

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE (COW)**
Meeting Minutes – December 20, 2021

I. CALL TO ORDER

The Assembly Committee of the Whole Meeting, held in the Assembly Chambers and broadcasted virtually via Zoom, was called to order by Deputy Mayor Gladziszewski at 6:00p.m. however, due to technical difficulties, the meeting was recessed and resumed at 6:20p.m.

II. LAND ACKNOWLEDGMENT

Chair Gladziszewski gave the following land acknowledgment: We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous 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!

III. ROLL CALL

Assemblymembers Present: Maria Gladziszewski, Wade Bryson, Alicia Hughes-Skandijs, Greg Smith (via Zoom), Christine Woll, Michelle Hale, Carole Triem, and Mayor Beth Weldon.

Assemblymembers Absent: ‘Wáahlaal Gíidaak

Staff Present: Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Community Development Director Jill Maclean, Parks & Recreation Director George Schaaf, Chief Housing Officer Scott Ciambor, Assistant City Attorney Sherri Layne

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

V. APPROVAL OF MINUTES

- A. September 20, 2021 Assembly Committee of the Whole DRAFT Minutes
- B. November 1, 2021 Assembly Committee of the Whole DRAFT Minutes

Hearing no objections, the minutes of the September 20, 2021 and November 1, 2021 meetings were approved by unanimous consent.

V. AGENDA TOPICS

A. COVID Measures

State of Alaska Department of Health and Social Service representatives: Dr. Lisa Rabinowitz, Dr. Coleman Cutchins, Dr. Sar Medoff, Anna Frick, and Sarah Hargrave presented an update on the COVID-19 pandemic to the Assembly COW.

Dr. Rabinowitz stated that the CBJ is still at High alert level with 173.1 per 100,000. There had been 7 new cases yesterday and 55 new cases over the course of the last week. She stated that Southeast Alaska was doing a great job at getting vaccinated and that Juneau was doing well with respect to the overall population as well as the pediatric vaccines. She said that in terms of recent data, there is a 10x greater risk of hospitalization for those individuals who have not been vaccinated vs. those who have been fully vaccinated.

Dr. Rabinowitz then gave an overview of the variants that they have seen so far during the pandemic. She stated that in looking at the data, it appears that the Omicron variant is going to be much more transmissible at and at this time, they still didn't know what the R0 (reproductive number) will be. Looking at data from South Africa, they were seeing a rapid doubling rate and likely to be quicker than it had been for the Delta variant. She noted that until they know more about the risk of Omicron, it is important to use all the tools available to protect yourself and others. She stated that at this time, they only had one confirmed case of the Omicron variant in Alaska but they do expect more cases in the next days to weeks. She said that the most important thing to pay attention to is how rapidly it has taken hold and become a dominant player.

Dr. Rabinowitz said that there is a lot they do know about Omicron but there is quite a bit more that they don't know. What they are seeing is that it is more transmissible than previous variants, even to those who are vaccinated. She noted that those who are vaccinated and contracting the Omicron variant are experiencing milder illness compared to some of the previous variants but this is still early and they do not have enough data yet for some of the questions they've had. She said that they have seen in studies that those individuals who have received booster shots, that has proven more efficacious in fighting Omicron vs. those who have not received a booster shot. She said that the most important things that can be done are:

- Get vaccinated and boosted
- Continue masking, handwashing, air filtration, physical distancing, testing/quarantine/isolation to help prevent spread

Dr. Rabinowitz said that they are encouraging anyone who contracts COVID-19 to do their own contact tracing and reach out to let those around them know that they may have been exposed. She said they are getting a lot of questions from the public about people traveling and gathering for the upcoming holidays. She said that all these things should be taken into consideration and to look at who will be in those groups/gatherings, what their exposure and/or underlying health concerns may be and to keep that in mind. She said we are all fatigued by the pandemic and that most of all, people need to take care of their physical and mental health and take time to get outside, stay connected, and rally together as a community. Dr. Rabinowitz spoke to the latest update from CDC on 12/6/2021 with respect to Masking and the strong recommendations to continue to wear masks as part of the response to the pandemic. She also spoke to the status and recommendations related to pediatric vaccines, boosters, and compared the three main types of vaccines/boosters: Pfizer, Moderna, and J&J as well as some of the reasons individuals may wish to stay with or mix the type of vaccine vs. booster type they may want to get.

Chair Gladziszewski opened the floor for Assemblymembers to ask questions of the panelists.

Mayor Weldon thanked the panelists for attending and presenting this information. She said she has a number of questions.

Mayor Weldon said that several members of the unvaccinated (and vaccinated) population have contracted COVID and she asked how that would affect their immune status with the new Omicron variant.

Dr. Rabinowitz said they are still learning more about this current variant in terms of prior infections and immune protections. She said that they do know that protection from prior immunization and prior infection is helpful but they are still encouraging people to get vaccinated or boosted as they have seen increased breakthrough infections in both of those groups.

Mayor Weldon asked if there has been any study to show about mixing different vaccines vs. staying with the same vaccine all throughout. Dr. Rabinowitz said that while there have been some studies done, they have not had a large enough sampling size to make definitive. She did say that the studies that have been done so far have identified that those who have taken the J&J vaccine have benefitted more from having a booster from either Pfizer or Moderna over a J&J booster.

Assemblymember Smith said they have been receiving emails from the public requesting some of the mitigation measures to be reduced and he asked the panel to speak to those concerns. Dr. Rabinowitz said that Alaska is usually a few weeks behind the lower 48 in seeing case increase as a result of new variants. She said they are currently seeing hospital capacity becoming maxed out spiking in hospitals in the lower 48 and we are not likely too far behind that. She strongly recommended the Assembly keep mitigation measures in place at this time to help keep case numbers down and keep hospitals open and not strained.

Dr. Sar Medoff state that every hospital bed is important to be kept free for all medical needs and any increase in COVID cases limits the ability to provide other medical services. Dr. Coleman Cutchins said that during the last surge, over half the hospital cases were COVID related and hospital staff was maxed out and has become very fatigued. He said that with Omicron, there seems to be a faster transmission rate as compared to the Delta variant. He said there are still a lot of unknowns with respect to the Omicron variant. Ms. Anna Frick said they are seeing improvements in case counts at the moment due to an increase in vaccinations, however, she compared it to a wildfire which is easier to control when it is a small fire in our yard vs. a 100 acre wildfire and she cautioned against backing up mitigation measures too soon.

Public Health Nurse Sarah Hargrave stated that boosters will help in the prevention or reduction of Omicron cases using the hospital resources. She said that Juneau has medivac needs and is a regional hub so needs to keep those hospital resources available.

Ms. Triem asked about the percentage of the population with booster shots and if that tracks with the initial roll out of the initial vaccines.

Dr. Rabinowitz said that main Juneau population booster rate is higher than the national average. The 16-17 year old booster numbers are lower than the national average and there is still work to do with the younger populations.

Ms. Hale said that they had recently lifted mask mandates for indoor areas and she was wondering if they should think about going back to mask mandates.

Additional discussion took place regarding the mask mandates, where communities want to spend their pandemic energies, what the levels of testing and genomic testing timing looks like and more. They also discussed how metrics have changed over the course of the pandemic and what it might look like to eventually see what it looks like to move from pandemic to endemic. Discussion then switched to the availability of rapid test kits and the monoclonal treatments and who will be eligible for those treatments and under what circumstances.

The panel stressed that they are gearing up for a potential surge due to the Omicron variant which are likely to lead to strains of the hospital and health care facilities and they encouraged the Assembly to stay the course and they thanked the Assembly for inviting them to speak.

Mr. Barr then provided a CBJ update on COVID mitigation measures. He noted that the memo in the packet provides some background information on the current mitigation measures as well as all the history of what preceded them. Mr. Barr said that the Assembly has approved the mitigation strategies approximately six different times during the course of the pandemic and they have used every legislative tool in their tool box: Emergency Ordinance, Regular Ordinance, and Resolution.

He said that the current mitigation strategies are adopted under regular ordinance and the Assembly sets the high level policy document and then the Emergency Operation Center (EOC) meets every day to assess the risk levels and weighs a wide variety of factors both qualitative and quantitative. He said that the EOC operates under an Incident Command structure framework that is used throughout the country by government and private agencies alike. Mr. Barr said that some of the people who were not on today's panel but that he meets with daily are Sarah Hargrave's Public Health Nurse team and he said they deserve a big shout out for all their work on a daily basis.

He said they have two methods of making changes to the mitigation strategies. The first is to make changes immediately at the EOC level and then bring those to the Assembly at its next regular or special meeting for ratification. He said they don't like to do that and only do that if it is urgent and they haven't used that method since early on during the pandemic when they were holding many special meetings. He said the second method is to follow what they are doing tonight in bringing something to the Assembly proactively when it is not time-sensitive so that the Assembly can consider them, consider making the potential changes – or not, and then

adopting whatever they decide to do. He said that the current mitigation strategies were adopted September 29, 2021 and are due to sunset on March 1 and they are not, at this time, asking for any changes to that sunset date but they may ask for changes between now and March. They did introduce a new of the mitigation strategies on November 22 and they have another new version in the packet tonight and that is the version he'd like to address. He said they fully expect they will have additional revisions as we learn more about the Omicron variant and as they learn more about the variants and the science, it necessitates changes to their mitigation strategies.

Mr. Barr said that there are three specific changes they are speaking to at this meeting are:

- 1) Redefine the green category. They first introduced the green category before the Delta variant took off. Before Delta, they were looking at the percent of population to be eligible to be vaccinated was at 97%. Before Delta, vaccines tended to have a super-power; they not only were very effective at preventing hospitalization and death but they were also very effective at preventing infection in the first place. Unfortunately, some of that has changed due to Delta and likely will also be the case for Omicron so they are recommending a change to the green category from percent of population eligible for vaccine to pending CDC and DHSS guidance. He said the other reason they are recommending changes to the green level is that this is the only mitigation strategy that was not based on public health guidance. They made the Assembly aware of that when they first brought this green level to the Assembly for inclusion. He said that DHSS spoke to what it looks like to move from pandemic to endemic and this would be the first change in that direction. He said that if they were to strive for 97% eligibility of Juneau's population that would mean that all Juneau down to age 2 is eligible for vaccine, and it doesn't appear that will happen by March 1, 2022.
- 2) Minimal category language change. He said the last time they considered and defined the minimal category level was before the Delta variant was a factor. He said that the first sentence of the moderate category under Masks/Social Distancing is currently the same for both Moderate and Minimal categories. He said that the recommended changes is to make the same masking language in the Minimal category be the same across the board.
- 3) He said that at the Moderate and High levels language regarding Large Gatherings, they are proposing adding a percentage language rather than just an absolute number of 50. That allows for equal treatment for facilities based on facility size and configurations. He said that whether or not they agree with this change, he would still like to provide for an exemption request process similar to what has been in place for most of the pandemic. He said they have been able to work with those requesting exemptions and have approved approximately 90% of those requests based on individual mitigation plans and protocols.

Mr. Barr said he has had a number of individuals reaching out to them about the potential that they are looking at potentially asking for a relaxation of the mitigation strategies. He said that those concerns are very valid, particularly due to the Omicron variant on the horizon so he wanted to note for the Assembly that all these tools are still in the toolbox. He said that what these proposed changes do allow is to have more flexibility based on a variety of factors. This would allow for more flexibility between the less restrictive or higher restrictive measures based on whatever the COVID conditions might warrant.

Ms. Gladziszewski asked noted that the sunset date is staying at March 1, 2022 and she opened it up for questions from the committee.

Ms. Hughes-Skandijs said that the changes to percentages verse hard and fast number for large gatherings made a lot of sense to her. She asked if they had any concerns about going too high using a percentage model rather than a hard number. Mr. Barr said that as it exists, they don't anticipate any issues but should any arise, they will address them and if changes might be needed, bring it back to the Assembly.

Mr. Bryson asked Mr. Barr to answer for the Assembly and the public, how many business have shut down and how many mitigation exception requests have they said "No" to during the pandemic. Mr. Barr said there were zero business shut downs and only one mitigation strategy exception plan denied to date.

Ms. Hale asked when they bring these back in the future if they could provide a strike-out/marked up copy showing the changes.

Ms. Gladziszewski noted that there have been comments coming from certain members in the community accusing un-elected staff members of controlling the community, she noted that on page 2 of 6 of the ordinance about determining the risk level, she asked if additional language was included that would add ratification by the Assembly, if that might be helpful in insulating staff, from a legal perspective. Mr. Palmer said that he thinks the current proposal in the ordinance is good but that he thinks additional ratification language would insulate the EOC and Mr. Barr in particular, from future challenges.

MOTION by Mayor Weldon to move ordinance as presented in tonight's Assembly COW packet to the full Assembly for adoption.

AMENDMENT #1 by Ms. Triem to add the following sentence to page 2 of 6 under Section 3.b. "The manager's risk level determination is effective immediately but subject to ratification by the Assembly at the next regular meeting."

Ms. Woll objected and noted that this adds a political level to something that is based on science.

Mr. Bryson agreed with Ms. Woll that the decisions are being based on science but said that this puts the responsibility back onto the Assembly to have the final say in the matter and takes the burden onto the Assembly rather than staff.

Ms. Hale said she agrees with Ms. Woll in objecting to the inclusion of that language. She really hesitates to add to staff's workload when we have a process that already works. The Assembly has delegated this to staff and they are making the decisions based on daily meetings and the Assembly saw how exhausting it was at the beginning of the pandemic to be constantly holding

meetings to make those changes at the Assembly level. She doesn't think it is a necessary addition to the ordinance and spoke against the amendment.

Mayor Weldon said she initially liked the amendment until Ms. Woll and Ms. Hale spoke and she agreed with their comments.

Ms. Hughes-Skandijs said she generally agrees with where most people are coming from. She asked Mr. Palmer if he could speak to Ms. Gladziszewski's initial concerns in a little more depth. Mr. Palmer said that there are two concepts being addressed with this issue. They are 1) a delegation doctrine, and 2) a severity issue. He said that the Alaska Supreme Court has given bodies like the Assembly very broad delegation authority. It is super broad when the decisions are minor. When the decisions have more complexity or are of greater community concerns, the court wants higher standards. When Ms. Gladziszewski asked if he believes this language is require, he does not. The current language directs the manager to evaluate the risk level based on a comprehensive set of factors. That is fairly well known as Mr. Barr has said, they have gone through this process on at least six different occasions in adopting it. He said he thinks the records of all those meetings would satisfy the Alaska Supreme Court delegation doctrine on providing standards. The language put forth by Ms. Triem gives an insurance policy but he does not feel it is required.

Ms. Triem said she doesn't see that much different procedurally from what they are currently doing since the EOC will be coming back and reporting the status changes to the Assembly anyhow. She said that putting it on an agenda that will be out there for the public to see will also help inform the public as to what is happening.

Roll Call Vote on the Amendment:

Yeas: Triem, Bryson, Gladziszewski

Nays: Smith, Hale, Woll, Hughes-Skandijs, Weldon

Motion failed 3 Yeas, 5 Nays

Hearing no objections to the main motion, it passed by unanimous consent.

B. North Douglas Rezone, Ordinance 2021-26

Ms. Gladziszewski provided the timeline by which this ordinance was introduced, it went to the next Assembly meeting where it was voted on, then notice of reconsideration was given, then it was reconsidered and a motion to refer it to the Assembly COW passed. Ms. Triem and Mr. Smith asked for clarification on the process before them. Ms. Gladziszewski noted that the version of the ordinance as it appears within the COW packet is what is before the Assembly COW for consideration.

Ms. Hale noted that the Planning Commission had initially recommended that the rezone to Light Commercial (LC) be adopted and the Assembly had overruled that recommendation. Ms.

Hale requested that the Assembly consider the initial recommendation by the Planning Commission.

MOTION by Ms. Hale to delete the phrase following the words “transition to Light Commercial...” on packet page 26 – which is page 2 of Ordinance 2021-26(am) Section 2: such that the following phrase would be deleted: “...*when the following condition is satisfied: there are infrastructure improvements to allow higher density development and to allow for protecting public safety along North Douglas Highway.*”

Mayor Weldon objected to the motion. She reminded members that the reason they reconsider things are either because there is new information that they had not previously known or there are new arguments as to why members felt they should reconsider something. Mayor Weldon said that she didn’t see any new information or new arguments on why they should do something differently with respect to this ordinance and that Ms. Hale’s motion is taking them back to where they started with the initial recommendation of the Planning Commission.

Mr. Smith asked Mr. Palmer if they needed to also strike the word “transition” from that section. Mr. Palmer said it could be added to Ms. Hale’s motion if they wished to also strike the word “transition” and Ms. Hale agreed that she would like to include that in her motion. Mr. Smith noted that Mr. Jones amendment that initially added this language to Section 2 included the word “transition” as well as the last portion “...*when the following condition is satisfied: there are infrastructure improvements to allow higher density development and to allow for protecting public safety along North Douglas Highway.*”

Ms. Hughes-Skandijs said that she agreed with Mayor Weldon. Ms. Hughes-Skandijs said that she appreciated having the minutes in the packet to help refresh her memory on this topic. She asked Mr. Palmer if he could address the parliamentary process with respect to overturning a previously adopted amendment.

Mr. Palmer said that generally in parliamentary process, you cannot flip flop with a previously adopted amendment. However, in the instance, there has been an election that has taken place and the body that previously acted has been changed since there is a new Assemblymember on the Assembly and even though she was not present tonight, the body taking action on it will be comprised of different membership.

Mr. Bryson said that he was in favor of a rezone. He said that the Assembly put a condition on this project that is not within the power of the applicant to change as that is in the purview of the Alaska Dept. of Transportation. He said that he sees this as systemic racism where there is D-3 and D-15 zoning surrounded by general commercial zoning that is keeping this area in the realm of the upper middle class only and keeping lower income households out of that area.

Mayor Weldon said that while she appreciates Mr. Bryson’s remarks, this is the same comments that he made when this was initially before them and that this does not fit the ‘new information’ criteria that reconsideration is meant for. She said the Assembly just finished its goal setting

retreat and they identified housing as a top priority and there is nothing in this ordinance that says it would have to be upper or middle class development but this would rezone a big chunk of buildable housing land and switching it to Light Commercial with no restrictions.

Ms. Hale said that they just heard from the City Attorney that they can re-decide this issue. She said that when there is a D-15 zoned property, they should also be asking themselves why housing has not been developed on this property in the first place.

Mr. Smith asked if Ms. Hale's amendment is not adopted and the ordinance moves forward in its current state, if the applicant is clear on what they need to do to actually transition to Light Commercial.

Mr. Arndt thanked Mr. Smith for his question and he said in answer to the question, no, he does not know what he would need to do to transition to Light Commercial. He said that most of those transitions are based on something like sewer installation. Once sewer is installed then the transition occurs. In this instance, he does not know what he would need to do and in addition to that, whom would he need to go to in order to make sure it was sufficient – would he need to go to CDD staff, the Planning Commission, or the Assembly and who would decide if it was sufficient.

Ms. Gladziszewski asked Mr. Palmer to speak to the issue of who would decide the transitional phase. Mr. Palmer said this is crystal clear and the code says the Planning Commission determines when something goes to a transitional or not. He said that Mr. Smith's question is astute. He said that Mr. Arndt is allowed to build whatever D-15 zoning allows. Mr. Palmer said that Mr. Jones' amendment specifically is the higher density allowed from D-15 to Light Commercial. Mr. Palmer said that even though N. Douglas Hwy. is a DOT road, our code requires the developer to provide the necessary improvement to ensure the development is safe. Ultimately, Mr. Arndt would have to go before the Planning Commission with his best proposal to satisfy this if this is what is adopted and then the Planning Commission would decide.

Mr. Smith said that while he understands that it would need to go to the Planning Commission, he was wondering if Ms. Maclean could speak to what is the clarity that the property owner has and what would be the process by which the land owner would know that they have satisfied that condition.

Ms. Gladziszewski asked Mr. Arndt if he had additional comments.

Mr. Arndt said that his is more in the form of a question rather than a comment. While it would go to the Planning Commission, since the zoning district will not have changed, would it go to the Planning Commission as a Conditional Use Permit or a question on the zone change. They could not propose a light commercial use unless it was rezoned light commercial and he wasn't sure how that occurred. Ms. Gladziszewski asked that question of the City Attorney.

Mr. Palmer said that we have been through that type of situation a few times in the past. Traditionally, the code contemplates it with sewer and water types or other infrastructure that was not sewer or water. The process is relatively straight forward. The developer produces and presents whatever they are proposing that requires the higher density zone change, which in this case, if passed, would be whatever the uses are under light commercial. That is then presented to the Planning Commission. The Planning Commission then reviews those specific plans or structure improvements and then green lights a rezone with the conditions that those things are built and once those things are built, the rezone automatically happens. The developer can come back if they need to come back to the Planning Commission or the Director if is something that just requires director approval. He said that are caught off a little bit here because there has not been any specific plans that have been proposed but there is language in the ordinance that contemplates general infrastructure that address specific concerns within the comprehensive plan.

Ms. Gladziszewski asked when there has been a zone change, that doesn't involve sewer or water that necessitates a development. Mr. Palmer said there were at least two instances and possibly a third within the past decade that this type of scenario was done. He said one example was an instance in which installment of a road next to Honsinger Pond was required before they could have access to the Honsinger Pond development, otherwise known as Spike Bicknell's rezone. The other project was out near Auke Bay that had a paving requirement that we imposed somewhere in the Auke Bay region past the school. He said there was a third rezone off Sherwood Lane or Industrial Blvd. about 5-6 years ago for some infrastructure that needed to be put in before a major subdivision could go through.

Additional discussion took place regarding the language in Section 2 of the ordinance as well as what the current zoning allows and the history on this ordinance and what was taken by whom and which body was clarified. Ms. Maclean explained that the current zoning is D-15 and allows only housing to be built up there. If rezoned to Light Commercial, it would allow for D-30 housing plus all the other uses that are allowed in a Light Commercial zone that are not housing.

Roll Call Vote on the Motion to amend Section 2:

Yeas: Hale, Smith, Bryson, Gladziszewski

Nays: Woll, Hughes-Skandijs, Weldon, Triem,

Motion failed 4 Yeas, 4 Nays

MOTION by Mr. Smith to refer Ordinance 2021-26(am) to the Assembly for Public Hearing and asked for unanimous consent.

Objection by Mayor Weldon. In speaking to her objection, Mayor Weldon reiterated her comments related to reconsideration being due to receiving new information and since they have not received any new information, she is not in favor of sending this back to the Assembly.

Ms. Gladziszewski noted that with respect to issue of considering new information when an item is reconsidered, that new information or discussion of such should have been taken up at the meeting at which the ordinance was reconsidered.

Ms. Hughes-Skandijs requested an At Ease. Ms. Gladziszewski granted an At Ease for 5 minutes and then reconvened the meeting.

Ms. Hughes-Skandijs asked what would happen if Mr. Smith's motion to refer the ordinance back to the Assembly failed. Mr. Palmer explained that there are two concepts, if this motion fails, then the rezone dies in committee. He said the other concept is that Title 49 of our code allows for people to ask for rezones twice a year, in January and July, and there is a restriction that says if a rezone has been denied within the last 12 months, they cannot ask for a substantially similar rezone. He said that he wasn't sure when Mr. Arndt originally applied for a rezone but if it was January 2021, theoretically, Mr. Arndt could come back next month and ask for a rezone that is almost the same or similar.

Mr. Bryson asked if they could ask Mr. Arndt if that was an acceptable solution. Mayor Weldon stated that was likely something he should have asked Mr. Arndt during the recess.

Ms. Gladziszewski called for a brief recess. Coming back from recess, the COW took a roll call vote on the motion.

Roll Call Vote on the Motion to refer Ordinance 2021-26(am) back to the Assembly:

Yeas: Hale, Smith, Bryson, Woll, Gladziszewski

Nays: Hughes-Skandijs, Weldon, Triem,

Motion passed 5 Yeas, 3 Nays

C. Housing Grants;

Supplemental Materials Red Folder: Juneau Affordable Housing Fund Summary

Ms. Gladziszewski noted that there was information in the packet on this topic and what was not in the packet was what the Lands, Housing, and Economic Development Committee (LHED) had done. Mr. Palmer noted that there was a red folder memo in the packet and he spoke to the recent recommendations from the Juneau Affordable Housing Fund Committee (JAHFC) as well the LHED. Those recommendations were as follows:

Recommendations from the JAHFC were to provide funding immediately for three projects:

- AWARE, Cordova St: \$150,000 grant, 7 new units
- St. Vincent DePaul (SVdP), Channel View: \$50,000 grant, rehabilitation for 26 units
- SVdP, Teal St: \$100,000 grant, rehabilitation for 41 units

Additionally, the JAHFC advises consideration of another project, Gastineau Lodge Apartments, if adequate collateral can be obtained to secure the loan by a deadline of May 1, 2022:

- Gastineau Lodge Apartments, Bulgar Way: \$700,000 loan, 79 new units

Mr. Barr noted that at the most recent LHED meeting, the LHED recommended an additional project that the JAHFC did not recommend:

- The Glory Hall (TGH), 247 S. Franklin St: \$350,000 grant, 7 new units

(Red Folder Memo)

Recommendations:

1. Recommend the Assembly award the AWARE and SVdP projects grants—by motion as New Business—at the January 10, 2022 Assembly meeting.
2. Discuss whether to concur with the LHED recommendation regarding TGH project. If yes, identify what terms (if any) the Assembly wishes to apply to this funding. If no, the applicant remains eligible for the next round of funding. Potential terms could be:
 - o Funding provided when a construction permit is issued
 - o Funding provided when 50% (or less/more) of total project funding is secured
 - o Funding restricted to the planning, design, and construction of housing units
3. Direct staff to work with Gastineau Lodge Apartments on options for suitable collateral for a loan by May 1, 2022.

Ms. Triem asked with respect to process, if recommendation #3 would happen under New Business at the Assembly meeting or if they can give that direction at this meeting.

Mr. Barr said that they could choose to take that direction at tonight's meeting.

Mr. Bryson asked if they would be taking up Recommendation 2 at tonight's meeting. He said that he supports this and request for the \$350,000 grant to TGH but what stopped it is that it is in a hazard zone. He said this is the most direct housing action that they have seen since they put housing as their priority. It is an existing building that has already been there. It has two rows of housing behind it and this proposal puts affordable housing in the heart of downtown. He said they had looked at a different study where this may not in fact be in a severe avalanche zone and he is asking that the Assembly seriously consider this proposal and fund this project to get the affordable housing they have been striving for.

Ms. Triem said that she disagrees with Mr. Bryson and our Housing Action Plan sets a goal for 60-70 units per year. She said that giving some money to the Gastineau Lodges project and it gets them much closer to their goal than TGH proposal. Ms. Triem told Mr. Ciambor that she has heard great things about the JAHFC that he helped coordinate. She said that if you look at this list of JAHFC, they have much more expertise than the Assembly on this matter and the Assembly should follow their recommendations. She said that if they move forward with this process, saying no now to TGH doesn't mean they are saying no forever, they can come back and apply for the grant in the future.

Ms. Hale said that the red folder memo does not adequately capture the rushed discussion that occurred at the JAHFC meeting. They were running out of time at the JAHFC meeting and they had to rush through the discussion on this topic. She said that they had additional questions about the avalanche zone and permitting and while they do have some expertise, that was not their field

of expertise. She said there is not enough information in this packet nor do they have answers to some of the many questions that were raised. She said during the meeting, there was also a question raised by Mr. Smith if they could have an engineer assess the situation and make a recommendation if they could remove that avalanche issue.

Ms. Hale said her recommendation for tonight would be to forward the grant requests to the Assembly for the AWARE and St. Vincent DePaul projects. Secondly, they would direct staff to work with the Gastineau Lodge Apartments on their project. Lastly, she would suggest that bring back TGH proposal back to the LHED or the COW with much more comprehensive information answering the myriad of questions that have been raised.

MOTION by Mayor Weldon to award the AWARE and St. Vincent DePaul grants under New Business at the January 10, 2022 regular Assembly meeting and asked for unanimous consent.

Mr. Smith asked about the dollar amount per unit and asked if this is a onetime thing or if they would be applying for this funding on a reoccurring basis. Mr. Ciambor answered that the St. Vincent DePaul Channel View is for a \$50,000 grant for a one time fire suppression repairs to the building. He said it is a similar thing for the Teal Street one time request for rehab.

Hearing no objection, the motion carried by unanimous consent.

MOTION by Mayor Weldon to direct staff to work with Gastineau Lodge Apartments on options for suitable collateral for a loan by May 1, 2022.

Hearing no objection, the motion carried by unanimous consent.

MOTION by Ms. Hale that The Glory Hall project be forwarded to the next Committee of the Whole meeting with information that was provided at the Lands Committee and the information about the conversation and conclusion of the Lands Committee as well as updated information about the project and any updates about the avalanche zone and possible reconsideration of that avalanche zone.

Ms. Hale, in speaking to her motion, said that it is possible that if all the requests were funded that the Affordable Housing Fund may not have enough money in it to fund all these but that she would ask that they consider an additional appropriation to be able to fund all these requests.

Mr. Bryson said that TGH project does not have an unlimited timeframe. It is a vacant building that is currently a liability to them and if the Assembly turns them down, they may end up putting it on the open market and said that if that happens, it will likely turn into a very expensive and not-affordable housing.

Ms. Triem objected to the motion and that this has been a long time in setting up this process and now that they have successfully implemented a process, this is set up to occur each year and that

TGH can come back next year as it doesn't sound like they are ready to even begin this process if they haven't figured out the avalanche zone pieces.

Ms. Hughes-Skandijs said that she is not opposed to considering this and she is possibly in favor of considering an additional appropriation. However, she noted that there was just an appeal filed before the Planning Commission on this matter and she asked if Ms. Hale's motion was to refer it back to the very next COW meeting or if this might be best served by waiting until the appeal issues have been addressed.

Mr. Smith said that before they discussed this topic any further, he wanted to notify the body that he is a member of TGH Board and having spoken with the City Attorney, he does not believe there is a conflict of interest in this matter but he wanted to disclose this information.

Ms. Woll asked with respect to Ms. Hughes-Skandijs comments what we knew about the appeal process and timeline involved. Mr. Palmer responded that the appeal process before the Planning Commission is similar to the appeal process before the Assembly and it will likely take between 3-6 months for the appeal to run its course.

Ms. Gladziszewski noted that was a separate track all by itself and the Assembly could still express support for this project or not if they chose to.

Mayor Weldon thanked Ms. Hale for her motion but noted her objection as she doesn't believe this will be ready for the next COW meeting either. She said she spoke with Bruce Denton, a member of TGH Board, earlier that day and he said that the property has already been listed for sale. They do not have an engineer's report. She said that Ms. Lovishchuk's email to the Assembly said they would not want to use the Tetra Tech engineer's report. Mayor Weldon said they have a long ways to go. In comparison the AWARE project is shovel ready and they already have \$910,000 committed towards the \$1.5 million that they need and are only asking for \$150,000 to finish. TGH project has a total project cost of \$2.6 million and they only have \$38,000 committed and are asking CBJ for \$350,000 and they have a long ways to go to get the remaining funding they need. She said that it is a lot of money per unit. For the AWARE project, it is \$21,000 per unit whereas TGH is \$50,000 per unit with both projects providing 7 units each. She said that she isn't saying no forever but that it would not be ready for the next COW.

Ms. Hale said that she agrees with Ms. Triem that the process should be played out but in this instance, they ran out of time and the process was not allowed to be fully followed. She said the recommendations were just slipped into this COW packet as a red folder item.

Ms. Hughes-Skandijs said that this is indicative that these hazard maps will need to be dealt with sooner rather than later.

Ms. Gladziszewski said that she agrees, this property may be sold before next year's grant cycle comes through but she also agrees with the Mayor that this should be money coming at the end of a project and many of the key pieces need to be in place such as permits and other things before they try for this grant funding.

Roll Call Vote on Ms. Hale's Motion

Yeas: Hale, Smith, Bryson, Woll, Hughes-Skandijs, Gladziszewski

Nays: Weldon, Triem,

Motion passed 6 Yeas, 2 Nays

Ms. Triem said that she is fully supportive of the St. Vincent DePaul's Channel View process but that those kinds of projects are worth the CBJ money but that the Affordable Housing Fund grant process is the right fit for these the Affordable Housing Fund and feels it would be better fit with a different type of social service funding path. She wanted the Assembly to consider that at the 30,000 foot level when they are looking at similar requests in the future.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the Committee of the Whole meeting was adjourned at 8:52p.m.