) Votes cast for the defeated candidate shall cease counting for the defeated
- 3 candidate and shall be added to the totals of each ballot's next-highest-ranked
- 4 continuing candidate or considered an inactive ballot under (g)(2) of this section,
- 5 and a new round begins under (1) of this subsection.
- 6
- 7 (c) When counting ballots,
- 8 (1) A ballot containing an overvote shall be considered an inactive ballot once the
- 9 overvote is encountered at the highest ranking for a continuing candidate;
- 10 (2) If a ballot skips a ranking, then the next ranking shall be counted. If the next
- 11 ranking is another skipped ranking, the ballot shall be considered an inactive
- 12 ballot once the second skipped ranking is encountered; and
- 13 (3) In the event of a tie between the final two continuing candidates, the procedures
- 14 prescribed in Charter Section 6.6 shall apply to determine the winner of the
- 15 election; in the event of a tie between two candidates with the fewest votes, the
- 16 tie shall be resolved by lot to determine which candidate is defeated.
- 17
- 18 (d) The Election Official or designees may not count an inactive ballot for any candidate.
- 19
- 20 (e) In this section,
- 21 (1) “Continuing candidate” means a candidate who has not been defeated;
- 22 (2) “Inactive ballot” means a ballot that is no longer tabulated, either in whole or in
- 23 part, because it does not rank any continuing candidate, contains an overvote at
- 24 the highest continuing ranking, or contains two or more sequential skipped
- 25 rankings before its highest continuing ranking;
- (3) “Overvote” means an instance where a voter has assigned the same ranking to
- more than one candidate;

- (4) “Ranking” or “ranked” means the number assigned by a voter to a candidate to express the voter's choice for that candidate; a ranking of “1” is the highest ranking, followed by “2,” and then “3,” and so on;
- (5) “Round” means an instance of the sequence of voting tabulation in an election;
- (6) “Skipped ranking” means a blank ranking on a ballot on which a voter has ranked another candidate at a subsequent ranking.

Section 3. Effective Date. This ordinance shall be effective January 1, 2026.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor


Attest:

Elizabeth J. McEwen, Municipal Clerk



CITY AND BOROUGH OF JUNEAU
OFFICIAL BALLOT
REGULAR MUNICIPAL ELECTION
OCTOBER 5, 2021

Instructions:

To vote, completely fill in the oval next to your choice like this: .
Use a blue or black ink pen to mark your ballot. NO RED INK. To vote for a person whose name is not printed on the ballot, fill in the oval and print the person's name on the blank line provided for a write-in candidate. If you make a mistake voting, draw a line through the oval and candidate or issue you voted, write "NO" next to it and then continue voting by filling in the oval next to your choice.

<p>MAYOR VOTE FOR NOT MORE THAN <u>ONE</u></p> <p><input type="radio"/> Beth Weldon</p> <p><input type="radio"/> Write-in</p>	<p>SCHOOL BOARD MEMBER VOTE FOR NOT MORE THAN <u>THREE</u></p> <p><input type="radio"/> Ibn Bailey</p> <p><input type="radio"/> Thom Buzard</p> <p><input type="radio"/> Elizabeth (Ebett) Siddon</p> <p><input type="radio"/> Wiljordon V. Sangster</p> <p><input type="radio"/> Aaron Spratt</p> <p><input type="radio"/> Amber Frommherz</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p>
<p>DISTRICT 1 ASSEMBLY VOTE FOR NOT MORE THAN <u>ONE</u></p> <p><input type="radio"/> Barbara Blake</p> <p><input type="radio"/> Paul R. Kelly</p> <p><input type="radio"/> Troy Wuyts-Smith</p> <p><input type="radio"/> Write-in</p>	
<p>DISTRICT 2 ASSEMBLY VOTE FOR NOT MORE THAN <u>ONE</u></p> <p><input type="radio"/> Michelle Bonnet Hale</p> <p><input type="radio"/> Kelly Fishler</p> <p><input type="radio"/> Write-in</p>	<p><u>PROPOSITION NO. 1</u></p> <p>Go to Backside of Ballot for Proposition No. 1</p>

SAMPLE

VOTE BOTH SIDES OF BALLOT



Elizabeth J. McEwen
Municipal Clerk

**CITY AND BOROUGH OF JUNEAU
OFFICIAL BALLOT
REGULAR MUNICIPAL ELECTION
OCTOBER 5, 2021**

PROPOSITION NO. 1

Explanation

Juneau currently has a permanent 1% sales tax, a temporary 1% sales tax, and a temporary 3% sales tax. The temporary 1% sales tax is automatically repealed on September 30, 2023. The temporary 3% sales tax is automatically repealed on July 1, 2022. The total of all CBJ sales taxes is currently 5%.

This ballot proposition would continue the current 3% temporary sales tax rate for an additional five years, until June 30, 2027. Accordingly, if this proposition is approved, the total sales tax rate would remain at 5%. This proposition would also continue the Assembly's intended allocation of the temporary 3% sales tax revenues as follows:

**Current Temporary Sales Tax
(repealed July 1, 2022)**

- 1% police, fire, street maintenance, snow removal, EMT/ambulance service, parks and recreation, libraries, and other general purposes;
- 1% roads, drainage, retaining walls, sidewalks, stairs, and other capital improvements; and
- 1% allocated annually by the assembly for capital improvements, general government services (including the Better Capital City account and youth activities) and Budget Reserve.

Total Temporary sales tax until June 30, 2022
3%

**New Proposed Temporary Sales
Tax (July 1, 2022 to June 30, 2027)**

- 1% police, fire, street maintenance, snow removal, EMT/ambulance service, parks and recreation, libraries, and other general purposes;
- 1% roads, drainage, retaining walls, sidewalks, stairs, and other capital improvements; and
- 1% allocated annually by the assembly among capital improvements, an emergency budget reserve, and other general public services.

Total Proposed temporary sales tax starting July 1, 2022,
3% and ending June 30, 2027

PROPOSITION NO. 1

Authorization to Renew a Temporary 3% Areawide Sales Tax Effective July 1, 2022, Intended to Be Used for Certain Purposes as Set Forth Below.

Shall the City and Borough of Juneau, Alaska, levy and collect a temporary 3% areawide sales tax on the price of all taxable sales of goods and delivered in the City and Borough, effective July 1, 2022, for a period of five years only, in addition to the 1% permanent areawide sales tax and the 1% temporary areawide sales tax?

It is the intent of the Assembly to use the temporary 3% areawide sales tax as follows:

- 1% police, fire, street maintenance, snow removal, EMT/ambulance service, parks and recreation, libraries, and other general purposes;
- 1% roads, drainage, retaining walls, sidewalks, stairs, and other capital improvement projects; and
- 1% allocated annually by the assembly among capital improvements, an emergency budget reserve, and other general public services.

Total 3% Temporary Sales Tax

☐ YES Extend 3% sales tax five years?

☐ NO Extend 3% sales tax five years?

S A M P L E

VOTE BOTH SIDES OF BALLOT

CITY AND BOROUGH OF JUNEAU
DEMO BALLOT
DEMO ELECTION
OCTOBER 1, 2024

03-300 Auke Bay

Instructions

To vote, completely fill in the oval next to your choice like this: 

Ranked Contest Instructions:

- Do not use red ink or a pencil to mark your ballot.
- Rank as many or few candidates as you like.
- Completely fill in no more than one oval for each candidate or column.
- For your 1st choice, fill in the oval in the first choice column.
- For your 2nd choice, fill in the oval in the 2nd choice column.
- For your 3rd choice, fill in the oval in the 3rd choice column, and so on.
- If you make a mistake, you can ask for a new ballot.

Mayor				
	1st Choice	2nd Choice	3rd Choice	
John Doe	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	
Jane Doe	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	
Assembly District 1				
	1st Choice	2nd Choice	3rd Choice	4th Choice
D1 Candidate A	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D1 Candidate B	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D1 Candidate C	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Assembly District 2				
	1st Choice	2nd Choice	3rd Choice	4th Choice
D2 Candidate X	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D2 Candidate Y	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D2 Candidate Z	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Board of Education Seat A				
	1st Choice	2nd Choice	3rd Choice	4th Choice
Choice Alpha	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Choice Bravo	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Choice Charlie	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Board of Education Seat B				
	1st Choice	2nd Choice	3rd Choice	4th Choice
Choice Delta	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Choice Echo	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Choice Foxtrot	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4

CITY AND BOROUGH OF JUNEAU
DEMO BALLOT
DEMO ELECTION
OCTOBER 1, 2024

03-300 Auke Bay

Instructions
To vote, completely fill in the oval next to your choice like this: ●

- Ranked Contest Instructions:**
- Do not use red ink or a pencil to mark your ballot.
 - Rank as many or few candidates as you like.
 - Completely fill in no more than one oval for each candidate or column.
 - For your 1st choice, fill in the oval in the first choice column.
 - For your 2nd choice, fill in the oval in the 2nd choice column.
 - For your 3rd choice, fill in the oval in the 3rd choice column, and so on.
 - If you make a mistake, you can ask for a new ballot.

Mayor			
	1st Choice	2nd Choice	3rd Choice
John Doe	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3
Jane Doe	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3


Assembly District 1				
	1st Choice	2nd Choice	3rd Choice	4th Choice
D1 Candidate A	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D1 Candidate B	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D1 Candidate C	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4


Assembly District 2				
	1st Choice	2nd Choice	3rd Choice	4th Choice
D2 Candidate X	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D2 Candidate Y	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
D2 Candidate Z	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4

BOARD OF EDUCATION	
VOTE FOR NOT MORE THAN TWO	
Choice Alpha	<input type="radio"/>
Choice Bravo	<input type="radio"/>
Choice Charlie	<input type="radio"/>
Choice Delta	<input type="radio"/>
Choice Echo	<input type="radio"/>
Choice Foxtrot	<input type="radio"/>
Write-in	<input type="radio"/>
Write-in	<input type="radio"/>

CITY AND BOROUGH OF JUNEAU
DEMO BALLOT
DEMO ELECTION
OCTOBER 1, 2024

03-300 Auke Bay

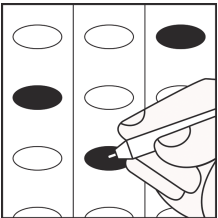

Elizabeth J. McEwen
Municipal Clerk

Instructions:
To vote, completely fill in the oval next to your choice like this: 
Use a blue or black ink pen to mark your ballot. NO RED INK. To vote for a person whose name is not printed on the ballot, fill in the oval and print the person's name on the blank line provided for a write-in candidate. If you make a mistake voting, draw a line through the oval and candidate or issue you voted, write "NO" next to it and then continue voting by filling in the oval next to your choice.

MAYOR	
VOTE FOR NOT MORE THAN <u>ONE</u>	
John Doe	<input type="radio"/>
Jane Doe	<input type="radio"/>
Write-in	<input type="radio"/>

Board of Education

Ranked Contest Instructions:
· Do not use red ink or a pencil to mark your ballot.
· Rank as many or few candidates as you like.
· Completely fill in no more than one oval for each candidate or column.
· For your 1st choice, fill in the oval in the first choice column.
· For your 2nd choice, fill in the oval in the 2nd choice column.
· For your 3rd choice, fill in the oval in the 3rd choice column, and so on.
· If you make a mistake, you can ask for a new ballot.



	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice	6th Choice	7th Choice	8th Choice	9th Choice
Choice Alpha	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Choice Bravo	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Choice Charlie	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Choice Delta	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Choice Echo	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Choice Foxtrot	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9
Write-in	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> 6	<input type="radio"/> 7	<input type="radio"/> 8	<input type="radio"/> 9

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Presented by: The Manager
Presented: 03/17/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-05(b)

An Ordinance Setting Forth the Policy and Procedures for the Release of Body Worn Camera Video Footage in Critical Incidents.

WHEREAS, the Assembly of the City and Borough of Juneau believes that the use of body worn cameras provides the community with increased transparency; and

WHEREAS, critical incidents require careful consideration and thoughtful community outreach; and

WHEREAS, often critical incidents are discussed and personal video is shared on social media immediately following such incidents; and

WHEREAS, nationwide, police departments have transitioned to releasing footage to the community as early as possible; and

WHEREAS, there is a strong public interest in releasing footage in a timely manner; and

WHEREAS, the Constitutional rights of all parties remain protected, despite the timing of the release of footage.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 55, Police, is amended to add the following chapters and sections:

Chapter 55.60 BODY WORN CAMERAS

55.60.010 Body worn camera policy.

The Juneau Police Department shall establish policies and procedures for the use of body worn cameras and the release of video footage.

55.60.020 Release of body worn camera footage in officer-involved use of deadly force that results in serious physical injury or death. ~~involved traumatic incidents.~~

When an officer-involved use of force incident occurs where the use of force causes death or serious physical injury to an officer or another person, ~~If a traumatic incident occurs involving Juneau police officers,~~ the Juneau Police Department will proceed as follows:

- (1) Release body worn camera footage no later than 30 days after the incident.

Family may be provided the opportunity to review the footage in-person or virtually up to 24 hours prior to planned public release.
 - (A) The release shall consist of relevant video imagery (including accompanying audio recording) that accurately depicts the actions and events leading up to and including the incident.
 - (B) The release of the footage will be accompanied by (1) additional information to provide context based on the evidence available at the time of release and (2) a brief summary of the redactions.
 - (C) Footage will not be released if JPD is in receipt of a valid court order prohibiting release.
- (2) *Delayed release.*
 - (A) The prosecuting authority may request, in writing, up to a 10-day delay in the release of video to the public. In its request, the prosecuting authority should explain, with specificity, the interference or jeopardy that justifies

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the delayed release. Neither a delay in completing the investigation nor pending prosecution review constitute a circumstance in which a delay in release is justified. The prosecuting authority’s request for an extension will be carefully considered by the manager and chief of police, with the final decision granting a delay ultimately resting with the manager.

- (i) Only one 10-day delay may be requested.
- (ii) If granted, the manager shall inform the assembly, at the next scheduled meeting, of the delay.
- (iii) If granted, upon release of the video, the prosecuting attorney’s explanation for delay shall be released to the public.

(B) The manager or chief of police retain the discretion to identify circumstances under which the release of the video must be delayed to protect:

- (i) The safety of involved individuals, including officers, witnesses, bystanders, or other third parties; or
- (ii) Confidential sources or investigative techniques.

(C) In no case shall a delay exceed 10 days. The video imagery in question shall be released as soon as the reason for delay has been resolved.

(D) If delayed by the manager or chief of police, upon release of the video, an explanation for delay shall be released to the public.

(3) *Notification.* Absent exigent circumstances, all reasonable attempts shall be made to notify the following individuals or entities at least 48-hours prior to the release of video imagery:

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- (A) Officer who is depicted in the video and/or significantly involved;
- (B) The subject upon whom force was used upon;
 - (i) If the subject is deceased or unable to consent, the next of kin or personal representative, if known, will be notified;
 - (ii) If the subject is a juvenile, the subject’s parents or legal guardian will be notified;
- (C) The State of Alaska Office of Special Prosecutions and the Juneau Municipal Attorney’s Office.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2025.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Based on the discussion on March 17, 2025, presentation and discussion, Law and JPD recommend the following two amendments:

Amendment #1. This change would reflect a recognition that there are times when release may be prohibited by law, for example, if a minor child is involved. This addition simply makes it clear that we will follow all required laws.

55.60.020 Release of body worn camera footage in officer-involved use of deadly force that results in serious physical injury or death. ~~involved traumatic incidents.~~

When an officer-involved use of force incident occurs where the use of force causes death or serious physical injury to an officer or another person, ~~If a traumatic incident occurs involving Juneau police officers,~~ the Juneau Police Department will proceed as follows:

- (1) Release body worn camera footage no later than 30 days after the incident. Family may be provided the opportunity to review the footage in-person or virtually up to 24 hours prior to planned public release.
 - (A) The release shall consist of relevant video imagery (including accompanying audio recording) that accurately depicts the actions and events leading up to and including the incident.
 - (B) The release of the footage will be accompanied by (1) additional information to provide context based on the evidence available at the time of release and (2) a brief summary of the redactions.
 - (C) Footage will not be released if JPD is in receipt of a valid court order prohibiting release **or is otherwise prohibited by law.**

Amendment #2. This change would reflect feedback from the State regarding the need to delay release in some circumstances. This DOES NOT change section 2A which would only give the prosecuting agency one 10-day delay. This DOES change 2B to give the manager/chief discretion to go beyond the 10-day delay for narrow reasons: the safety of involved individuals and confidential sources/investigative techniques.

(2) *Delayed release.*

(A) The prosecuting authority may request, in writing, up to a 10-day delay in the release of video to the public. In its request, the prosecuting authority should explain, with specificity, the interference or jeopardy that justifies the delayed release. Neither a delay in completing the investigation nor pending prosecution review constitute a circumstance in which a delay in release is justified. The prosecuting authority's request for an extension will be carefully considered by the manager and chief of police, with the final decision granting a delay ultimately resting with the manager.

(i) Only one 10-day delay may be requested.

(ii) If granted, the manager shall inform the assembly, at the next scheduled meeting, of the delay.

(iii) If granted, upon release of the video, the prosecuting attorney's explanation for delay shall be released to the public.

(B) The manager or chief of police retain the discretion to identify circumstances under which the release of the video must be delayed to protect:

- (i) The safety of involved individuals, including officers, witnesses, bystanders, or other third parties; or
 - (ii) Confidential sources or investigative techniques.
- (C) ~~In no case shall a delay exceed 10 days.~~ The video imagery in question shall be released as soon as the reason for delay has been resolved.
- (D) If delayed by the manager or chief of police, upon release of the video, an explanation for delay shall be released to the public.

MEMORANDUM

DATE: 3/17/2025
TO: Assembly
FROM: Emily Wright, City Attorney
SUBJECT: Ordinance 2025-05, Body Worn Cameras



155 Heritage Way
 Juneau, AK 99801
 Phone: (907) 586-5242

In the fall of 2024, the Assembly and Juneau Police Department Chief Bos requested that the Law Department draft an ordinance to provide clarity on the process for the release of body worn camera footage in the case of officer involved shootings. The ordinance before you has been reviewed by the City Manager's Office, Chief Bos, and Assemblymembers Hughes-Skandijs, Kelly, and Adkison.

The Juneau Police Department has been using body worn cameras (BWCs) since December 2017. Policies and Procedures are in place for their use.¹ However, additional guidance from the Assembly is necessary to address the timing of the release of BWCs in officer-involved post-shooting/traumatic incidents.²

Fundamentally, as the law-making body of government, your primary decision points will be a balance between the need for government accountability and transparency versus the impact the release of BWC footage may have on the ability of prosecutors to pursue a criminal prosecution.

The State Office of Special Prosecutions (OSP) is tasked with the review of officer-involved shootings in Alaska and have done so since 2009.³ OSP has requested that BWC footage not be released prior to the completion of their investigation, or at the earliest 60 days after the incident. Their primary concern is that early release of footage may impact the ability of a defendant, should charges be brought, to have fair trial (a right protected by the Alaska and US Constitutions).

The following is a sample of policies throughout the country which may be useful in your discussion:

1. The Anchorage Police Department (APD) recently implemented Operational Procedure 3.10.110, a BWC policy which OSP has approved:⁴
 - F. Releasing Body-Worn Camera Recordings
 1. **Critical Incident Body-Worn Camera Video Release**
 - a. BWC video of "Critical Incidents" involving APD officers shall be released to the public within 45 days of the incident.
 - b. The release shall consist of relevant video imagery (including accompanying audio footage) that accurately depicts the actions and events leading up to and including the "Critical Incident."
 - c. All video of the "Critical Incident" itself may not be released. For example, all the shots fired or moments immediately following shots fired may not be released.
 - d. Video shall not be released when prohibited by law; however, where redactions can cure the legal issue, video shall be redacted and released. For example, in situations where unredacted release would violate personal privacy rights, but redactions (such as blurring faces) could avoid such violation, the video shall be redacted accordingly.
 - e. The release of the video will be accompanied by (1) additional information to provide context based on the evidence available at the time of release and (2) a brief summary of the redactions.

¹ See Chapter 4.028, <https://public.powerdms.com/JUNEAUAK/tree/documents/149330>.

² See Chapter 2.001, <https://public.powerdms.com/JUNEAUAK/tree/documents/46377>.

³ <https://law.alaska.gov/pdf/press/240717-Handout.pdf>

⁴ See PI 3.10.110(F), <https://public.powerdms.com/ANCHOR/tree/documents/3186656>. See also, Video Release Pages, <https://www.anchoragopolice.com/video-releases>.

2. **Delayed Release.**

- a. The Chief of Police retains the discretion to identify additional circumstances under which the release of the video must be delayed to protect one or more of the following:
 - 1) The safety of involved individuals, including officers, witnesses, bystanders, or other third parties;
 - 2) Integrity of an active investigation (including criminal or administrative);
 - 3) Confidential sources or investigative techniques; or,
 - 4) Constitutional rights of an accused.

- b. Any delay in release must have a factual basis, be specific to the individual case, and be explained in a detailed public statement by the Chief of Police or designee. The video imagery in question shall be released as soon as the reason for delay has been resolved.

3. **Notifications:** Absent exigent circumstances, reasonable attempts shall be made to notify the following individuals or entities at least 48-hours prior to the release of video imagery:

- a. Officer depicted in the video and/or significantly involved in the use of force;
- b. The subject upon whom force was used.
 - 1) If the subject is deceased, the next of kin or personal representative, if known, will be notified.
 - 2) If the subject is a juvenile, the subject's parents or legal guardian will be notified.
 - 3) If the subject is known by APD to be represented by legal counsel, that representative will be notified.

- c. The State of Alaska Office of Special Prosecution and the Municipal Attorney's Office.

- d. The Anchorage Police Department Employees Association.

4. **Streamlined Process for Private Family Viewing Requests.**

In situations where the subject upon whom force was used is deceased, the subject's next-of-kin or personal representative may make a streamlined request for a private viewing of the video to the Chief of Police.

- a. Beginning no sooner than fourteen (14) days after the Critical Incident, the streamlined request may be e-mailed to the Chief of Police at apdchief@anchorageak.gov. It must contain the following information:

- the name of the requester;
- the relationship of the requester to the subject;
- the names of up to five (5) additional individuals requested to attend the viewing; and
- the relationship of those additional persons to the subject and/or requester.

- b. The video shown at the private viewing shall follow the requirements of Section I.F.1(b)-(d) above and be shown at no cost.

- c. All attendees of the private viewing must agree not to record or disclose the content of the video (including audio) for the pendency of any administrative investigation, criminal investigation, or criminal case, or until public release of the video, whichever occurs first.

- d. The Chief of Police shall have discretion to grant the request, deny the request, or grant the request on a modified basis.

5. **Release – Limited Waiver**

The release of any specific video imagery does not waive APD's right to withhold other video imagery or investigative materials in the same case or any other case, as permitted by law. This policy is not intended to displace or supersede any legal right or remedy available to any person or entity, and it is also not intended to prevent or hinder compliance by the Department with respect to any legal disclosure requirements, including but not limited to, any court order or disclosure provisions of Anchorage Municipal Code 3.90 (Access to Public Records).

2. The Alaska State Troopers policy 24.330, *Public Dissemination*, reads: ⁵

C. Release of critical incident MAVR [mobile audio and video recording] **recordings.** In consultation with the Commissioner's Office and applicable Division Directors the Public Information

⁵ <https://dps.alaska.gov/getmedia/74138e18-b406-45c8-8409-54d66e17294f/241-Mobile-Audio-and-Video-Recording-05012023.pdf>

Office (PIO) may proactively release MAVR recordings associated with officer involved shootings or other critical incidents before an investigation or criminal court proceedings are complete. PIO will notify the member and applicable Associations prior to public release. Criminal investigator interviews with the involved officers, witnesses, and victims should be completed prior to the public release.

3. *Model Body Worn Camera Policy for Police: An Aid for Prosecutors*, created by the Prosecutor Center for Excellence provides the following note:⁶

The dissemination to the media of recordings from BWC can play a vital role in reassuring the public after a controversial enforcement action. Great care must be taken to ensure that recordings are not released pre-maturely in a manner that could jeopardize on-going investigations and prosecutions. However, agencies must have a consistent policy so that they are not accused of only releasing the recordings that they deem helpful.

4. The United States Department of the Interior requires:⁷

6. **Timing**

Bureaus/Offices must expedite the public release of BWC and VMC recordings following incidents listed in this LEB no later than 30 days after an incident. Bureaus may establish a stricter timetable and are encouraged to release their recordings as soon as practical after the incident. The Department recognizes that certain incidents present unique challenges and obstacles to public releases. In exceptional cases, upon request from the Bureau/Office, the Director OLES may grant an extension to the 30-day requirement.

5. The International Association of Chiefs of Police *Model BWC Policy* suggests:⁸

8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.

6. Austin Police Department, 117 *Critical Incident – Public Release*, reads:⁹

117.2 **POLICY**

It is the policy of the Austin Police Department that video evidence in the Department's possession of critical incidents involving APD be released to the public within 60 days of the incident. Such video evidence will be made available to the public prior to the final adjudication of all criminal matters and prior to the conclusion of all related administrative investigations. For the purpose of this policy, a law enforcement purpose may include solving a crime, locating a suspect or a witness, or enhancing police-community relations. This release shall consist of relevant video imagery that depicts the actions and events leading up to and including the critical incident. Relevant video imagery is video and accompanying audio footage, which may include relevant portions of 911 calls, Combined Transportation, Emergency & Communication Center (CTECC) dispatch recordings, and the Department's radio calls, that are typically considered by the Chief of Police and criminal prosecutors to determine the propriety of an officer's conduct during a critical incident. The release of video shall be accompanied by additional information to provide context based on the evidence available at the time of release.

7. Baltimore County Police Department *Field Manual*:¹⁰

At the discretion of the Chief of Police, after consultation with the prosecuting authority, the Department may publicly release BWC footage within 30 business days of the incident, provided that any initial use of force investigation is completed, and the required notifications have been made. **EXCEPTION:** When a non-disclosure period has been granted pursuant to an agreement with the prosecuting authority. The prosecuting authority may request, in writing, a 30-day extension to the Department's release of critical incident BWC footage to the public. In its request, the prosecuting authority should explain, with specificity, how deviating from the standard timeframe for disclosure set forth by the Department is necessary to further the administration of justice. The prosecuting authority's request for an

⁶ Page 6, <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/20150714-best-practices-bwc-model-policy-pceandcdaafoundation.pdf>

⁷ <https://www.doi.gov/sites/doi.gov/files/oles-lespb-23-01-expedited-public-release-of-bwc-and-vmc-footage.pdf>

⁸ <https://www.theiacp.org/sites/default/files/all/b/BodyWornCamerasPolicy.pdf>

⁹ [https://www.austintexas.gov/sites/default/files/files/117%20Critical%20Incident%20-%20Public%20Release\(2\).pdf](https://www.austintexas.gov/sites/default/files/files/117%20Critical%20Incident%20-%20Public%20Release(2).pdf)

¹⁰ Page 53, <https://bcg-prod.baltimorecountymd.gov/files/departments/police/documents/fieldmanual202301.pdf>

extension will be carefully considered by the Department and the final decision to release BWC footage ultimately rests with the Chief of Police. If the prosecuting authority seeks an additional extension(s), such request(s) should be made in the same manner for each 30-day period, or until the scheduled trial date. If additional trial dates arise, an additional request for extension will be made.

8. Colorado State Law (Senate Bill 20-217):¹¹

(2) (a) For all incidents in which there is a complaint of peace officer misconduct by another peace officer, a civilian, or nonprofit organization, through notice to the law enforcement agency involved in the alleged misconduct, the local law enforcement agency or the Colorado State Patrol shall release all unedited video and audio recordings of the incident, including those from body-worn-cameras, dash cameras, or otherwise collected through investigation, to the public within twenty-one days after the local law enforcement agency or the Colorado State patrol received the complaint of misconduct.

...

(III) Any video that would substantially interfere with or jeopardize an active or ongoing investigation may be withheld from the public; except that the video shall be released no later than forty-five days from the date of the allegation of misconduct. In all cases when release of a video is delayed in reliance on this subsection (2)(b)(III), the prosecuting attorney shall prepare a written explanation of the interference or jeopardy that justifies the delayed release, contemporaneous with the refusal to release the video. Upon release of the video, the prosecuting attorney shall release the written explanation to the public.

9. California State Law (Assembly Bill No. 748):¹²

(A) (i) During an active criminal or administrative investigation, disclosure of a recording related to a critical incident may be delayed for no longer than 45 calendar days after the date the agency knew or reasonably should have known about the incident, if, based on the facts and circumstances depicted in the recording, disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. If an agency delays disclosure pursuant to this paragraph, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.

(ii) After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation. If an agency delays disclosure pursuant to this clause, the agency shall promptly provide in writing to the requester the specific basis for the agency's determination that the interest in preventing interference with an active investigation outweighs the public interest in disclosure and provide the estimated date for the disclosure. The agency shall reassess withholding and notify the requester every 30 days. A recording withheld by the agency shall be disclosed promptly when the specific basis for withholding is resolved.

10. Portland, Oregon Police Department (0620.00 *Body-Worn Camera Use and Management*):¹³

14. Affirmative Release of Recordings.

14.1. As a general rule, the Bureau shall release BWC recordings of Category I force incidents upon conclusion of the Grand Jury or, if no Grand Jury is convened, once a disposition is determined by the DA. As an exception to the general rule and when in the public interest, the Commissioner in Charge or Chief of Police may release BWC recordings sooner.

¹¹ https://leg.colorado.gov/sites/default/files/2020a_217_signed.pdf

¹² https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB748

¹³ <https://www.portland.gov/policies/police-directives/field-operations-0600/062000-body-worn-camera-use-and-management>

11. Minnesota State Law (13.825 *Portable Recording Systems*):¹⁴Subd. 2. **Data classification; court-authorized disclosure.**

(b) Notwithstanding section [13.82, subdivision 7](#), when an individual dies as a result of a use of force by a peace officer, an involved officer's law enforcement agency must allow the following individuals, upon their request, to inspect all portable recording system data, redacted no more than what is required by law, documenting the incident within five days of the request, subject to paragraphs (c) and (d):

- (1) the deceased individual's next of kin;
- (2) the legal representative of the deceased individual's next of kin; and
- (3) the other parent of the deceased individual's child.

(c) A law enforcement agency may deny a request to inspect portable recording system data under paragraph (b) if the agency determines that there is a compelling reason that inspection would interfere with an active investigation. If the agency denies access under this paragraph, the chief law enforcement officer must provide a prompt, written denial to the individual in paragraph (b) who requested the data with a short description of the compelling reason access was denied and must provide notice that relief may be sought from the district court pursuant to section 13.82, subdivision 7.

(d) When an individual dies as a result of a use of force by a peace officer, an involved officer's law enforcement agency shall release all portable recording system data, redacted no more than what is required by law, documenting the incident no later than 14 days after the incident, unless the chief law enforcement officer asserts in writing that the public classification would interfere with an ongoing investigation, in which case the data remain classified by section 13.82, subdivision 7.

12. Michigan State Law (*Law Enforcement Body-Worn Camera Privacy Act*, Act 85 of 2017):¹⁵**780.315 Audio or video recording from body-worn camera; retention by law enforcement agency; disclosure as public record; limitation.**

Sec. 5. (1) An audio or video recording from a body-worn camera that is retained by a law enforcement agency in connection with an ongoing criminal investigation or an ongoing internal investigation is not a public record and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, but only to the extent that disclosure as a public record would do any of the following:

- (a) Interfere with law enforcement proceedings.
- (b) Deprive a person of the right to a fair trial or impartial adjudication.
- (c) Constitute an unwarranted invasion of personal privacy.
- (d) Disclose the identity of a confidential source or, if the record is compiled by a law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source.
- (e) Disclose law enforcement investigative techniques or procedures.
- (f) Endanger the life or physical safety of law enforcement personnel.
- (g) Disclose information regarding a crime victim in violation of sections 8, 19, 19a, 21, 34, 38, 48, 62, 68, and 80 of the William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.758, 780.769, 780.769a, 780.771, 780.784, 780.788, 780.798, 780.812, 780.818, and 780.830.

(2) An audio or video recording from a body-worn camera that is retained by a law enforcement agency relating to a civil action in which the requesting party and the public body are parties is not a public record and is exempt from disclosure under section 13(1)(v) of the freedom of information act, 1976 PA 442, MCL 15.243.

¹⁴ <https://www.revisor.mn.gov/statutes/cite/13.825>

¹⁵ <https://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-85-of-2017.pdf>



Systemic Racism Review Committee (S

Section F, Item 7.

c/o Office of the Municipal Clerk

155 Heritage Way, Room 215

Phone: (907)586-5278

City.clerk@juneau.gov

MEMORANDUM

DATE: April 29, 2025

TO: Borough Assembly

FROM: SRRC Chair Ephraim Froehlich, on behalf of the SRRC

CC: Katie Koester, City Manager

RE: SRRC Comments Regarding Ordinance 2025-05(b)

At our Tuesday, April 29, 2025, Systemic Racism Review Committee (SRRC) meeting, the committee reviewed **Ordinance 2025-05(b)** *An Ordinance Setting Forth the Policy and Procedures for the Release of Body Worn Camera Video Footage in Critical Incidents*. Juneau Chief of Police Derek Bos and City Attorney Emily Wright attended our meeting and were able to answer questions the SRRC had regarding Ordinance 2028-05(b).

In the event Ordinance 2025-05(b) moves out of the Committee of the Whole and to the next Regular Assembly meeting the SRRC wanted to share its comments/recommendations with the Assembly prior to this ordinance moving forward to public hearing.

SRRC Recommendations

The SRRC appreciates the City and the Assembly's efforts to put forth this ordinance; the SRRC urges the Assembly limit the number of exemptions included and allowed for, in the release of body cam footage. The SRRC further encourages the Assembly to implement a policy that requires timelines for release in all instances. Lastly, the Committee has concerns about the use of the term "officer-involved" and recommends replacing that term with "officer".