

ASSEMBLY REORGANIZATION MEETING 2024-24 MINUTES

October 21, 2024, at 7:00 PM

Assembly Chambers/Zoom Webinar



Meeting Number 2024-24: The annual reorganizational meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and was called to order by Mayor Beth Weldon at 7:02pm.

A. **FLAG SALUTE**

Mr. Smith led the flag salute.

B. **LAND ACKNOWLEDGEMENT**

Ms. Hale gave 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. **SPECIAL ORDERS OF BUSINESS**

1. **Recognition of Douglas Indian Village Burning**

Mayor Weldon, on behalf of the City and Borough of Juneau, officially apologized for the burning of the Douglas Indian Village in 1962 which caused irreparable harm to the Tlingit people, their heritage, and their community. She said the decision to burn the Douglas Indian Village involved the Bureau of Indian Affairs, the State of Alaska, the City of Juneau, the City of Douglas, the Greater Juneau Borough, and local businesses. She said this coordinated action led to loss of homes, cultural sites, and the displacement of the Tlingit community, exacerbating historical injustices faced by indigenous people in the region. She apologized for the role the City and Borough of Juneau played in this event and acknowledged the lasting impact it has had on the Tlingit people and the ongoing challenges they face because of these actions. She said that the City and Borough of Juneau committed to a future of mutual respect in partnership with the indigenous peoples of the region and would continue to work collaboratively to preserve and promote Tlingit cultural heritage, support the revitalization of the Tlingit language and traditions, and ensure that the mistakes of the past were not repeated. Mayor Weldon presented the proclamation with the written apology to the Douglas Indian Association President Clarence Laiti and other tribal members who were present.

2. **ASSEMBLY REORGANIZATION**

Recognition of Outgoing Assemblymembers:

Mayor Weldon led the appreciation and recognition of outgoing **Assemblymember Wáahlaal Gídaag** and **Deputy Mayor Michelle Hale**. Assemblymembers shared poems, stories, and best wishes for the outgoing members.

City Attorney Emily Wright then swore in the new Assemblymembers Neil Steininger and Maureen Hall.

ROLL CALL

Assemblymembers present: Maureen Hall, Neil Steininger, Ella Adkison, Paul Kelly, Christine Woll, Alicia Hughes-Skandijs, Wade Bryson, Greg Smith, Mayor Beth Weldon

Assemblymembers absent: None

Staff present: City Manager Katie Koester, City Attorney Emily Wright, City Clerk Beth McEwen, Finance Director Angie Flick, Airport Manager Patty Wahto

Election of Deputy Mayor

NOMINATION by Ms. Hughes-Skandijs to elect Greg Smith as the Deputy Mayor and asked for unanimous consent. *Hearing no objection, Mr. Smith was elected Deputy Mayor by unanimous consent.*

3. PROCLAMATION - In Support of Establishing White Cane Awareness Day

Mayor Weldon read a proclamation establishing October 15, 2024, as White Cane Awareness Day.

D. APPROVAL OF MINUTES

4. April 29, 2024, Regular Assembly Meeting 2024-09 Draft Minutes

5. May 13, 2024, Regular Assembly Meeting 2024-10 Draft Minutes

MOTION by Ms. Woll to approve the April 19, 2024, and May 13, 2024, Assembly meeting minutes and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

E. MANAGER'S REQUEST FOR AGENDA CHANGES - None

F. NEW BUSINESS

6. Flood Mitigation and Site Preparation Update

Manager Koester asked if the Assembly wanted to initiate a Local Improvement District (LID) to help pay for installing a HESCO flood barrier, and if so, what the boundaries would be, who would pay for what, how people would pay, and any essential terms and conditions related to the LID. She said she needed guidance to bring back enabling legislation to the next Assembly meeting.

Ms. Koester said that there was a second release from Suicide Basin at 11:30pm on Sunday, October 20, 2024, which crested at 10.77 feet. She said this was a best-case scenario as the basin fully emptied. She said the release will give them more time to prepare for the next Glacial Lake Outburst Flood (GLOF), but they did not know how much time. She said they received a federal disaster declaration which means more help for individual homeowners and the Federal Emergency Management Agency (FEMA) will be coming to Juneau. Ms. Koester said CBJ deployed approximately 35,000 sandbags to homeowners over the weekend.

Ms. Koester said that Engineering and Public Works spent the week doing site assessments of riverfront properties and were able to connect with all but seven property owners. She said the results of that assessment showed that three properties did not have sufficient space to install the HESCO barriers, which means they would need to build the riverbank back to install them and 16 properties had difficult obstructions that would need to be removed before installation. She said it looked like installation would be simpler on the other 53 properties.

Ms. Koester said a LID was a mechanism to spread the cost of a public improvement over benefited properties. She said she struggled with how to pay for the installation of the HESCO barriers, as different properties need different amounts of work. She asked to what extent was that the responsibility of all CBJ taxpayers versus the private homeowners. She said she was proposing that properties would be assessed for the actual improvement.

Ms. Koester walked the Assembly through the various mechanisms behind a LID process, including public participation and timelines. She said any ordinance that came to the Assembly must include a finding that it was in the public interest, the improvements to be constructed, the total cost, the cost per property owner, what CBJ funds were to be used, the necessary authorizations, and an appropriation.

Ms. Hughes-Skandijs asked about creating a special tax district. Ms. Koester said she did not have a lot of information about other ways to pay for the improvements other than taxes, which have different districts like the roaded service area. She said other municipalities have flood service areas. She said they were recommending the LID because the Assembly had the most control over that decision. Ms. Hughes-Skandijs asked about including homes further from the river. Ms. Wright said that the LID needed to provide a benefit to people within it; she said that benefit was very obvious when right near the river but became less obvious with additional distance. She said it was a policy call by the Assembly that the Law department would defend.

Ms. Woll asked about total cost. Ms. Koester said they still do not know, but the current estimates were between 5 and 10 million dollars for this phase of the project. She said a hydrological study and analysis was scheduled to be released in November which would provide more information. She said they cannot move forward with the LID without firmer numbers, so the Assembly would not be asked to make any final decisions without that information. Ms. Koester said the United States Army Corps of Engineers (USACE) estimated \$400,000 yearly maintenance cost.

Mr. Kelly asked if the federal disaster declaration opened up any new funding for this project. Ms. Koester said yes, but timing was an issue. She said most federal grants take a minimum of six months to decide and generally two years before work starts. She said they have been focused on grant funding for long-term solutions.

Mr. Smith asked where the HESCO barrier idea came from. Ms. Koester said installing the HESCO barriers was recommended by flood experts at USACE. She said flood fighting was the only idea that experts were able to come up with that would potentially help before the next GLOF. Mayor Weldon asked about long-term solutions. Ms. Koester said they were studying all options for a long-term solution.

Ms. Woll asked about homeowners doing their own site preparation. Ms. Koester said it was to CBJ's advantage for homeowners to do site preparation, as they could do it at less cost and with more control.

Ms. Hughes-Skandijis asked about LID assessments. Ms. Wright said in traditional LIDs people were generally charged the same amount for the improvement, but that an LID could be individualized to account for different amounts of work that needed to be done on different properties. She said that it would require looking at every property, as the ordinance requires notice given to each homeowner of the amount they would be charged.

Mr. Steininger asked if different properties could have different repayment terms. Ms. Wright said she did not know the answer, but every LID she had seen had the same repayment terms. Ms. Flick said she believed people could pay the LID assessment off early.

Mr. Bryson asked about the impacts of property owners who disagreed with the HESCO barriers. Ms. Wright said there was a mechanism for homeowners to object to the LID process and there was a mechanism for the Assembly to override that objection. She said there was a high probability of a lawsuit, but that CBJ was operating under an emergency declaration which allowed the city to take measures to protect people's lives and property. She said that included going onto people's property to place the HESCO barriers. Mayor Weldon asked if the HESCO barrier could go around a property. Ms. Koester said it would weaken the integrity of the barrier. She said in a worst-case scenario they could install the barriers down the street on the city right of way. Mr. Kelly asked if a special tax area would have the same risk of lawsuits as an LID. Ms. Wright said it depended, but she anticipated a lawsuit in either case.

Ms. Adkison asked about land ownership. Ms. Wright said the land under the HESCO barriers remained the property owners. Ms. Wright talked about the concept of "taking" under the law; she said the longer the HESCO barriers were on the property the more likely it was that CBJ was taking the land.

Ms. Woll asked about the timing and order of operations for this project. Ms. Koester said they would be doing more design and site assessments before installation. She said they hoped to start installing the barriers in March 2025, with site preparation completed before then.

Public Comment:

Tim Brueggemen, a Valley resident, said he lived right on the Mendenhall River. He was concerned that a breach in the HESCO barriers would create a levee on the wrong side of the river. He said property values decreased between 20% to 40% and that people wouldn't be able to sell their properties and that this would result in foreclosures. He said the city should dredge the river. Mr. Smith asked if Mr. Brueggemen thought the protection the HESCO barriers would provide would help owners sell their properties. Mr. Brueggeman said no, and that the LID would create liens on the property and few people would purchase houses with higher property taxes.

Steve Ball, a Valley resident, thanked the City for their response to the August 2024 GLOF. He said that 300 homes had been flooded, but that his had not been one of them. He said creating a LID or assessing a tax on certain homes was not fair when they did not flood. Ms. Woll asked if Mr. Ball supported installing the HESCO barriers. Mr. Ball said yes, but he had concerns about a breach in the barrier. He suggested that low points also have pump stations installed to mitigate water that made it behind barriers.

Sam Hatch, a Valley resident, said he opposed the current proposal to install a temporary levee down the Mendenhall River. He asked the Assembly to vote against this proposal and pursue a safer solution. He said the immediate threat of the flood was over and the reasons for justifying the emergency order were gone. He said the City needed to plan and execute an effective flood control project using sound engineering principles and normal ordinances. He said the City should pursue a temporary levee system in the lake area with the goal to divert water and control its release into the river. He was concerned about the lack of details about the lifetime project cost and removal of the HESCO barriers. He objected to burdening waterfront homes with the cost of a temporary solution that benefits hundreds of homes and suggested that if the City wanted to go forward with the project they should pay for the entire cost. He again urged the Assembly to vote against this project.

David Ignell, a West Juneau resident, said he had a boat condo on the river. He said he had talked to a number of scientists, hydrologists, engineers, and contractors who had no confidence in the HESCO barriers. He said that if the banks held it would just make things worse for owners downstream because it would speed up the river. He said the City was opening themselves up to a ton of liability with this project. He said there were no HESCO barriers above the back loop bridge and asked what would keep the water from going around them. He said this project could cost tens of millions of dollars and there was no overall plan. He said he supported a lake levee. Mr. Kelly asked about the timeframe of a lake levee. Mr. Ignell said they had the materials, equipment, and workforce in Juneau to get the work done in two or three months. Ms. Woll said that in discussion with the Forest Service, a levee would take 5 to 10 years to design, research, and build. She asked Mr. Ignell if he supported the HESCO barriers as a temporary solution. Mr. Ignell gave a qualified yes.

Sean Smack, a Valley resident, said he and his family opposed the HESCO barriers until more thorough risk assessment and safety measures had been studied. He said the HESCO barriers would eliminate the ability for him to defend his personal property in his own way. He said there would be more undercutting in the riverbed which would cause the HESCO barriers to fail. He said he was familiar with HESCO barriers from his time in the army and that they generally had a two-year lifespan. He said the LID terms were too ambiguous for him to agree to and that the LID should include all properties potentially affected by a large flood and not just riverfront property owners. Mr. Smith asked about the conditions that caused the HESCO barriers to fail. Mr. Smack said it was a surge flood in the Arghandab River in Afghanistan. He said the banks of the Arghandab were sandy and the bank eroded with the HESCO barriers on top of it. Mr. Kelly asked what he would do to defend his personal property. Mr. Smack said he would utilize a cofferdam around the perimeter of the house. Mr. Bryson asked if the riverbank was armored. Mr. Smack said no; that the property was on the inside turn and erosion usually happened on the far bank.

Elizabeth Figus, a Valley resident, said she opposed the LID as related to the HESCO barriers. She said she supported the City Manager in acquiring the barriers at no cost. She said the HESCO barriers were a temporary flood fighting tool and she did not understand how it would count as an improvement, a requirement of the LID. She noted it was not a road or sewer system and that it did not add value to the property, as it was temporary. She said the LID should be revisited as a tool for a permanent solution.

7. Resolution 3073 A Resolution of the City and Borough of Juneau Extending the Local Emergency Declaration in Response to the August 2024 Glacier Outburst Flood and a Request for State and Federal Assistance.

On August 6, 2024, the Assembly adopted Resolution 3071, a local emergency declaration issued in response to the glacier outburst flood. Due to the ongoing local emergency and the need for the City to access State

and Federal resources to respond, Resolution 3073 is an extension of the local emergency declaration for a period of 180 days.

The City Manager recommends the Assembly adopt this Resolution.

Mr. Smith asked about the impacts downstream of the HESCO barriers being installed. Ms. Koester said they will have more information after receiving the hydrological assessment. She said the only solution without liability was to do nothing. Mr. Smith asked about dredging the river. Ms. Koester said that anything beyond flood fighting requires study, which takes time. She said dredging, a lake levee, and trenching would continue to be analyzed as options for a longer-term solution.

Ms. Hughes-Skandijs asked about timing and communicating with affected homeowners. Ms. Koester said she wanted to have enough information to bring something forward in November, which would allow the public to comment on the LID. She noted the LID also required a public notice period, certified mailing to the property owners, a neighborhood meeting, a public hearing, and for property owners to vote on the creation of the LID. She said the entire process will take months and provided many opportunities for the public to communicate with the City and Assembly.

Mr. Kelly asked about the HESCO barriers and erosion. Ms. Koester said soil quality was a major concern of the projection and would be a major expense driver in site preparation.

Ms. Bryson asked about the LID requiring an improvement to the property. Ms. Wright said a LID was a special assessment on a property that had benefited from something; she said that was normally something permanent like culverts or roads. She said there was nothing within the code that defined what an improvement was and that it was a way for the Assembly to assess when there was a benefit.

Assemblymembers shared their thoughts with the manager regarding her request for guidance. Mr. Bryson expressed concerns about the HESCO barriers. Ms. Hughes-Skandijs said she believed the LID needed to be larger than just the riverfront homes and that CBJ should pay for part of the project. She said she did not want owners who paid a lot of money to armor the riverbanks to be punished for being proactive. Ms. Woll said she was cautious about moving forward. She said she was interested in exploring a partial LID. She said that CBJ did not have money sitting around in an account to cover this expense and short of holding a special election to ask voters to borrow the money, the LID was the quickest tool available. Ms. Adkison said she supported using the inundation maps to make the LID property lines and to have CBJ pay some portion of the total cost. Mr. Steininger said there were improvements that needed to be made to some properties, such as adding new armor rock or expanding the bank, and then there was the actual installation and maintenance of the HESCO barriers. He said the second category provided a broader good to the city, but the first category improved specific homes. He said he thought they should look at how to assess those properties individually. Ms. Hall agreed that the LID should include additional properties off the waterfront and supported sharing the cost with CBJ. Mr. Kelly said he would support a LID or special tax district. Mr. Smith said that a long-term solution may require a General Obligation Bond. He supported the idea of a LID to help pay for the HESCO barriers and to split the cost evenly amongst the homeowners. Mayor Weldon supported a LID.

Public Comment:

Deb Johnston, a Valley resident, said she came within 6 inches of having her house flooded in the 2024 GLOF. She spoke in support of both Resolution 3073 and 3076. She said there needed to be a solution in place by the next GLOF. She said she was willing to participate in the LID at any cost.

Sandra Edwards, a Valley resident, said she supported the HESCO barriers, but she did not think it was right that only people with houses on the river might have to pay for them. She said she supported spreading out the LID. She said the City was cost shifting their responsibility to private landowners. She said being a flood victim had a high emotional cost and that people in 300 households were worrying every night about having to rebuild their homes and figure out flood mitigation.

Assembly Action

MOTION by Mr. Bryson to adopt Resolution 3073 A Resolution of the City and Borough of Juneau Extending the Local Emergency Declaration in Response to the August 2024 Glacier Outburst Flood and a Request for State and Federal Assistance and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

8. Emergency Resolution 3076 An Emergency Appropriation Resolution Appropriating up to \$2,000,000 for Flood Levee Barriers; Funding Provided by Restricted Budget Reserves.

This emergency resolution would appropriate \$2,000,000 from the Restricted Budget Reserve for the installation of flood levee barriers. In response to glacial lake outburst flooding caused by the sudden release of water from Suicide Basin, the Assembly adopted Ordinance 2024-34 on October 3, 2024, entering the CBJ into a cooperative agreement with the Army Corps of Engineers for advanced flood mitigation efforts. This funding would contribute toward the first phase of installation of HESCO barriers along approximately four miles of the Mendenhall River to aid in the mitigation of future glacial outburst floods.

Funding for this request is needed as soon as possible to authorize CBJ to incur expenses associated with this work in order to give the community the best chance at having this work complete before the next glacial lake outburst flood. For this reason, this is an emergency resolution.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment - None

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Emergency Resolution 3076 An Emergency Appropriation Resolution Appropriating up to \$2,000,000 for Flood Levee Barriers; Funding Provided by Restricted Budget Reserves and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor, not to exceed three minutes.)*

Sandra Edwards, a Valley resident, asked the Assembly to hire an expert to provide homeowners guidance on how to protect their home from floods. She said people needed support and expertise in navigating these challenges.

David Ignell, a West Juneau resident, said his adopted Tlingit name was Xhaak'w Eesh and thanked the Assembly for the Recognition of Douglas Indian Village Burning. He requested the Assembly write a resolution in support of Thomas Jack Jr, who he said was wrongfully convicted and not given a fair trial.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes - None

Assembly Action

MOTION by Mr. Smith to adopt the consent agenda and asked for unanimous consent. *Hearing no objection, motion passed by unanimous consent.*

I. Ordinances for Introduction

9. Ordinance 2023-14(b)(AS): An Ordinance Appropriating \$985,000 to the Manager for the City and Borough of Juneau's Fiscal Year 2024 Operating Costs; Funding Provided by Airport Funds and Eaglecrest Funds.

This housekeeping ordinance appropriates \$985,000 for the City and Borough of Juneau's FY2024 operating costs. The following departments require supplemental budget authority in FY2024:

Airport: this ordinance appropriates \$950,000 of Airport funds for the leasing of an Aircraft Rescue and Fire Fighting (ARFF) truck from the City of Palmer, repairs to wash bay door and heating/cooling systems at the airport, the removal and replacement of an underground storage tank, and surveying and upgrading of new areas to use as leasable property on the airfield. These unbudgeted expenses were approved by the Airport Board to spend down remaining Federal CARES funding that was set to expire in April 2024.

Eaglecrest: Eaglecrest has historically maintained an inventory reserve as a component of fund balance. Inventory observations determined the majority of the inventory was obsolete, and upon auditor recommendation, was fully written off (expensed) in FY24. The complete inventory write-off balance was \$253,000, however, Eaglecrest is lapsing enough operating authority in FY24 that they only require a supplemental appropriation of \$35,000. This inventory write-off reduces Eaglecrest's inventory reserve to \$0 and does not impact their available fund balance.

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

10. Ordinance 2024-01(b)(O): An Ordinance Appropriating \$86,000 to the Manager for the Safe Streets for All (SS4A) Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

CBJ has been awarded an \$86,000 Safe Streets for All (SS4A) grant from the Federal Highway Administration. The SS4A grant's goal is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries. This funding would be used to conduct supplemental planning activities in the Lemon Creek area to enhance the road safety audit and comprehensive safety action plan that is currently under development. A local match requirement of \$21,500 will be provided by previously appropriated funds in the Lemon Creek Multi Modal CIP.

The Public Works and Facilities Committee reviewed this request at the December 18, 2023, meeting.

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

11. Ordinance 2024-01(b)(P): An Ordinance Appropriating up to \$500,000 to the Manager as a Grant to Gastineau Human Services for Expanding Residential Substance Use Disorder Beds; Funding Provided by General Funds.

This ordinance would appropriate up to \$500,000 of general funds as a grant to Gastineau Human Services (GHS) for expanding residential substance use disorder beds. These expanded services, anticipated to go into effect on January 6, 2025, are part of a plan to transition 3.1 level of care from Bartlett Regional Hospital's Rainforest Recovery Center (RRC) that closed on September 24, 2024, due to operational financial deficits. This one-time funding is intended to assist GHS with initial startup costs associated with transition of care from RRC.

The Assembly Finance Committee reviewed this request at the September 18, 2024 meeting.

The City Manager recommends this ordinance be introduced and referred to the Assembly Finance Committee.

12. Ordinance 2024-01(b)(Q): An Ordinance Deappropriating \$1,000,000 of General Funds and Appropriating \$1,000,000 of Restricted Budget Reserves as Local Matching Funds for a United States Army Corps of Engineers Glacier Outburst Flooding General Investigation Study.

This ordinance would deappropriate \$1,000,000 of general funds previously appropriated under Ordinance 2024-01(b)(M) and appropriate \$1,000,000 from the Restricted Budget Reserve to be used as matching funds for the United States Army Corps of Engineers glacier outburst flooding general investigation study.

The Assembly Finance Committee reviewed this request at the September 18, 2024 meeting.

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

13. Ordinance 2024-01(b)(R): An Ordinance Appropriating \$50,000 to the Manager for Maintenance of the Arboretum Manager's Residence; Funding Provided by Jensen-Olson Arboretum Endowment Funds.

This ordinance would appropriate \$50,000 of unrestricted funds from the Jensen-Olson Arboretum Endowment Fund for maintenance of the manager's residence at the Arboretum. The building's paint is peeling significantly, which has exposed original wood and will soon compromise the structure. Painting is required to protect the integrity of the building.

The use of these unrestricted funds is permitted by the 1993 Administrative Agreement Concerning Jensen-Olson Arboretum which allows the use of endowment funds as financial support for the property. \$30,394 of unrestricted funds will remain in the Jensen-Olson Arboretum Endowment Fund upon appropriation of this ordinance.

The Parks & Recreation Advisory Committee reviewed this request at the October 1, 2024 meeting.

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

14. Ordinance 2024-01(b)(S): An Ordinance Appropriating \$2,000,000 to the Public Safety Communication Infrastructure Capital Improvement Project; Grant Funding Provided by the United States Department of Justice, Office of Community Oriented Policing Services.

The Juneau Police Department (JPD) has been awarded \$2,000,000 in congressionally directed spending from the United States Department of Justice, Office of Community Oriented Policing Services (COPS). The COPS Office Technology and Equipment Program provides funding to increase the community policing capacity and crime prevention efforts of law enforcement agencies. This funding would contribute to the CBJ's public safety communication infrastructure updates. Total project cost is estimated to be approximately \$24.4 million. Previously appropriated funds and voter-approved bonds will also contribute to the costs of the project. There is no local match requirement for this grant.

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

15. Ordinance 2024-35: An Ordinance Authorizing the Manager to Lease a 400 Square Foot Portion of Land Near Crazy Horse Drive to the Federal Aviation Administration for the Purpose of Continued Placement of Weather Monitoring Equipment.

In 2004, the Assembly authorized a 400 square foot lease located at the end of Crazy Horse Drive to the FAA for the purposes of installing and maintaining a Low-Level Windshear Alert System to provide weather advisories to pilots and the airport. Resolution 2248, signed in 2004, authorized a term of 20 years and now this lease is set to expire on November 30th. This lease was authorized at no cost to the FAA. This tower continues to be an important part of the airport Low-Level Windshear Alert System, and the FAA is requesting to extend this lease. The Lands, Housing and Economic Development Committee recommended approval of the proposed lease at its meeting on November 2, 2023.

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

J. Resolutions

16. Resolution 3075: A Resolution Deappropriating \$2,000,000 from the University of Alaska Southeast Fisheries Land Terminal Capital Improvement Project; Funding was Provided by General Funds.

FY22 Ordinance 2021-08(b)(am)(P) appropriated \$2,000,000 to the University of Alaska Southeast (UAS) Fisheries Land Terminal Capital Improvement Project. General funds were appropriated to contribute toward the purchase of 35,000 square feet of uplands and two acres of tidelands from UAS to eliminate ongoing expenses accrued by leasing the land to the Harbors Enterprise. UAS is no longer considering the sale of the property in the immediate future and will continue to lease the land to Harbors. This resolution would deappropriate funds back to the General Fund.

The Assembly Finance Committee reviewed this request on September 18, 2024.

The City Manager recommends the Assembly adopt this resolution.

K. Transfers

17. Transfer Request T-2504 A Transfer of \$250,000 from CIP H51-129 Taku Harbor Improvements to CIP H51-130 Wayside Park Float Dredging.

This request would transfer \$250,000 from the Taku Harbor Improvements CIP to the Wayside Park Float Dredging CIP. The lowest bid for the dredging exceeds the current available amount in the project, and this transfer would provide the remaining funds to award the lowest bid. The Taku Harbor Improvements CIP will have 75% of construction federally funded. Any remaining funds in the Wayside Park Float Dredging CIP will be returned to the Taku Harbor Improvements CIP once dredging is completed in early 2025.

This transfer of project funding is consistent with the intent of the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022, municipal election.

The Docks and Harbors Board reviewed this request at the October 15, 2024, meeting.

The City Manager recommends approval of this transfer.

L. Bid Awards

18. Bid No. DH 25-006 Wayside Park Float Dredging.

Bids were opened on the subject project on October 8th, 2024. This project, funded with 2022 1% Sale Tax proceeds, would dredge 5500 CY of material under the CBJ owned Wayside Park Float. The following bids were received:

RESPONSIVE BIDDERS	TOTAL BID
Rock-N-Road Construction, Inc.	\$797,000
Duamish Services, LLC	\$1,174,900
Engineer's Estimate	\$750,000

The Protest period ended October 15th. The Docks & Harbors Board reviewed these bids at a Special Board meeting on October 15th and recommends award to Rock-N-Road Construction, Inc.

The City Manager recommends award to Rock-N-Road Construction, on the basis of having the lowest responsive and responsible bid in the total amount of \$797,000.

M. Liquor/Marijuana Licenses

19. Liquor & Marijuana License Actions

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

Liquor License – RENEWAL

Licensee: Catapult, Inc. d/b/a Flight Deck

License Type: Restaurant/Eating Place, Liquor License: #3733 Location: #2 Marine Way, Suite 106

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Brewing Co.

License Type: Brewery Manufacturer, Liquor License: #2534 Location: 5429 Shaune Drive, Juneau

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.

License Type: Distillery Manufacturer, Liquor License: #5901 Location: 5366 Commercial Blvd., Juneau

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.

License Type: Distillery Manufacturer, Liquor License: #5905 Location: 5433 Shaune Drive, Juneau

Marijuana License - Renewal

Licensee: Treadwell Herb Co. LLC, d/b/a Treadwell Herb Co. LLC

License Type: Retail Marijuana Store, License: #33270, Location: 824 Front St., Douglas

Marijuana License - Renewal & Transfer of Controlling Interest

Licensee: The Fireweed Factory LLC, d/b/a The Fireweed Factory LLC

License Type: Standard Marijuana Cultivation, License: #10266, Location: 8415 Airport Blvd. Space B, Juneau

Licensee: The Fireweed Factory LLC, d/b/a The Fireweed Factory LLC

License Type: Retail Marijuana Store, License: #10800, Location: 237 Front St., Juneau

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

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

N. City/State Project Review

20. CSP 2024-002 State Project Review to replace the Mendenhall Loop Road-Valley Boulevard-Mendenhall Boulevard signalized intersection with a single lane roundabout.

This item was heard at the Planning Commission meeting held on September 24, 2024. The [Notice of Decision](#) dated October 1, 2024 and associated staff report and supporting documentation are [linked here](#) and included in the Planning Commission packet. Effective Date: The permit is effective upon approval by the Commission, September 24, 2024. ***This decision is final 90 days from the date the application was received, or October 24, 2024, unless modified or disapproved by the Assembly.***

The City Manager recommends the Assembly concur with the Planning Commission's decision in this matter.

O. PUBLIC HEARING

21. Ordinance 2023-14(b)(AR): An Ordinance Appropriating \$2,809,082 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2024 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$2,809,082 for the State of Alaska's FY2024 3.10% PERS benefit rate paid on behalf of the CBJ and BRH, distributed as follows:

Bartlett Regional Hospital \$1,483,217

City & Borough of Juneau \$1,325,865

Funding is provided by the Alaska Department of Administration, authorized by passage of HB39 during the 2024 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Ms. Woll to adopt Ordinance 2023-14(b)(AR): An Ordinance Appropriating \$2,809,082 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2024 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration and asked for unanimous consent. *Hearing no objection, Ordinance 2023-14(b)(AR) passed by unanimous consent.*

22. Ordinance 2024-01(b)(G): An Ordinance Appropriating \$200,000 to the Manager for Bartlett Regional Hospital's Home Health and Hospice Services; Funding Provided by General Funds.

This ordinance would appropriate \$200,000 for home health and hospice services provided by Bartlett Regional Hospital (BRH). This funding will contribute to these programs' operational deficits in the current fiscal year and ensure BRH can continue providing these services through June 30, 2025. The total anticipated current fiscal year operational deficit totals approximately \$386,000, which will be funded by \$200,000 of general funds and \$186,000 of hospital funds. The BRH funding portion was already appropriated in their FY25 budget.

The Assembly Finance Committee reviewed this request at the September 4, 2024, meeting. The Bartlett Regional Hospital Board of Directors reviewed this request at the June 25, 2024, and July 23, 2024, meetings. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Ms. Adkison to adopt Ordinance 2024-01(b)(G): An Ordinance Appropriating \$200,000 to the Manager for Bartlett Regional Hospital's Home Health and Hospice Services; Funding Provided by General Funds and asked for unanimous consent. *Hearing no objection, Ordinance 2024-01(b)(G) passed by unanimous consent.*

23. Ordinance 2024-01(b)(H): An Ordinance Appropriating \$240,000 to the Manager for the Transit Fare Technology Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$240,000 to the Transit Fare Technology CIP. The funds would be used for the purchase and installation of Automated Passenger Counters (APCs). The APCs will improve the accuracy of ridership reports, provide detailed data on passenger boarding and alighting locations, and enable data-driven decision-making for route planning and optimization. The local match requirement of \$60,000 will be met through funds transferred in FY25 Transfer Request T-2503 from the Electronic Fare Boxes CIP. This project's work has been abandoned with minimal costs incurred, and the project is ready to be closed.

The Public Works and Facilities Committee reviewed this at the August 05, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Mr. Steininger to adopt Ordinance 2024-01(b)(H): An Ordinance Appropriating \$240,000 to the Manager for the Transit Fare Technology Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities and asked for unanimous consent. *Hearing no objection, Ordinance 2024-01(b)(H) passed by unanimous consent.*

24. Ordinance 2024-01(b)(I): An Ordinance Appropriating \$8,900,000 to the Manager for the Bartlett Regional Hospital Emergency Department Addition Capital Improvement Project; Funding Provided by Hospital Funds.

This ordinance would appropriate \$8.9 million of hospital funds for the Emergency Department Addition Capital Improvement Project. This appropriation is required to move the project forward to meet the desired spring 2025 construction start date. This funding is considered restricted until a Certificate of Need (CON) is obtained from the Alaska Department of Health, which is a requirement for renovation and new construction projects expected to exceed \$1.5 million. A determination by the Alaska Department of Health on the CON is expected within the next month. Funding is provided by Hospital Funds.

The Hospital Board approved this request at the July 23, 2024, meeting. The Public Works and Facilities Committee reviewed this request at the August 5, 2024, meeting. The Assembly Finance Committee reviewed this request at the September 4, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Ms. Hughes-Skandijs to refer Ordinance 2024-01(b)(I): An Ordinance Appropriating \$8,900,000 to the Manager for the Bartlett Regional Hospital Emergency Department Addition Capital Improvement Project; Funding Provided by Hospital Funds to the Assembly Finance Committee and asked for unanimous consent.

In speaking to her motion Ms. Hughes-Skandijs said this topic warranted further discussion, especially as this project did not have a Certificate of Need yet.

OBJECTION by Mr. Smith for purposes of a question. He asked if this would go to the November 6, 2024, Finance meeting. Receiving an affirmative answer he removed his objection.

Mr. Bryson, as the Bartlett Regional Hospital Board Liaison, reminded the Assembly that the safety and security of the emergency room was a chief complaint from hospital staff.

Hearing no objection, Ordinance 2024-01(b)(I) was moved to the Assembly Finance Committee.

25. Ordinance 2024-01(b)(K): An Ordinance Deappropriating up to \$505,000 of General Funds and Appropriating up to \$505,000 of Restricted Budget Reserves for the August 2024 Glacier Outburst Flood Response.

This ordinance would deappropriate up to \$505,000 of General funds previously appropriated under Emergency Resolution 3072 and appropriate up to \$505,000 of Restricted Budget Reserve funds for the August 2024 Glacier Outburst Flood Response. The requested change in funding source only applies to the portion of the appropriation under Emergency Resolution 3072 that is considered reimbursable from State or Federal sources, which includes \$150,000 for debris and waste removal and \$355,000 for stormwater system repairs. The Restricted Budget Reserve will be repaid upon reimbursement from State or Federal sources.

The Assembly Finance Committee reviewed this request at the September 4, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Ms. Hall to adopt Ordinance 2024-01(b)(K): An Ordinance Deappropriating up to \$505,000 of General Funds and Appropriating up to \$505,000 of Restricted Budget Reserves for the August 2024 Glacier Outburst Flood Response and asked for unanimous consent. *Hearing no objection, Ordinance 2024-01(b)(K) passed by unanimous consent.*

26. Ordinance 2024-01(b)(L): An Ordinance Appropriating \$938,324 to the Manager for the Planning Phase of the Airport Master Plan Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Airport Revolving Funds.

This ordinance would appropriate \$911,897 of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds and \$26,427 in local Airport matching funds to the Airport Master Plan CIP. The remaining required local match of \$34,367 is met with previously appropriated sales tax funds in the Airport Master Plan CIP. This appropriation would provide for plan updates for air traffic, cargo, and passenger data and forecasts; changes to proposed aircraft servicing the airport; and layout plans for future expansion of runway, taxiway, and approach corridors.

The Public Works and Facilities Commission reviewed this at the February 26, 2024, meeting. The Airport Board reviewed this request at the September 12, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action:

MOTION by Mr. Kelly to adopt Ordinance 2024-01(b)(L): An Ordinance Appropriating \$938,324 to the Manager for the Planning Phase of the Airport Master Plan Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Airport Revolving Funds and asked for unanimous consent. *Hearing no objection, Ordinance 2024-01(b)(L) passed by unanimous consent.*

27. Ordinance 2024-31: An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 12400 and 12410 Glacier Highway from D1(T)D3 to D3.

At the Regular Planning Commission meeting on June 25, 2024, the Commission voted to recommend approval of a rezone of 1.96 acres from D1(T)D3 to D3 on Glacier Highway west of Auke Bay (12400 & 12410 Glacier Highway). This is an expansion of the D3 zoning district directly south across Glacier Highway. Transition zones are intended for higher density development after public water and sewer have been provided in accordance with CBJC 49.70.700(a). These properties have public water, but not public sewer. The Commission determined that the upzone is in character with parcels in the area that are of comparable size and use that are zoned D3. If zoned D3, these properties could not be subdivided under current code (CBJC 49.35.210(b)(3)). However, given the D3 dimensional standards, the properties could accommodate two single-family dwelling units.

The Lands, Housing and Economic Development Committee reviewed this ordinance at its meeting on September 9, 2024. The Systemic Racism Review Committee reviewed this ordinance at its September 17, 2024, meeting.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2024-31: An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 12400 and 12410 Glacier Highway from D1(T)D3 to D3 and asked for unanimous consent. *Hearing no objection, Ordinance 2024-31 passed by unanimous consent.*

P. CONTINUATION OF NEW BUSINESS

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

There are 11 property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

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

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

MOTION by Mr. Bryson for the Assembly to accept the following applications and forward them to the Assessor for review; for the Late File Senior & Disabled Veteran Exemptions: Violeta Gemino, Gerald Mayeda, Matthew DuBois, William Burgett, Laura Ryan, Edwin Leonard, Anita Bauer; for the Hardship exemption: Loretta Vavalis, Keith Hinke, Larry Atkinson, Laura Ryan and asked for unanimous consent. *Hearing no objection, motion passed by unanimous consent.*

Q. STAFF REPORTS

29. Municipal Clerk's 2024 Election Report

City Clerk Beth McEwen provided an election report for the 2024 Municipal Election.

R. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon provided the committee list.

MOTION by Mr. Smith to approve the 2024-2025 Assembly Committee and Liaison Appointments as presented and asked for unanimous consent. *Hearing no objection, the motion was passed by unanimous consent.*

Mayor Weldon said the Assembly Retreat would be December 7, 2024.

MOTION by Mr. Smith to extend the Assembly meeting until 11:10pm and asked for unanimous consent. *Hearing no objection, the motion was passed by unanimous consent.*

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

T. EXECUTIVE SESSION

30. Executive Session for Airport Board vacancy consideration

MOTION by Mr. Smith that the Assembly enter into Executive Session for the purpose of discussing matters which may tend to prejudice the reputation or character of those persons being discussed, namely a potential appointee to fill the vacant Airport Board seat. *Hearing no objection, the Assembly recessed into Executive Session at 10:53pm.*

The Assembly came out of Executive Session at 11:02pm.

MOTION by Mr. Smith to appoint Jerry Godkin to the Airport Board for a term beginning immediately and ending June 30, 2025, and asked for unanimous consent. *Hearing no objection, motion passed.*

31. Executive Session to discuss the City Manager's Evaluation and Compensation – Clerk's Note: This item was not taken up due to lack of time

U. SUPPLEMENTAL MATERIALS

32. RED FOLDER Item: Resolution 3077 A Resolution Approving the Alaska Department of Transportation and Public Facilities' Proposed Project, CSP2024 0002, City/State Project and Land Action Review Application for Installation of Roundabout.

33. RED FOLDER Item: **Proclamation of Apology from the City and Borough of Juneau (re: Recognition of Douglas Indian Village Burning)**

V. INSTRUCTION FOR PUBLIC PARTICIPATION

W. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 11:03pm.

Signed: _____

Elizabeth J. McEwen,
Municipal Clerk

Signed: _____

Beth A. Weldon,
Mayor