ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
August 30, 2021, 6:00 PM.
Assembly Chambers/Zoom Webinar/FB Livestream
Assembly Worksession - No Public Comment taken; Zoom link
https://juneau.zoom.us/j/95424544691 or call 1-253-215-8782 Webinar ID: 954 2454 4691

AGENDA

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

A. August 9, 2021 Assembly Committee of the Whole DRAFT Minutes

VI. AGENDA TOPICS

A. Joint Meeting with Systemic Racism Review Committee re: Criteria Review (Approx. 30 minutes)

- Introductions
- SRRC Presentation of Tool
- Assembly/SRRC Discussion & Approval of Tool

B. Joint Meeting with Planning Commission (Approx. 1 hour)

Discussion Topics from Mayor Weldon:

- Recap of Process
- Roles/Functions of the Planning Commission related to Permits, Plans, Code
- Capacity of Community Development Department staff

Packet materials include the following:

- Minutes of the last two Joint Assembly/Planning Commission Meetings (December 7, 2020 and January 22, 2019)
- CDD Director Maclean memo of August 9, 2021 to the Assembly Lands, Housing and Economic Development Committee of re: Joint Assembly/Planning Commission Priorities
- City Manager Watt's memo of June 24, 2021 to the Assembly Lands, Housing and Economic Development Committee re:Amending the Land Use Code (Title 49)

C. Ordinance 2021-13 An Ordinance Amending the Land Use Code Related to the Coastal Management and the Habitat Provisions of Title 49.

The Title 49 amendments in this ordinance are necessary to keep Title 49 consistent with state law, remove duplicative regulations, and provide greater certainty for regulating development near shoreline habitat. This ordinance would repeal the CBJ Coastal Zone Management provisions because the associated and dependent state law was repealed. This ordinance would also clarify the CBJ shoreline habitat provisions with the ordinary high water mark standard and exempt water-dependent uses.

The Lands Committee generally discussed shoreline habitat regulations at its meetings on April 12 and May 10, 2021. The Planning Commission discussed this ordinance on June 22, 2021, and recommended the Assembly adopt this ordinance.

The Assembly held a Public Hearing on this ordinance at its August 2, 2021 Regular Assembly meeting and adopted a motion to refer this ordinance to the August 30 Assembly Committee of the Whole to be discussed during the joint meeting of the Assembly and Planning Commission.

VII. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE

DRAFT Meeting Minutes – August 9, 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 Jones at 6:08p.m.

II. ROLL CALL

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

Assemblymembers Absent:

Staff Present: Deputy City Manager Robert Barr, Assistant City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Engineering/Public Works Director Katie Koester, Juneau Douglas City Museum (JDCM) Director Beth Weigel, JDCM Curator Niko Sanguinetti Finance Director Jeff Rogers, Deputy Parks and Recreation Director Michele Elfers, Community Development Director Jill Maclean, CDD Planning Manager Alix Pierce

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

V. APPROVAL OF MINUTES

A. July 19, 2021 Assembly Committee of the Whole Draft Minutes

Hearing no objections, the minutes of the July 19, 2021 meeting were approved by unanimous consent.

V. AGENDA TOPICS

A. Redistricting Board Presentation

Mr. Barr introduced T.J. Presley, Deputy Director of the Alaska Redistricting Board.

Mr. Presley invited Redistricting Board member Budd Simpson, currently the only Southeast Member of the Board, to join the presentation. Mr. Simpson shared that the Board is waiting to receive data from the 2020 Census before they can really begin their process.

Mr. Presley gave a presentation on the history of redistricting in the State of Alaska as well as the current make-up of the Redistricting Board, the population statistics that they are tracking, and the anticipation for how the data will affect the upcoming redistricting. During the presentation, Mr. Presley highlighted that the 2010-2019 population decreases show the lowest population growth since 1950, when the data was initially being tracked.

Mr. Presley noted that there was a lot of uncertainty of the data at the moment. He said that the Census data is expected to arrive on August 12 at 9:00a.m. Alaska time. Originally, the Census indicated that results and data would not be made available until September 30, which resulted in a number of lawsuits from several states against the Census as a result. Due to this, the Census reported that data will be made available in August.

Mr. Presley explained that the Alaska State Constitution sets out specific timeframes for the Redistricting Board developing its plan within 30 days of receiving the Census data. In the last redistricting, The Board originally introduced five draft plans; 60 days after that period, the final plan has to be adopted. There is a 30 day litigation deadline that falls after adoption of the plan. Mr. Presley then gave an overview which compared the typical timeframe against the late-August 2021 timing. June 1, 2022 is the legislative candidate filing deadline and that puts a crunch on the timeline if any litigation is filed.

There are maps from the last redistricting. He said it was likely that the Board will use the same format of maps that were used in the 2010 Redistricting, which are listed on the Alaska Redistricting Board website as 2013 maps due to litigation.

Mr. Bryson asked Mr. Presley to explain if a decrease in population would have any potential impact on redistricting lines in Southeast Alaska. Mr. Presley explained that the State Constitution requires for districts to be compact, contiguous, and maintain socioeconomic relevance. He said it is fair to assume that district lines may change if there was significant loss of population. The Redistricting Board is no longer required to file for pre-clearance with DOJ, but Mr. Presley added that they are still cognizant and considering the Voting Rights Act.

Mr. Jones asked if how much the district number is allowed to fluctuate. Mr. Presley explained that the US Federal Government allows for 10% deviation. Technology has become more and more capable of producing very precise maps. In 2010, they were able to keep all the districts within the 10% variance, with only one district exception.

Mr. Bryson mentioned that Southeast Alaska is experiencing a shrinking population, and lost some of the area in the Senate Seat Q. He added that every time the Assembly votes against development, Southeast Alaska loses population and loses representation in the legislature.

Ms. Triem asked if the Assembly should anticipate any litigation or legal challenges from the Board after the 90 day period. Mr. Presley said that the Board does anticipate challenges and litigation at some point, as that has happened at every instance of redistricting throughout history.

Mr. Jones thanked Mr. Presley for his time and for his presentation.

B. ArtWorks Presentation

Juneau Douglas City Museum Director Beth Weigel and Museum Curator Niko Sanguinetti gave a presentation about the ArtWorks Grant Program.

Ms. Weigel provided historical context comparing the ArtWorks Program to the Civilian Conservation Corps art projects from the New Deal era of the 1930s. She thanked the JAHC for their administration and coordination of this ArtWorks Program. Ms. Weigel described the Artworks Program as a project that engaged a significant number of local artists who were impacted by the pandemic to create pieces that benefitted the community and captured the zeitgeist of COVID-19.

The ArtWorks program received an appropriation of $330,000, which provided relief funding for 135 artists, who in turn produced 167 pieces of physical art, 10 digital media projects, 600 coloring books, 500 masks, 6 art classes that served 120 participants, and 5 livestreamed/recorded performances with viewership numbers in the thousands.

Ms. Weigel and Ms. Sanguinetti went through each of the slides with Ms. Sanguinetti providing in depth descriptions for each of the pieces featured in the presentation. Ms. Weigel explained that a number of the pieces of art are in the permanent collection now at JDCM, while other pieces are being displayed at different CBJ facilities and around the community. Some ArtWorks projects are still available to view on the JAHC website.

Ms. Gladziszewski asked if there will be a total compilation of all of the ArtWorks art pieces and their physical locations, and suggested compiling all the pieces together in a book format. Ms. Weigel said that JAHC interactive table has the current list, and JDCM has a spreadsheet that logs the locations of physical artwork. Non-physical items (films, performances, etc.) will be determined on a case-by-case basis on how to feature and access it.

Ms. Weldon asked if the City intends to keep all the pieces, or would they consider auctioning off the pieces in the future. Ms. Weigel explained that the art that has been donated to the JDCM permanent collection will remain in-house indefinitely. In regards to the art that is being displayed at other departments, they are responsible for caring and maintaining their pieces, and they would need to go through proper CBJ protocols if they wanted to dispose of the art.

Ms. Hale asked if JDCM had given this presentation to other groups in Juneau, and commented on the high quality and variety of the artwork presented. Ms. Weigel shared that they initially gave a presentation to the Pioneers of Alaska, then later presented at a PWFC meeting prior to tonight's COW meeting.

Ms. Hale liked Ms. Gladziszewski's suggestion of a book, and added that this presentation is a great documentation of the program, and felt that it nicely tied to the historical context of the current era.

Ms. Gladziszewski echoed that she believed this program's pieces were amazing, and said that it would be great to show this off to more people.

Mr. Jones thanked Ms. Weigel and Ms. Sanguinetti for their presentation, and suggested Mr. Barr connect with the new Library Director and Ms. Weigel to find a way to showcase this to a greater segment of the community.

The Committee of the Whole took a break at 7:03p.m. and resumed at 7:18p.m.

C. Vote By Mail (VBM) – Juneau Election Center Update

Mr. Jones noted that Ms. Hughes-Skandijs had to leave the meeting during the break.

Ms. Koester provided a recap of the Vote By Mail project, reminding the Assembly of their decision to move forward with the C2 option as presented to the Assembly Committee of the Whole meeting of March 15, 2021. This option includes the implementation of a Juneau Election Center with the necessary equipment for residents to vote in person with strong Vote by Mail features.

Municipal Clerk Beth McEwen reported that manually sorting the ballots by hand may result in security issues, the greater potential for human error, and high staff demand. The C2 option prioritizes a purpose built facility secure enough to permanently house voting equipment.

Ms. Koester reported that she and Ms. McEwen decided on the Thane Warehouse, a relatively empty space currently used for a variety of items from many CBJ departments including Juneau School District, emergency equipment storage, and Building Maintenance. She explained that a significant amount of funds will be put towards the various security features needed for the facility: security cameras, new entrances with limited key access, secure ballot storage, and more.

Mr. Bryson asked if the building and the equipment required either single phase or three phase electrical needs, as that would need to be addressed before purchasing equipment. Ms. Koester said she did not know if it is single or three phase power, but when staff looked at the facility, they did confirm that the facility did have the electrical capacity for the equipment.

Ms. Gladziszewski asked Ms. McEwen for clarification on the vote by mail aspect of elections through Option C2 as reflected on the March 15 COW comparison chart especially with respect to the differences between mailing out a ballot application to all registered voters and then sending a full ballot packet rather than just mailing the full ballot packet to all registered voters as we did in 2020. Ms. Gladziszewski said that now that she has considered this further, she may be in favor of sending applications out to all voters and then only send ballots to those who applied. She asked if any cost comparisons had been made for that options.

Ms. McEwen explained that the comparison chart from the March 15 COW meeting showed Option C2 as a hybrid option with a strong in person feature. She said that while the Assembly chose that option, they also gave direction that they wanted full ballot packets mailed rather than just applications. As a result of that direction, the Clerk's Office did not pursue any more research into the mailing of absentee applications first and then ballot packets to those voters who submit an application. She noted that the additional application mailing process would add expense and staff time to the beginning of the election process over what has been in place for the 2020 and 2021 elections.

Mayor Weldon asked for a cost comparison between conducting a VBM election through the Municipality of Anchorage's Election Center versus using the Thane Warehouse as an Election Center. Ms. McEwen reported that the 2020 Election conducted through Municipality of Anchorage (MOA) came out to just over $132,200. If we were to continue to contract with MOA, for future elections it would cost approximately $166,600. In comparison, the cost of the equipment plus conducting the first year's election in Juneau at a Juneau Election Center would cost $395,000 which includes the equipment purchase and installation. After the purchase of the initial equipment, the operational costs per election at a Juneau Election Center would run approximately $164,000.

Mr. Bryson suggested sending out a one-time Vote by Mail ballot application for Juneau residents to always receive a mail-in ballot. He said this may addressing some of the security concerns from those critical of by-mail elections.

Ms. Hale said that while these are all good questions, the focus for this meeting and topic at hand is the remodeling of the Thane Warehouse.

Mr. Smith said that while he understands the discussion about the mailing of absentee ballots, his understanding was that the Assembly had decided upon conducting a VBM type elections which would have ballots mailed out to all registered voters. He said that if what they are now discussing was sending out applications and then ballot packets, he didn't see the need for a Juneau Vote Center if they weren't mailing ballot packets to all voters.

Ms. McEwen explained that the differences between the ballot tracking and processing at an Election Center vs. an in-person Polling Precinct type of election. She went on to clarify that the direction that came out of the March 15 COW meeting was to mail every registered voter a full ballot packet.

Ms. Triem said that Ms. Hughes-Skandijs had asked her to share that she was in support of this warehouse. Ms. Triem said that what she has observed of the Anchorage Election Center is the large space for the public to be able to observe the process. She asked if the Thane Warehouse had enough available space to allow for the public to safely observe the ballot review process. Ms. McEwen said that the proposed Juneau election center space is a much smaller space than that used by Anchorage, however, the preliminary design does have some public viewing space available and will also have security cameras installed with the opportunity for the public to observe the feed from the security cameras onto a projection screen in the public areas.

Ms. Gladziszewski spoke in support of this. She asked if the process and equipment needs would be the same whether an application or a full ballot packet were mailed out. Ms. McEwen said yes, that would be correct. Ms. Gladziszewski said that she would like to discuss sending an application versus sending a ballot at a future meeting.

Mayor Weldon asked if purchasing this equipment would allow for election results to arrive any faster, and asked for the average lifespan of this election equipment.

Ms. McEwen clarified that the timing of processing election results would be the same as the process that happened last year and scheduled for this year. The signature cure process timeframe requires additional time for a voter to fix any challenges on their ballot after the initial ballot review has been completed. She noted that if there is a Juneau Election Center, the preliminary results of the election might be received quicker, but the final certified election results will not be any quicker due to the signature cure process timing. In answering Mayor Weldon's second question, the equipment used by Anchorage has been in place and lasted for about four to five years so far but other than that, we don't have an idea of the life span as we haven't yet determined which exact equipment will be purchased.

Mayor Weldon asked for clarification that whether they do an application for by mail ballots or just mail everyone a ballot, would the same election equipment be used. Ms. McEwen said that yes, the same equipment would be used for both methods.

Ms. Hale asked if the Assembly were to go with any other facility, the City would still need to purchase the same equipment between $225,000-$400,000. Ms. McEwen confirmed that was the correct.

Ms. Hale then asked if the Assembly decides to go with the Thane warehouse that is an additional $333,000 in addition to the additional purchase of equipment. Ms. McEwen answered that was correct as well.

Ms. Hale said that Ms. Gladziszewski's comments about discussing an application process at a future meeting causes her some concern as each time a step in the process is added, that loses people along the way. She does see how it may address concerns raised by some of the community. Ms. Hale said that while they have some time to discuss details, she thought that there was a time element involved which would require some decisions to be made sooner rather than later along with the additional public comment that the Assembly wanted to provide the public in this discussion.

Mc. McEwen pointed to the next slide in the packet which outlines the timeframe provided at the Public Works and Facilities Committee meeting. The Assembly would need to introduce an ordinance at the next Assembly meeting on August 23, with Public Hearing at the September 13 meeting, for all the pieces to line up for the construction and purchase of equipment in order to be ready for the October 2022 Regular Municipal Election.

MOTION by Mayor Weldon to direct staff to draft a $700,000 appropriation ordinance to remodel the Thane Warehouse and to purchase election equipment. *Hearing no objections, the motion passed by unanimous consent.*

Mayor Weldon noted that they could have an additional opportunity to discuss the financial aspects of this if they wanted at the September 1 Assembly Finance Committee meeting.

Mayor Weldon said to address Ms. Hale’s concern about additional public comment, she will see if they can add some time for additional public comment on this topic before the September 13 public hearing so there are at least two opportunities for the public to weigh in.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the Committee of the Whole meeting was adjourned at 7:55p.m.

Minutes drafted by Administrative Assistant Lacey Davis and respectfully submitted by Municipal Clerk Beth McEwen this 30th day of August, 2021.

City and Borough of Juneau, AK

Systemic Racism Review Committee

Board Roster

Christine Woll

No Term

No Recruitment

Position Assembly Liaison

Office/Role Assemblymember

Category Assemblymember

Lillian M Worl

1st Term N/A - Jun 30, 2023

Appointing Authority Assembly

Position Voting Member/Beginning April

Office/Role Chair

Category General Public Seat

Dominic Branson

1st Term N/A - Jun 30, 2022

Appointing Authority Assembly

Position Voting Member/Beginning April

Category General Public Seat

Carla A Casulucan

1st Term N/A - Jun 30, 2022

Appointing Authority Assembly

Position Voting Member/Beginning April

Category General Public Seat

Grace Lee

1st Term N/A - Jun 30, 2023

Appointing Authority Assembly

Position Voting Member/Beginning April

Office/Role Vice-Chair

Category General Public Seat

Gail M Dabaluz

1st Term N/A - Jun 30, 2023

Appointing Authority Assembly
Position Voting Member/Beginning April
Category General Public Seat

Kelli R Patterson

1st Term N/A - Jun 30, 2024

Appointing Authority Assembly
Position Voting Member/Beginning April
Category General Public Seat

David I Russell-jensen

1st Term N/A - Jun 30, 2024

Appointing Authority Assembly
Position Voting Member/Beginning April
Category General Public Seat

Systemic Racism Review Committee
Legislative Review Summary

Draft Version 5 - 07/27/2021

Serial Number/Title:

Introduced:__________ Public Hearing Date:________________SRRC Review Date:________________

Presented By: ___________________________ Drafted By:______________________________

Department/Division: ____________________ Lead Staff Contact: _______________________

Purpose of Legislation (background/summary of intent):

Connection to existing legislation:

Connection to adopted planning documents:

Step One: What is the impact of the proposed legislation?

		YES	NO
a.	Does the proposed legislation negatively impact or unduly advantage a particular racial/ethnic group or otherwise perpetuate systemic racism? *If No, review is completed. If yes, go on to the next question:*		
b.	Does the legislation work to mitigate and/or eliminate structural racism *If Yes, review is completed. If No, or Undetermined, continue through the remaining steps.*		

Step Two: How does the legislation perpetuate systemic racism?

a. What are potential unintended consequences?
b. What benefits may result?
c. What is the potential long term impact of the proposed legislation?

Details:

d. What quantitative and qualitative evidence of inequality exists?

Details:

e. What steps has the department or legislation sponsor taken to notify those impacted of the proposed changes?

f. Have key stakeholders who could be potentially impacted by the proposed legislation been engaged?

Details:

g. Has public input been received?
h. If public comment has been received, what is the substance of that comment?

Details:

Step Three: Who is affected by the Proposed Legislation?

a. Who are the impacted group(s)?

☐ White ☐ Black or African American ☐ American Indian or Alaska Native
☐ Asian ☐ Native Hawaiian or Pacific Islander ☐Two or more races ☐Other

b. Are there impacts on specific geographic areas?

Race Considerations - Total Community is 69.7% White Only - 30.3% Minority

Census Tract/Block Groups	Minority Pop.	Census Tract/Block Groups	Minority Pop.	Census Tract/Block Groups	Minority Pop.
CT 1: Auke Bay/Out the Road		CT 3: Mendenhall Valley Airport/ East Valley		CT 5: Downtown	
BG1: Out the road	11.9%	BG1: N. of Jennifer	42.5%	BG 1: Highlands	20.6%
BG2: Lena area	15.5%	BG 2: Glacier Valley S	39.8%	BG2: DT/Starr Hill	24.8%
BG3: Montanna Creek	14.5%	BG 3: Airport	40.8%	BG 3: Flats/Village	30.8%
BG4: Fritz Cove area	10.1%	BG 4: Radcliffe	24.6%		
CT 2: Mendenhall Valley withn the Loop		CT 4: Salmon Creek/Lemon Creek			
BG1: Mendenhall Taku	27.8%	BG 1: DZ/Freds	60.9%	CT 5: Douglas Island	
BG2: Upper Riverside	23.1%	BG 2: Davis	45.0%	BG 1: North Douglas	15.9%
BG 3: Portage/McGinn	33.7%	BG 3: Belardi Costco	63.8%	BG 2: West Juneau	28.0%
BG 4: Long Run	19.6%	BG 4: Twin Lakes	25.9%	BG 3: Crow Hill/ DT D	27.6%
BG 5:Glacierwood/Vir	41.2%				

Economic Considerations

Elementary School Boundaries	
Gastineau	Title 1
Harborview	Title 1
Glacier Valley	Title 1
Mendenhall River	
Riverbend	Title 1
Auke Bay	
Lower Income Housing Areas	
Chinook/Coho	
Cedar Park Area	
Gruening Park Area	
Switzer Area	
Kodzhoff Area	
Douglas Hwy Corridor	

	YES	NO
c. Is there a benefit to a specific census block district/neighborhood/school zone?		
If Yes, does it come at the detriment of another?		

Details:

	YES	NO
d. Is there a benefit to an individual, group of individuals, or business/organization?		
If yes, does that come at a detriment of others?		

Details:

Step Four: What solutions could remedy the legislation's implications in perpetuating systemic racism? Check all that apply:

	Recommend additional public input be gathered (Neighborhood/census block meetings, assembly/ committee meetings)
	Recommend that the legislation move forward with accountability measures (sunset provisions, 6 mo./annual review of impacts/implications for system racism.) to monitor impact.

	Propose revised language to strengthen the legislation or the legislation or regulations cross-referenced within the proposed legislation.
	Recommend the proposed legislation not move forward.
	Other: (explain)

Step Five: Further Feedback to the Assembly on systemic racism implications

The SRRC will forward to the Assembly any additional questions that arose during the legislation review that the committee feels may be important for the Assembly to consider.

If a systemic racism implication is identified, the SRRC will provide a written report to the Assembly that includes consideration of the provisions below:

What are the indicators and progress benchmarks?
Program strategies?
Policy Strategies?
Partnership Strategies?

City and Borough of Juneau, AK

Planning Commission

Board Roster

Loren Jones

1st Term Oct 26, 2020 - Oct 04, 2021

No Recruitment

Appointing Authority Assembly

Position Ex-Officio

Office/Role Assemblymember

Category Assembly Liaison

Dais Seat 10

Hans E Pedersen

1st Term Apr 30, 2020 - Dec 31, 2021

Appointing Authority Assembly

Position Voting Member

Office/Role Public

Category Public

Dais Seat 3

Nathaniel Dye

2nd Term Jan 01, 2019 - Dec 31, 2021

Appointing Authority Assembly

Position Voting Member

Office/Role Vice-Chair

Category Public

Dais Seat 1

Travis W Arndt

1st Term Jan 01, 2019 - Dec 31, 2021

Appointing Authority Assembly

Position Voting Member

Office/Role Deputy Clerk

Category Public

Dais Seat 2

Kenneth M Alper

2nd Term Jan 01, 2020 - Dec 31, 2022

Appointing Authority Assembly
Position Voting Member
Office/Role Public
Category Public
Dais Seat 7

Daniel Hickok

2nd Term Jan 01, 2020 - Dec 31, 2022

Appointing Authority Assembly
Position Voting Member
Office/Role Public
Category Public
Dais Seat 5

Joshua Winchell

1st Term Jan 01, 2020 - Dec 31, 2022

Appointing Authority Assembly
Position Voting Member
Office/Role Public
Category Public
Dais Seat 4

Michael Levine

3rd Term Jan 01, 2015 - Dec 31, 2023

Appointing Authority Assembly
Position Voting Member
Office/Role Chair
Category Public

Mandy Cole

1st Term Jan 01, 2021 - Dec 31, 2023

Appointing Authority Assembly
Position Voting Member
Office/Role Public
Category Public
Dais Seat 8

Paul Voelckers

3rd Term Dec 17, 2013 - Dec 31, 2023

Appointing Authority Assembly
Position Voting Member
Office/Role Clerk
Category Public
Dais Seat 9

THE CITY AND BOROUGH OF JUNEAU
ASSEMBLY STANDING COMMITTEE OF THE WHOLE
Meeting Minutes – December 7, 2020, 6:00 PM

The Assembly Committee of the Whole meeting, held virtually via Zoom webinar, was called to order by Deputy Mayor Loren Jones at 6:00 p.m.

I. ROLL CALL

Assemblymembers Present: Loren Jones, Maria Gladziszewski, Wade Bryson, Michelle Hale, Carole Triem, Alicia Hughes-Skandijs, Greg Smith, Christine Woll, and Mayor Weldon.

Assemblymembers Absent: None.

Planning Commission (PC) Members Present: Chair Mike LeVine, Vice Chair Nathaniel Dye, Clerk Paul Voelkers, Weston Eiler, Travis Arndt, Dan Hickok, Ken Alper, H. Erik Pedersen,

Planning Commission Members Absent: Josh Winchell

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Public Works Director Katie Koester, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Community Development Department (CDD) Director Jill Maclean, CDD Planning Manager Alexandra Pierce, CDD Planner Laurel Christian, Senior Planner Irene Gallion, Parks and Recreation Zach Gordon Youth Center Jorden Nigro

II. APPROVAL OF AGENDA

Municipal Clerk McEwen noted that there were two additional items added to the online packet under Supplemental Materials: Planning Commission Priorities and Youth Shelter and Rapid Rehousing Presentation. *Hearing no objections, the agenda was approved as amended.*

III. APPROVAL OF MINUTES

A. June 22, 2020 Assembly Committee of the Whole Draft Minutes
B. July 20, 2020 Assembly Committee of the Whole Draft Minutes

Hearing no objections, the minutes of the June 22 and July 20, 2020 Committee of the Whole meetings were approved.

IV. AGENDA TOPICS

A. Joint Meeting with Planning Commission (6:00p.m. – 7:00p.m.)

Mayor Weldon invited Assembly and the Planning Commission members to introduce themselves and to include how long they have served on the Assembly and Planning Commission.

<u>Assembly</u>:
Mayor Beth Weldon – Currently serving her first term as Mayor, previously served a term as an Assemblymember.
Greg Smith – Currently serving his first term as an Assemblymember; Elected to the Assembly in 2019. Previous Planning Commission Liaison.
Carole Triem – Currently serving her 3rd year as an Assemblymember.
Christine Woll – Elected in 2020; Representative of District 2.
Deputy Mayor Loren Jones – Currently serving his 9th year as an Assemblymember; Current Liaison to the Planning Commission.
Michelle Hale – Currently serving her 3rd year as an Assemblymember.
Maria Gladziszewski – Currently serving her third term as an Assemblymember, and previously served nearly 12 years on the Planning Commission.
Alicia Hughes-Skandijs – Currently starting her 3rd year as an Assemblymember.
Wade Bryson – Currently serving his 3rd year as an Assemblymember.

<u>Planning Commission</u>:
Travis Arndt – Currently serving his 3rd year of his first term on the Planning Commission.
Paul Voelckers – Currently serving his 7th year on the Planning Commission.
Michael LeVine – Currently serving his 6th year on the Planning Commission.
Nathaniel Dye – Currently serving his 5th year on the Planning Commission.
Ken Alper – Currently serving his 2nd year on the Planning Commission.
Eric Peterson – Shared that he is the most recent addition to the Planning Commission.
Weston Eiler – Currently serving his 1st year on the Planning Commission.
Dan Hickok – Currently serving his 5th year on the Planning Commission.

Planning Commission Priorities:
Mr. LeVine shared the Planning Commission's priorities and goals, and asked for feedback from the Assembly. Mr. LeVine described the Planning Commission's work on the Comprehensive Plan, which had been considered for revision for the past few years.

Mayor Weldon asked about the status of that work. Ms. Maclean explained that the PC presented a scope of services to all CBJ departments in a meeting with CBJ directors. This meeting was held prior to COVID-19, and as a result it was not brought up again. Ms. Maclean said that CDD would be able to move the project forward as soon as they received funding.

Mr. LeVine mentioned that there are a few area plans currently in development that directly tie into the Comprehensive Plan. He asked for PC members to provide brief update on each area plan.

Mr. Voelckers explained that the Auke Bay Area Plan had been in development for a long time, starting in 2013. The plan was drafted as an area plan in 2015. Following a hiatus, CDD staff worked on implementing some of the innovative ideas from the Auke Bay Area Plan into Title

49 projects. He recalled a series of meetings in 2018 and 2019 built some momentum into drafting an ordinance; and there was a meeting scheduled for public comment that was postponed due to technical difficulties.

Ms. Hale asked if CDD would set the future meeting for public notice. Ms. Maclean confirmed that CDD would notify the public of the next rescheduled meeting.

Erik Pedersen gave an update on the South Douglas/West Douglas plan process. He shared that they accepted applications for appointments to the Steering Committee. The next scheduled meeting will be Thursday, December 17 and will focus on land use and zoning.

Mr. Dye provided an update on the Blueprint Downtown Project. The team last met on November 19, and expect to spend subsequent meetings drafting a plan with the PC COW to review soon and then it will be forwarded to the Assembly for consideration.

Mr. Smith asked with respect to the Blueprint Downtown Project, how that might be interconnected with some of the issues coming before the Assembly such as the downtown housing tax abatement discussion that the Assembly has been having.

Mr. Voelckers said that was one area that could use some additional coordination between the PC and the Assembly and particularly regarding how the PC engages and moves forward in area plans. He mentioned that in the Lands Committee meeting that had been held just prior to this COW meeting, there has been discussion on expanding the goal of the Lands Committee to include economic vitality and housing elements in the Lands Committee scope. He said those are critical, especially to Downtown Juneau. There has not been an appropriate body to bring those forward to and he encouraged stronger connections between the Assembly and PC when it comes to that, as well as other area plan implementation steps.

There was discussion about the CIP process for the Lemon Creek plan, in which Mr. Voelckers reiterated his previous statement on the connection between the Assembly and PC. He advocated for there to be a mechanism in which the Assembly prioritizes PC area plan steps and the CIP process, something to remind the Assembly of PC area plan priorities.

Mr. LeVine explained that this letter was an attempt to help improve the process and planning session on January 4 at the PWFC meeting regarding CIP List. He said that he would be happy to collaborate or coordinate on the CIP process. He mentioned that the Juneau Commission on Sustainability (JCOS) has also submitted recommendations as well.

Mr. Dye gave an update on a project that the Title 49 Committee has been working on, which includes parking, defining vegetative cover, and Land Use Code.

Mr. Arndt spoke to the Downtown parking, and shared that they have been working with the Department of Transportation over the past few meetings. He said that there are lots of things regarding parking that can be changed, and they are in the process of deciding of what the most beneficial changes would be. He said that they have considered incorporating the waiver process that does not currently apply to downtown, and with that waiver process, residents could ask for a reduction in the number of parking spaces required. Along with that, they are keeping the fee in lieu, as it is a known commodity, and are considering changing the boundaries for PD1 and PD2. Mr. Arndt shared that they are trying to balance the need for new projects and development, while also trying not to increase what seems like a fear of not having enough parking spaces Downtown.

Mr. Smith asked if there had been any consideration for different parking requirements between commercial and residential spaces. Mr. Dye said that concern was brought up by members at previous meetings, but at their most recent meeting someone mentioned that there are different types of residential development, and that discrepancy might cause some complex issues in considering differences in parking.

Additional discussion took place regarding Downtown parking spaces, and the history of Downtown parking changes in relation to Title 49 committee and the Assembly. Mr. Dye said that they have not developed a strategy for public outreach, and asked the Assembly recommend an ideal level of level of public involvement/public process for the legislative process of their Downtown parking project. Mr. Jones said that whatever public process the Title 49 Committee uses should be in alignment with the Blueprint Downtown. Mayor Weldon advised they should do their regular outreach process, and encouraged them to give more public notice before their meetings.

Mayor Weldon asked what the discussion has been regarding tiny houses. Ms. Maclean explained that tiny houses are permissible by Land Use Code and that there are certain building code and fire code regulations that they must adhere to. If the axle is removed and they are on concrete, then it is considered a single family dwelling if it is zoned as residential. If the axle remains, them it is considered a recreational vehicle.

Mr. LeVine said that the Planning Commission also conducts quasi-judicial work as well as legislative work. He noted that the quasi-judicial work has continued through the pandemic, but the legislative work has not progressed as much during the pandemic. He said that personnel transitions within CDD and the Law Department have affected those legislative changes.

Ms. Maclean stated that the priorities have shifted within the past few years as a result of staffing changes and budget constraints. She spoke to the extensive length of time it takes to complete the appeals process, which directly impacts and can set back the Land Use Code work that is conducted by CDD staff.

Mr. Smith asked if their fees are enough to pay for CDD planners. Ms. Maclean shared that she has been discussing a new fee structure, as the fee structure has not been updated since 2004. CDD created a fee structure presentation for the Assembly, but it was put aside due to COVID-19. She said that she would be happy to give that presentation to the Assembly to inform them of how outdated the current fee structure is in Juneau.

Mayor Weldon asked if the Governance Committee wanted to provide an update for the Assembly. Mr. LeVine spoke to the update in the rules of procedure to allow for virtual meetings. Mr. Voelckers said that the Governance Committee would like to clarify how they engage with public, the roles of the members, and how they will receive public input.

Mayor Weldon thanked the Planning Commission members for all their work and their service.

The Planning Commission portion of the meeting ended at 7:13p.m.

The Assembly COW took a recess at 7:15p.m. and was called back into order at 7:25p.m.

B. Public Testimony on Hurlock Property (7:30p.m.)

Mr. Jones mentioned that there will be a brief presentation between Items C and Item D on the proposed project, presented by Jordan Nigro and Jackie Pata. Mr. Jones also explained the process of joining the meeting for members of the public who wished to provide public testimony.

Tlingit & Haida Community Council (THCC) President Richard Peterson, a Valley resident spoke on behalf of the THCC and encouraged CBJ's efforts to address homeless youth in our community. President Peterson said that THCC supports the continuation of the public purchase designation of 9290 Hurlock Avenue property, consistent with its original purpose of addressing youth homelessness. Prior to COVID-19, the Juneau School District identified between 100-150 homeless students a year. He shared that THCC has confidence in both Zach Gordon Youth Center and Tlingit & Haida Regional Housing Authority (THRHA), as they both demonstrated having the expertise and administrative capability to successfully fulfill this vital need for our community. President Peterson fully supports the lease of 9290 Hurlock Avenue to THRHA, and CBJ's support of ZGYC to provide program services at the youth homeless shelter. He thanked the Assembly for the opportunity to speak on this issue.

Ms. Hale asked President Peterson if THCC has put together an operational business plan with ZGYC to gain an understanding of the financial aspects of this project. President Peterson explained that THCC is a separate entity from THRHA, and said that she would need to ask THRHA that question.

Eileen Hosey, a Valley resident shared that she lives one block away from the Hurlock property, and has lived in that area since 1978. She recalled people from her past who were known for helping others, and believes that it is our turn to reach out and help the vulnerable young people experiencing homelessness. Ms. Hosey stated that it is not a crime to be homeless or impoverished, it is a crime to ignore those who need help. She strongly felt that our integrity as a community is defined by our willingness to take care everyone in our community, including those who are disadvantaged. Ms. Hosey advocated for the Assembly to move forward with this process, and thanked the Assembly for their time.

Mr. Smith asked Ms. Hosey if she observed any negative impacts in her neighborhood due to the Cornerstone residence. Ms. Hosey said that she lived on O'Day drive for five years and there was never any negative impacts the entire time she lived in the area. She shared that she never felt a sense of alarm or worry, and at the time she was caring for several young children. She also said that there has not been an adverse effect on property values, as she has owned property in the area since 1978, and it has increased in value every year.

Ms. Gladziszewski had a similar question to Mr. Smith's, if there were any impacts from the previous youth facility. Ms. Hosey said she could not recall any negative impact. She shared that she had a lot of faith and trust in ZGYC and believes they have a thorough plan and have successfully worked with children for years.

Justine Bishop, a Valley resident shared that she has been in communication with Representative Andy Story regarding a proposed change to the CBJ Municipal Code. She referenced the CBJ Mission Statement, "To promote strong communities and help the economy." She felt that the PC and CDD director did not demonstrate public process with the Tongass Park neighborhood, and said that doing so has discouraged the community. Ms. Bishop said that this demonstrates an unfair process and a lack of open government. She suggested the Assembly change language in the CBJ Municipal Code from "The director *may* conduct one or more meetings prior to the Commission meeting…" replacing "may" with "shall". Ms. Bishop said she felt that this process is flawed, and claimed that CBJ seemed to be showing favoritism towards a specific entity.

Mr. Smith asked Ms. Bishop if she had a chance to provide public testimony at a Planning Commission meeting at any point during this project's proposal process.

Ms. Bishop said that she did testify, and described the Planning Commission meeting as a "sham" due to the fact that the virtual public comment was set to be held after 75 minutes of discussion. She also said that the Planning Commission did not inform the public that their virtual testimony would be given through audio only, and felt that this did not allow for full participation. Ms. Bishop said she was completely confused during that meeting, and added that she subsequently learned that is how CBJ Zoom meetings are conducted. She also said that it appeared to her that someone had a political gamesmanship, she attributed this to her belief that 15 out of the 17 people who testified in favor of the project were not neighborhood residents.

Mayor Weldon asked Ms. Bishop to clarify if her main complaint was that she did not believe that the public process was followed for this project. Ms. Bishop said that was the tip of the iceberg, as she also felt that CBJ has shown favoritism towards Alaska Legacy Partners, a for-profit corporation. She added that she believed this transaction was conducted in a shady manner.

Kieran Poulson-Edwards, a Douglas resident spoke in favor of the project. He shared that he grew up in Juneau, and knows several individuals in Juneau, including himself, who have experienced homelessness. He explained that homelessness is not definitive of one's character or ability to be productive in a society, but is the result of circumstances oftentimes outside of their control, especially with homeless youth. Mr. Paulson-Edwards said that the community as a whole is facing some serious troubles during COVID-19. He shared that he had done some research and found that the two shelters operated by Juneau Youth Services (JYS) are not available for youth drop-ins in the same way this shelter would be. There is always a need for youth to have a safe place to go, especially during this pandemic. Walking around town trying to find a safe, warm place to say is especially difficult in light of this and the winter weather. He appreciated the chance to testify before the Assembly, and thanked them for their time.

Gus Marx, a Valley resident, shared that he was representing Juneau Coalition on Housing and Homelessness (JCHH), which includes about twenty different agencies in town that support the acquisition of this facility to use as a youth shelter. He mentioned that there is currently no other shelter for children, JYS operated Cornerstone in the past, but that program is no longer active. He said there are currently at least a dozen children who are in need of shelter right now.
Mr. Marx said that the 9290 Hurlock property is likely the best facility to use as a shelter for kids until they can find a home or someplace safe. He acknowledged that the property itself is not in perfect condition, but said it is in decent condition, as JCHH put in a considerable amount of work on the interior. Mr. Marx explained why he believed this property would be the best facility for a youth shelter: given its design to be a shelter, amenities like a full kitchen and a parking lot, its location to the skate park, its proximity to the bus route, and the majority of their population being located in the Valley. He thanked the Assembly for taking the time to listen to constituents about this project.

Ms. Hale mentioned that this property was previously discontinued as a facility for a youth shelter due to funding issues. She asked Mr. Marx if he had any knowledge as to why that happened, and how they have ended up in this predicament. Mr. Marx said that what happened was a little complicated, essentially JYS suddenly stopped receiving operational federal grant funding from the Family Youth Services Bureau. He said that they continued running the shelter for a year, and made the decision to move to a smaller facility located in Mendenhall Back Loop Road. In hindsight, Mr. Marx described moving the shelter to that location as a bad idea. Ultimately, he explained that the utilization of the facility was too low to keep the program operational, especially without federal funding.

Ms. Gladziszewski asked Mr. Marx if he was involved with JYS. Mr. Marx confirmed that he is still involved with JYS. Referring to the federal grant, Ms. Gladziszewski asked Mr. Marx if he was aware of any available funding for this type of program. Mr. Marx said that JYS and ZGYC collaborated together to receive the same federal funding grant, $200,000 a year for three years, and it has been made available to ZGYC.

Mayor Weldon mentioned that part of the neighborhood’s concerns are regarding homelessness in that area. She asked Mr. Marx to clarify how much interaction there is between homeless adults and homeless youth. Mr. Marx reported that there had not been much interaction between youth and adults when Cornerstone was operating. However, he added that when Cornerstone went away, he did notice homeless youth interacting with homeless adults and identified that as an unsafe, high risk behavior.

Mr. Bryson asked Mr. Marx to provide additional information on the disposition of the kids that utilize this program, and asked if this program would also introduce transitional housing. Mr. Marx explained that most of the kids who went to Cornerstone often were experiencing a difficult home life, the child was not troublesome or "bad", they simply had no other place to go. Cornerstone's goal was to provide the child with a safe place, and ultimately for reunification with the family, if possible. Mr. Marx has never experienced a child at Cornerstone acting out or doing anything out of line. Occasionally, a kid might get upset and may throw a chair, but he said that no one had been harmed. Mr. Marx also described the facility's capability to provide transitional housing in addition to a youth shelter. He said that there is federal funding specifically for that type of program, and said that if the City approved of that program then they would seek that funding.

Sara Truitt, a Valley resident, spoke in favor of this project, and shared that she used to work for JYS for Cornerstone located at the Hurlock property. She said that there is not another place in town that provides a service like this to homeless youth, and these are kids with nowhere else to go. Ms. Truitt said she never witnessed the kids at Cornerstone engage in any dangerous behavior, and based on her experience she found it to be a safe place for kids in town who needed someplace to go. She also noted that CBJ has already indirectly hosted this population of youth in their public facilities: the library, the skating rink, the parks, and the pools. Ms. Truitt wished to emphasize that these are not bad kids, they are children in our community who are struggling and need help. She thanked the Assembly for taking the time to listen to her testimony.

Jean Shannon, a Valley resident, shared that she has lived near the Hurlock property for 22 years, and she worked at JYS for six years as a manager for the transitional housing program. She was involved with the Neighborhood Association's vetting process that decided between six different entities who wished to operate the facility; ultimately Alaska Legacy Partners was chosen. She said they decided to choose ALP due to their intention of implementing nurses and staff that would provide 24/7 service. Ms. Shannon expressed concern regarding mixing youth with adult populations in the shelter. She said if it is for youth only, she was in favor of this project.

Mandy Cole, a Juneau resident and Executive Director at AWARE, said appreciated the Assembly's questions on this project so far and will be covered by the presentation by Ms. Nigro and Ms. Pata. She shared that she and her group have been working on this process for months and apologized if the Assembly felt left out of that process or has not been kept apprised of their work. Ms. Cole said that the partnership between THCC and ZGYC has already been successful in securing funding and ensuring that children in our community are safe. She expressed gratitude for all of the work that Ms. Nigro and Ms. Pata have done, and said that they have lots of important information to share with the Assembly.

Ms. Gladziszewski asked if Ms. Cole had any information that she wanted to briefly share with the Assembly regarding the project. Ms. Cole shared that the closure of Cornerstone resulted in the community rallying together for alternative options for homeless youth. She said that sometimes the police would end up with a teenager at 2:00a.m. with nowhere to go. She explained that AWARE would take them in for the night and then ZGYC would provide resources during the day. The agencies started to work together to develop some home grown strategies to assist homeless youth, however it soon became very apparent that no organization, outside of JYS, had the capacity to fully take on this issue. The looked for partners within the community who may be able to work collaboratively on this issue. They ultimately partnered with THCC, and she feels optimistic about their partnership and with the work done by Ms. Nigro and Ms. Pata towards this project.

Chair Jones closed public testimony at 8:16p.m.

C. Assembly Discussion on Ordinance 2020-57: ***An Ordinance Authorizing the Manager to Accept the Reconveyance of a Fraction of U.S. Survey 381, Located at 9290 Hurlock Avenue, from Alaska Legacy Partners.***

Mr. Watt spoke to the complexity of the ordinance. He explained that in a situation such as this, the City has multiple options available to them, some of which are necessary. He clarified that the Assembly decided to split the ordinance into two: the first would authorize the City Manager to receive the property back; the second would allow the City Manager to lease the property. Mr. Watt also noted that there has been advocacy for CBJ to be the operator of the facility.

Mayor Weldon asked Mr. Watt to clarify if this ordinance would allow the Assembly to take this property back without paying any money, and if it would eradicate the Senior Assisted Living condition. Mr. Watt confirmed that was correct, adding that receiving that property back would also remove the Senior Housing encumbrance on the land.

Ms. Gladziszewski asked Mr. Watt to explain the financial impact of receiving the property back. Mr. Watt explained that if Ordinance 2020-57 were to pass, that would authorize the City Manager to receive the property back at no cost. He added that there are other details within that, such as a potential agreement between Alaska Legacy Partners (ALP) and THRHA that CBJ would not be a party to. When CBJ originally sold the property to ALP, there was an agreement to structure the sale in a manner that delayed much of the payment and had CBJ carry the loan. Mr. Watt also explained that the loan is still in effect, and that CBJ received a down payment of $35,000 from ALP, a payment which will be kept by CBJ if the ordinance were to pass.

Ms. Hale asked if this transaction would require any action from ALP. Mr. Watt this ordinance would authorize the City Manager to receive the property, it would not warrant any action by ALP. If the Assembly passed Ordinance 2020-57 but did not pass Ordinance 2020-58, then it is unclear exactly what action ALP would take.

<u>MOTION</u> by Mayor Weldon to forward Ordinance 2020-57 to the Assembly for Public Hearing. *Hearing no objections, the motion passed by unanimous consent.*

Mr. Bryson asked if the Assembly should consider inviting ALP to the Assembly meeting, so they may be present during the Public Hearing. Mr. Jones responded that the upcoming Assembly meeting will receive public testimony and it will not be a Q&A session, and that ALP has the right to testify if they choose to do so.

The COW took a break at 8:36p.m and resumed at 8:43p.m.

D. **Assembly Discussion on Ordinance 2020-58:** ***An Ordinance Authorizing the Manager to Lease the Property at a Fraction of U.S. Survey 381, Located at 9290 Hurlock Avenue, to Tlingit Haida Regional Housing Authority for Youth Services.***

Mr. Watt gave a brief introduction of Ordinance 2020-58, saying it would authorize the lease of the property at below market value, at $100 per year to the THRHA. Mr. Watt credited Jorden Nigro, Director of Zach Gordon Youth Center, and Jackie Kus.een Pata, President and CEO of the THRHA, for leading the effort in pursuing grant funding and establishing the partnership between the two entities. He referenced a COW meeting back in June in which he asked the Assembly to authorize staff to pursue grant funding, which would make CBJ the grant applicant. Mr. Watt said that Ms. Nigro and Ms. Pata have identified a substantial amount of grant funding for this project, and will be ready to answer any questions following their presentation.

Jorden Nigro and Jackie Kus.een Pata gave a presentation regarding the proposed Youth Shelter & Rapid Rehousing project.

Ms. Nigro shared that the proposed project is a youth shelter and a rapid rehousing apartment. She explained that Juneau has not had a homeless youth shelter for over a year, and the pandemic has significantly exacerbated this issue. Juneau School District annually reports between 125 – 150 homeless youth on an average year, and about 50% of those homeless youth are reported to be teenagers. Ms. Nigro added that this number does not reflect the number of homeless youth in Juneau that are currently not attending school.
The Juneau Coalition of Housing and Homelessness have prioritized youth homelessness, and have spent the past year discussing options to address this issue. She said that JCHH identified the Youth Shelter as their #1 priority.

ZGYC has seen a significant increase in youth homelessness as a result of the pandemic. Between June 1, 2020 and October 1, 2020, ZGYC has worked with twenty-five youth under the age of 20 years old who were homeless. Ms. Nigro explained that many homeless teenagers often "couch surf" when looking for a place to stay, but they are no longer able to do this due to the concern of spreading COVID-19.

Project Funding

Annual Operating Budget: $595,000		**Hurlock Budget: $1,086,400**
Secured	**In Process**	**Secured**
US DHSS **Basic Center Program** $200,000/year x 3 years	**AK MHTA** $75,000/year likely 1x	**ICDBG HUD** $150,000
AK DOL Youth Homelessness Demonstration Project $75,000/year x 2 years (minimum)	**Donations** $20,000	**Alaska Community Foundation** $350,000
Juneau Community Foundation $100,000/year		**TOTAL: $500,000** Needed within next 5 years: **$586,000*** **including 500k for future new roof.*
TOTAL: $470,000 General Fund Support Needed: **$120,000 Annually**		

Ms. Nigro explained that the US DHSS grant was awarded to ZGYC last September, and added that this grant will not likely go away after the three year period, as most foundations manage to keep them for quite some time. She also anticipates raising $20,000 through donations, which would leave approximately $120,000 needed for general fund annual support. For property costs, the Hurlock building will need a new roof in about five years for approx. $500,000.

Mayor Weldon asked Ms. Nigro to clarify if ZGYC is asking for CBJ to contribute $120,000 annually to this project. Ms. Nigro confirmed that they would need an annual contribution of $120,000 from CBJ to fund the project. Ms. Pata also provided clarification on the timing for the ICDBG HUD in regards to CARES Act funding.

Ms. Hughes-Skandijs asked Ms. Pata to explain how the Hurlock Repair Budget came out to $1,086,400. Ms. Pata said that budget resulted from the cost of necessary equipment (bedding, materials, etc.) and the repairs needed for the building.

Ms. Nigro gave a proposed project overview, and explained that the Hurlock property would provide two services to two different age groups: **Youth aged 10 to 18** will be provided with temporary youth sheltering services, which will be staffed with 24/7 adult supervision. The services will be provided until family reunification, foster care, or another placement can occur. The facility can serve 6-8 youth from this population. **Youth aged 18 to 20** will be provided with apartment living quarters in a separate part of the Hurlock property. That portion of the facility can serve 2-4 youth from this population.

Ms. Nigro also addressed the CBJ & THRHA Partnership relationship, and the expectations of both entities for this project:

<u>CBJ – Zach Gordon Youth Center:</u>

- Provide 24/7 shelter staffing.
- Provide programming and supportive services including outreach and aftercare services.
- Manage grants related to program costs.
- Maintain data on youth served.

Tlingit Haida Regional Housing Authority:

- Provide maintenance and ongoing upkeep of the facility.
- Act as landlord to youth 18-20 living in the apartments.
- Manage grants related to property costs.

Ms. Nigro proposed that both organizations will work together to secure grant funding as available, develop ongoing partnerships, and ensure programming is culturally relevant and appropriate.

Ms. Pata added that they intend to provide classes that will teach the residents about financial capacity building and landlord-tenant laws. Their goal is to provide residents with life skills that they can utilize after they leave the shelter.

Ms. Gladziszewski asked Ms. Nigro to speak to the capacity of having 24/7 staff at the facility. Ms. Nigro said that this project has been licensed by the State of Alaska, which has requirements on the staff-to-youth ratio; eight staff have been hired for this project so far. She said that the intention is to always have two staff in the facility, and one staff at night. She shared that she has worked and operated in residential care facilities for over a decade, she said that she feels confident that ZGYC staff are capable of hiring and training other staff. Ms. Nigro also clarified that ZGYC will not be directly providing behavioral health services, but staff would be able to refer youth to outside resources.

Ms. Nigro provided information about site security, and shared that the safety of their youth, their staff, and our community is their top concern. There will be camera monitoring outside the building and in communal areas inside the building. There will also be a secure entrance through which everyone will check in and check out and alert night staff. The area will be fenced in accordance with the Conditional Use Permit. Ms. Nigro shared that the youth they have worked with are invested in this project, and they are passionate about the shelter.

Ms. Hughes-Skandijs asked Ms. Nigro to speak to how apartment housing would work when serving multiple genders. Ms. Nigro said that they would meet the needs of the youth that come to the shelter, and figure out how the living situation would work on a case-by-case basis.

Mr. Smith asked if the youth staying at the shelter would be free to go when they were ready to. Ms. Nigro explained that it is not a locked facility, and youth can show up at any time they need to be there. Mr. Smith asked Ms. Nigro if any youth be welcome at the facility. Ms. Nigro assured Mr. Smith that anyone would be welcome to the facility, and if they needed other services beyond sheltering, then ZGYC would refer them to the right resources. Mr. Smith asked Ms. Nigro to explain the reasoning behind the low capacity given the large size of the facility.

Ms. Nigro explained that the capacity limits were made during the pandemic, and with COVID-19 social distancing space in mind and not wanting youth to share bedrooms. She also mentioned that ZGYC often serves transgender youth, and said that they want to ensure that the facility is welcoming for transgender youth who are experiencing homelessness.

Mayor Weldon asked Ms. Nigro what the capacity numbers would be in non-COVID times. Ms. Nigro said that they anticipate serving 6-8 kids in the shelter at a time, including after the pandemic. Mayor Weldon asked if ZGYC was working with JSD to obtain Chromebook computers so that that children can do schoolwork while at the shelter. Ms. Nigro answered that ZGYC has already provided Chromebooks to children who visit the youth center, some of whom are currently homeless. Mayor Weldon asked if ZGYC had considered doing community outreach with the children for the surrounding neighborhood. Ms. Nigro shared that she is really excited about the prospect of planting a garden at the property to help make the surrounding area feel warmer and welcoming. She added that they would like to help out around the neighborhood as much as they can.

Mr. Bryson asked Ms. Nigro to explain if there are any resources available for a child under the age of 10 who is experiencing homelessness. Ms. Nigro explained that in some cases, a child under the age of 10 may be placed into emergency foster care. However, if a 9 year old came to the shelter without a place to stay, ZGYC could call the SOA and ask for a variance in their license to allow the child to stay there. Mr. Bryson thanked Ms. Nigro and Ms. Pata for the work they have put into this project.

Ms. Woll asked Ms. Nigro if she felt that this shelter would be a long-term need or a short-term need for the community. Ms. Nigro said that would be at the discretion of the Assembly, and added that she felt it would be a long-term need, and spoke to the connection the youth have with the youth center. Ms. Woll asked Ms. Pata if CBJ were to choose not to provide funding in the future, would THRHA try to find a way to continue the program. Ms. Pata confirmed that THRHA are committed to this project, and have shown that commitment by donating their land, offering property management services, and acting as property manager while ZGYC operates the program.

MOTION by Mayor Weldon to refer Ordinance 2020-58 to the Assembly, and asked for unanimous consent.

Mayor Weldon thanked Ms. Nigro, Ms. Pata and Ms. Cole for their work in trying to address this issue in the community. She felt that it may not be realistic to expect CBJ to come up with $120,000 every year to provide for the operation of the program. There was additional discussion regarding concern over the annual $120,000 funding for operations.

Hearing no objections, the motion passed by unanimous consent.

The COW took a break at 9:30p.m. and reconvened at 9:38p.m.

E. Assembly Discussion on Fireworks

Chair Jones proposed a question for the Assembly: Does the Assembly want to provide direction on regulation of Fireworks?

Ms. Woll shared that she had heard that fireworks are an issue, and asked what the issue is with fireworks that he Assembly is trying to solve.

Ms. Gladziszewski explained that four years ago, people complained about fireworks year-round, so the Assembly met and gave JPD direction to enforce the noise ordinance (with the exception of New Year's Eve and the Fourth of July). However, there have been some technicalities with changes in ordinances, and the result is that some people are still having issues with fireworks.

Mayor Weldon added that the concern is that people are not abiding by the rules and are using fireworks outside of the two days, and have gradually become louder.

Mr. Palmer explained that the Assembly articulated a fireworks policy in late 2016 due to noise complaints. However, the adoption of the International Fire Code in 2017 inadvertently prohibited all use of fireworks in the borough, which is still in effect today. There is now a desire to explicitly clarify the regulation of fireworks, such as the sale of fireworks, dates in which fireworks are permitted, or the use of "big boom" louder fireworks. Mr. Palmer said that the Assembly has many options available to them, including the option to not address the issue at all.

Mr. Bryson provided some historical context explaining that 2019 had an extremely dry summer, which led to CBJ banning the use of personal fireworks. This past summer, CBJ cancelled the City-sponsored Fourth of July fireworks due to the pandemic. With personal fireworks being sold locally, in addition to the fireworks that were not used in 2019 due to the ban, it resulted in a large collection of fireworks being used. He said the Valley sounded like a "war zone", and that there is public concern over that same high-level firework activity happening again on New Year's Eve. Mr. Bryson recommended that the Assembly should leave the issue alone.

Mayor Weldon commented that this is not an easy discussion, and anticipated that they will receive a lot of public input on this issue. She asked if the Assembly has the time and energy to deal with a complex subject that is not directly related to any of the Assembly's goals.

Ms. Gladziszewski noted that tonight is December 7, there is nothing that could be enacted before December 31. She said she thinks it would be beneficial to work on this sometime before the next Fourth of July, and to take some time to clarify the intent of the Assembly before drafting an ordinance.

Ms. Hale suggested that they could provide guidance to the City Manager regarding messaging to the community prior to New Year's Eve, but expressed concern that may be more work for

CBJ staff. She said that there is a lot of dissent in the community, and it is the responsibility of the Assembly to address this high-conflict issue.

Mr. Smith asked if JPD could write a ticket to enforce guidelines. Mr. Palmer said that the guidelines would be enforceable under the CBJ Noise ordinance. The conflict is between the CBJ Policy interpreting the noise ordinance, and the International Fire Code which prohibits all fireworks. He said it is up to the Assembly to decide if that is something that needs to be resolved.

Ms. Gladziszewski said that the Assembly has to do something that is clear. Right now, fireworks are technically prohibited, so the Assembly must come up with a cohesive solution and clarify the code.

MOTION by Ms. Hale to move this for further discussion, and that she would be willing to work with Mr. Palmer to come up with a proposed ordinance.

Mr. Jones said that this discussion would need to remain in the COW. He agreed with other Assemblymembers, and spoke to the previous times that this discussion had been brought to the Assembly.

Objection by Mayor Weldon. Mayor Weldon clarified that she does not mind looking into this issue in the future, but does not think the Assembly should consider drafting an ordinance at this time. She proposed an amendment to Ms. Hale's motion, to further discuss the process of this without drafting an ordinance.

MOTION by Mayor Weldon to keep this discussion in the COW for further discussion without drafting an ordinance at this point. *Hearing no objections, the motion passed by unanimous consent.*

V. ADJOURNMENT

There being no further business, the Committee of the Whole meeting adjourned at 10:03p.m.

Minutes drafted by Administrative Assistant Lacey Davis and respectfully submitted by Municipal Clerk Beth McEwen this 15th day of March, 2021.

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - January 22, 2019

MEETING NO. 2019-04: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:30 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Loren Jones, Michele Hale, Wade Bryson, Carole Triem, Maria Gladziszewski, Mary Becker, Rob Edwardson

Assemblymembers Absent: Alicia Hughes-Skandijs

Planning Commission Members Present: Ben Haight, Paul Voelckers, Mike LeVine, Dan Hickok, Ken Alper, Nathaniel Dye, Shannon Crossley

Planning Commission Absent: Andrew Campbell; [Travis Arndt - appointed but not yet sworn in.]

A quorum of each group was present.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Community Development Director Jill Maclean, CDD Senior Planner Beth McKibben, CDD Senior Planner Laura Boyce, Deputy Lands Manager Dan Bleidhorn, Deputy Attorney Jane Mores, CDD Code Compliance Officer Nate Watts

II. APPROVAL OF AGENDA

The agenda was approved as presented by unanimous consent.

III. SPECIAL ORDER OF BUSINESS

A. Joint Meeting with Planning Commission

Mayor Weldon welcomed everyone to the meeting and turned the gavel over to Planning Commission Chair Ben Haight.

Mr. Haight gave an overview of the projects the commission has accomplished during the past year as outlined in the memo from Ms. Maclean dated January 18, 2019.

Projects currently being worked on by the Planning Commission and CDD staff include:
- Blueprint Downtown Juneau,
- Downtown Juneau Alternative Development Overlay District (ADOD) Zoning,

- Douglas ADOD,
- Auke Bay Rezoning,
- Working with Engineering/Public Works Department on the CIP review process,
- Subdivision Stub Streets,
- Streamside set-backs,
- Urban agriculture,
- Accessary apartments, and
- the Comp Plan Review/Update.

Planning Commissioners and staff answered a number of questions regarding these priorities including timelines and differences between the Blueprint Downtown project and the Downtown Juneau Alternative Development Overlay District (ADOD) zoning. Discussion then focused on the public engagement efforts with respect to the Auke Bay Rezone as well as the timing and methods for the public to provide comment in the Downtown Blueprint process. The next public meeting of the Blueprint Downtown is Thursday, January 24. Ms. Maclean explained that while MRV Architects have been hired as the consultants on the Downtown Blueprint process and their involvement will soon be done, the steering committee and staff will continue to work on the project and there will be multiple opportunities for the public to participate.

Discussion then shifted to the Auke Bay Implementation Plan, the amount of work that had gone into coming up with the plan and the public involvement in that process. Ms. Maclean explained that the previous steering committee chair has since moved away but there are still a number of steering committee members still here and attended some of the meetings. There have been a mix of those in support of the Auke Bay Rezoning and others in opposition. Mr. Dye said that some of the reaction could be from the standpoint that some of the concepts are somewhat different and not your "traditional" zoning for Juneau.

That led to discussions about neighborhood/area plans and how those areas or neighborhoods boundaries were identified, such as what constitutes "Downtown Douglas" vs. "West Douglas," vs. N. Douglas etc... That in turn led the discussion to the work done so far on the Comprehensive Plan (Comp Plan) review/update and the goals for when and how that review will be taken on. Following a lengthy discussion regarding the type of plan review, Mr. Watt explained that he anticipates including an incremental request in the budget over two fiscal year cycles with the first increment being approximately $150,000 to be able to hire an outside contractor to assist with this project as there had been some concern expressed over how many concurrent plans staff and the commission might reasonably be able to work on at the same time.

Additional discussion took place regarding the work of CDD staff and the Planning Commission involving better coordination with the Engineering/Public Works Department on the CIP list. Their hope is to try to look at broader issues systematically and coordinate early on in the process the PC's priorities in the CIP review process.

That in turn moved the Assembly and Planning Commission to discuss how the Planning Commission's priorities are aligning nicely with those of the Assembly, especially Assembly goals 2F, 2G, 2H, and 2J.

Additional topics discussed included the work of the Juneau Commission on Sustainability and the Title 49 Committee's work on an urban agricultural ordinance. They discussed the Assembly's concerns with respect to the limited amount of land within the borough that is zoned "Industrial" and that those lands not be re-zoned for other types of uses. They discussed the Affordable Housing Fund, the amount in the fund and types of projects that are likely to use those funds and Mr. Watt explained the anticipated next steps in how those funds will be managed and used. Staff reported that they are currently working on the downtown housing inventory which they hope to have ready and presented to both bodies within the next few months.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Bill Leighty - Mr. Leighty commented that he recently sent both bodies a 9-page memo addressing some of the opportunities for CBJ to consider how best to handle the cruise ship passenger capacity in light of the anticipated increase in cruise passengers. He stated that this is the opportune time for the Assembly to work with the cruise industry on requiring use of electric buses by tourism companies and to also look at building and operating a light rail system from town to the Mendenhall Glacier.

V. ADJOURNMENT

Mayor Weldon welcomed the newly appointed Planning Commissioners Ken Alper and Shannon Crossley and noted that Mr. Bryson was doing a good job as the Assembly liaison to the Planning Commission. She thanked the members of both bodies for attending the meeting.

There being no further business to come before the Assembly, the meeting adjourned at 6:31 p.m.

Signed: ___________________________
Elizabeth J. McEwen
Municipal Clerk

Signed: ___________________________
Beth A. Weldon
Mayor

CITY AND BOROUGH OF
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MEMO

To: Chair Gladziszewski, and Assembly Lands, Housing, and Economic Development Committee

CC: Rorie Watt, City Manager
Robert Barr, Deputy City Manager
Sherri Layne, City Attorney

From: Jill Maclean, Director, AICP Jill Maclean

Date: August 27, 2021

RE: Joint Assembly / Planning Commission Priorities

Attached, please find memos related to priorities identified at the Joint Assembly / Planning Commission meetings from 2016, 2018, 2019, and 2020.

November 3, 2020

Dear Mayor Weldon, Deputy Mayor Jones, and Assembly Members:

On behalf of the Planning Commission, first let me thank you for your leadership during these difficult times. We are grateful for the manner in which the Assembly has prioritized the safety of our community and continued to advance important priorities even as the global pandemic affects us.

We were looking forward to the annual Assembly-Planning Commission joint session. We value those meetings as opportunities to share priorities and to get feedback from the Assembly about our work. In light of the cancellation of this year's meeting, the Planning Commission scheduled a Committee of the Whole to discuss our work and identify some priorities for the coming year. Our liaison, Assembly member Smith, listened to that discussion.

This letter identifies the priorities we discussed at the Committee of the Whole. We are sending it in advance of the Assembly's annual retreat in the hopes that it might be useful to those conversations. In addition, we welcome feedback from the Assembly.

- Comprehensive Plan Revision: The Assembly and Commission have recognized the need to update the Comprehensive Plan. We understand the budget realities that led to delay for this year. We are ready to work on updating the plan, and we strongly encourage the Assembly to prioritize funding to move forward next year.

- Parking: The Commission understands that updating the downtown parking regulations is a priority for the Assembly, and we have been working with the Community Development Department in an effort to move forward with analysis and updates for any needed changes to parking downtown and borough-wide.

- Zoning Updates: The Commission has been working with CDD to finalize updates to the Auke Bay zoning, needed to implement to Auke Bay Area Plan. That process was disrupted by the coronavirus pandemic, and we intend to prioritize completion of those updates. We have also begun the process of updating the downtown zoning to replace the Alternative Overlay District. We will also prioritize completion of that process.

- Area Plans: The Commission continues to favor CIP allocations by the Assembly to implement the area plans that have been developed. We understand that the Assembly and CDD have prioritized completion of the Blueprint Downtown and West Juneau/Douglas processes. We will look forward to working with the Assembly to find ways to complete those plans,and to implement priorities from the existing Lemon Creek and Auke Bay plans.

- Downtown Housing: The Commission is highly supportive of efforts to increase and diversify housing downtown, including further analysis of unutilized space downtown that could support increased housing. Meaningful housing increases will likely require Assembly fiscal support in the form of tax deferrals and targeted grant programs to incentivize development.

- Other Title 49 updates: The Commission will work with CDD to complete other needed revisions to Title 49 that have been started but need additional work. We hope to work on updating code related to common walls, accessory apartments, and vegetative cover. We also recognize the need to revisit the manner in which plats are reviewed and approved by the Commission. In addition, the Commission notes that the Conditional Use Permits awarded for marijuana facilities will soon be due for mandatory five-year reviews. We suggest that this is an opportune time to revisit the code created at that time and see whether updates are needed.

Thank you considering this letter. We would welcome feedback and a dialogue about these issues. I am available to speak with, and the Commission would be open to a more informal conversation in the absence of a joint session.

Sincerely,

Michael LeVine
Chair, Juneau Planning Commission

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DATE: January 18, 2019

TO: CBJ Assembly and Planning Commission

FROM: Jill Maclean, AICP, Director Jill Maclean

SUBJECT: **Community Development Planning Division Priorities 2019**

The following seven (7) items are proposed priorities recommended for the 2019 calendar year for the Planning Division of Community Development. These priorities do not include the ongoing work that staff is undertaking with the Land Use Code, permitting and other studies.

2018 Priorities Underway:
- Blueprint Downtown Juneau
- Downtown Juneau Alternative Development Overlay District Zoning
- Auke Bay Rezoning (Implementation of the Auke Bay Area Plan)

2018 Priorities Continued (not started) and New Priorities:
- Downtown Douglas Visioning Plan
- Downtown Douglas Alternative Development Overlay District Zoning
- Mass Wasting Assessment (Landslide and Avalanche Study)
- Comprehensive Plan Revision
- Industrial Zoning Table of Permissible Uses Analysis and Update
    - Industrial Land Expansion/Identification of New Land

UPDATES ON 2018 PRIORITIES UNDERWAY:

Blueprint Downtown Juneau
Blueprint Downtown Juneau is underway, and the public visioning piece is wrapping up at the end of January. The consultants intend to have a final visioning report submitted to CDD by mid-February, 2019. Next steps include a continuous meeting cycle (approximately every 3 weeks) with the Steering Committee and staff is drafting the Blueprint based upon the input received throughout the visioning process. The draft plan is anticipated to be completed by January, 2020 with the public hearing process commencing tentatively in the spring of 2020, with a recommendation that the Blueprint is adopted into the Comprehensive Plan.

Downtown Juneau Alternative Development Overlay District (ADOD) Zoning
The ADOD for downtown Juneau expires August 1, 2019. Staff is engaged in an effort to develop new zoning for the areas located within the overlay district. This effort is running concurrently with the Blueprint Downtown Juneau planning process. The ADOD process may identify updates to the Comprehensive Plan Land Use Maps in order for the proposed zoning to conform to the Comprehensive Plan. Staff is working together in public outreach efforts to lessen the burden on residents participating in both of these efforts and ensure that each process informs the other, creating complementary planning and zoning results. Neighborhood meetings are scheduled for January 30, February 5, and 7.

Auke Bay Rezoning
The Auke Bay Area Plan was adopted in 2015 and staff is currently engaged in an effort to develop new zoning for a portion of the planning study area. The Planning Commission has appointed a 4-person ad hoc committee to the draft zoning proposed by staff. This zoning process may identify updates to the Comprehensive Plan Land Use Maps in order for the proposed zoning to conform to the Comprehensive Plan. Staff is now working with the ad hoc committee and the Auke Bay Neighborhood Group to solicit feedback and input from the community. The next ad hoc committee meeting and Auke Bay Neighborhood Group meeting have not yet been scheduled. The intent is to have draft zoning to the Planning Commission the summer of 2019.

CITY AND BOROUGH OF JUNEAU
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DATE: February 8, 2018

TO: CBJ Assembly and Planning Commission

FROM: Beth McKibben, Planning Manager, AICP BMK
Jill Maclean, Senior Planner, AICP Jill Maclean

SUBJECT: ***Blueprint Downtown Juneau***

The CDD Planning Division recommends creating "*Blueprint Downtown Juneau*". After considering several options for undertaking a plan for downtown Juneau, we recommend the Blueprint, rather than a traditional area plan, since many plans have been undertaken for downtown Juneau, or include downtown Juneau, since the 1980s. The Blueprint approach differs from a traditional plan in that the history and existing conditions have been well-documented in downtown. What is missing is a community vision of how downtown Juneau should continue to grow and develop, how to harness the opportunities while addressing the challenges, and ensuring that downtown continues to be a place to live, work, and visit. We recommend using the existing plans, and the time and effort that was spent to create them, as the foundation for *Blueprint Downtown Juneau* – an action-oriented strategy to enhance downtown, leverage assets, create placemaking opportunities, update zoning, and develop a community vision for downtown Juneau, built from a dynamic public engagement process.

Blueprint Downtown Juneau

Visioning & Values

The community visioning piece of the Blueprint will focus on identifying common values and priorities necessary to create downtown Juneau for the next 20 years. The community visioning process may include:

1. Intensive public process to develop a long-term vision for sustaining downtown Juneau as the state capital, as an economic driver for Southeast Alaska, and as a cultural, social, and governmental center for the Borough through:
    a. Steering Committee and focus groups
    b. Neighborhood walking tours and neighborhood meetings
    c. Soliciting public engagement through social media and community events – such as the Juneau Maritime Festival– to gather ideas on downtown, and inform the public about other ways to participate and ask questions of CDD etc.
2. Identifying Key Opportunities and Challenges by:
    a. Involving residents, property owners, business owners, developers, and visitors to identify opportunities and challenges
    b. Working with the core business district, the residential neighborhoods, and the shoulder areas (Rock Dump and Norway Point) to identify opportunities as a means to extend downtown Juneau, and its user base, encourage more year-

round uses, and improve connectivity

c. Identifying opportunities and challenges may:
    i. Inform Capital Improvement Projects
    ii. Include a review of existing zoning

Implementation Strategies for Creative Growth – "*Knitting together past initiatives*"
Implementation Strategies will focus on synthesizing existing plans related to downtown Juneau, such as:

1. Developing a complete list of action items from each existing plan
2. Engaging the public to determine which actions from existing plans have been completed and which are still outstanding; which actions are still relevant and which are no longer relevant; and to identify the gaps.
    a. Similar to the Lemon Creek Area Plan, a Work Plan will be developed of the actions, with responsible parties and timeframes for accomplishment.

Zoning for Downtown Juneau
Blueprint Downtown Juneau will include a review of the current zoning that regulates those areas of the downtown that are located outside of the Alternative Development Overlay District (ADOD). This zoning diagnostic will be part of the public outreach process, and may identify areas to update and revise existing zoning regulations and/or identify new zoning that supports the community's vision for the downtown. The zoning diagnostic may create actions that become part of the Blueprint's Work Plan. The zoning diagnostic may identify updates to the Comprehensive Plan Land Use Maps in order for proposed zoning to conform to the Comprehensive Plan.

Additionally, the ADOD for downtown Juneau expires August 1, 2019. Staff is engaged in an effort to develop new zoning for the areas located within the overlay. This effort will run concurrent with the *Blueprint Downtown Juneau* planning process. Similar to the zoning diagnostic conducted through the Blueprint, the ADOD process may identify updates to the Comprehensive Plan Land Use Maps in order for the proposed zoning to conform to the Comprehensive Plan. Community Development staff will work together in public outreach efforts to lessen the burden on residents of participating in both of these efforts and ensure that each process informs the other, creating complementary planning and zoning results.

Placemaking
Placemaking is about creating public places that promote people's health, happiness, and well-being. Placemaking facilitates creating desirable neighborhoods and shaping their surroundings; it leverages a neighborhood's character. Placemaking may include enhanced pedestrian connections with wayfinding signage, branding neighborhoods by creating gateways, and encouraging festivals or block parties. Placemaking encourages community engagement and activity. Working with downtown organizations, such as JEDC (specifically the Downtown Coordinator) the Main Street Program, the Downtown Business Association, the Downtown Improvement Group, and other neighborhood groups, residents, and businesses (permanent and seasonal) will be critical to the success of any placemaking initiatives

Timeframe and Deliverables

Blueprint Downtown Juneau requires approximately 18 to 24 months to complete. *Blueprint Downtown Juneau* will consist of:

1. Community Vision for Downtown Juneau 2040
2. Implementation Strategy
    a. Actions and Policies
    b. Key Challenges and Opportunities
    c. Capital Improvement Projects
    d. Proposed Zoning Revisions/Updates
    e. Work Plan identifying Actions, Responsible Parties, Timeframes (similar to the Lemon Creek Area Plan)
    f. Comprehensive Plan updates (potentially)

Staff is enthusiastic to undertake *Blueprint Downtown Juneau*, and your input into the process is appreciated. We look forward to working with the Assembly and the Planning Commission to bring this effort to completion.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
Community Development Department

MEMORANDUM

Date: April 21, 2016

To: Assembly and Planning Commission

From: Rob Steedle

Subject: Land Use Legislation Priorities

Updating Title 49, CBJ's land use code, is an ongoing effort that takes a great deal of time for Community Development and Law staff, the Planning Commission, and the Assembly. The Planning Commission's Title 49 Committee and Community Development recently reviewed the work currently in progress or contemplated and recommend that these items be priorities. There is a much longer list of updates and some of the other items on that list may come before you sooner, depending on circumstances.

Auke Bay zoning changes and development incentives

The Auke Bay Area Plan was adopted in March, 2015. We need to make zoning changes and provide development incentives to help the community realize the plan. Law and CDD staff have been working on those changes and expect to bring an ordinance to the Planning Commission and then the Assembly by the end of this summer.

Shared Access

Juneau's challenging terrain can make orderly development of the community problematic. In many instances, shared, private access to lots is the most expedient an affordable way to allow development to take place. Such development can pose challenges for fire and rescue vehicles and can also lead to friction among neighbors. When considering the subdivision code changes adopted last summer, the Assembly directed staff to address this issue. A draft ordinance is nearly complete and will be before the Planning Commission and the Assembly this summer.

Variances

Variances are needed to provide relief form land use regulations when peculiarities of lots prevent them from being usable. They are intended to be used only to provide relief in exceptional circumstances. In Juneau, for many years this remedy has been applied overly liberally. For example, from 2011-2015, 160 variances were considered, and 109 were approved. This is a clear sign that the current land use code does not fit the community's needs. Staff has begun work on developing codes that provide flexibility for development in order to reduce the number of variance requests. Streamside setbacks and setbacks for eagle trees may be folded into the general ordinance, or they may come before you in separate ordinances.

Street Standards

Street standards are under review now to ensure that requirements are not overly costly for developers. There will be a provision codifying practice: reconstruction of existing streets by the CBJ does not need to conform to the same standards as new construction.

Parking

Staff will be reviewing CBJ's parking requirements and recommending changes, likely reducing the requirements in some instances.

Signs

The US Supreme Court ruled last year that signs cannot be regulated on the basis of content. CBJ needs to revise its sign code in order to conform to that ruling.

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TO: Chair Gladziszewski and Assembly Lands, Housing and Economic Development Committee
DATE: June 24, 2021
FROM: Rorie Watt, City Manager
RE: Amending the Land Use Code (Title 49)

At the 6/7/21 meeting, the Committee expressed some frustration at the length of time it takes to make amendments to the Land Use Code (Title 49), particularly regarding requirements that pose barriers to housing projects.

I think it is helpful to paint the historical landscape to inform our current situation. For years, the Planning Commission (PC) frequently issued Variances as a means to "practicalize" the code. They would hear from applicants and neighbors and in a transactional manner would apply the code in a way that felt fair to the public and developers – everyone felt like they had their "day in court."

However, upon legal review in around 2015, the Municipal Attorney determined that this use of Variances actually undermines the authority of the entire Land Use code and that the practice should cease (this legal opinion is not disputed); and that if the Assembly or the PC wanted flexibility in the code, then it should be imbedded in Code amendments.

Ironically, a reduction in the issuance of Variances may actually be responsible for an increase in Appeals – applicants feel that a more rigid application of the code is not fair, they desire the transactional approach. These appeals can be enormously burdensome on staff and the PC (as well as the Assembly).

The Assembly may wish to consider current practice for code review and the associated workloads of all groups that work on code amendments (Community Development, Law). In general, it takes a lot of time and coordination to research other community codes and case law and game out intended and unintended consequences of various ideas. In brief, the process is:

A. Code prioritization is discussed at the annual meeting of Assembly and PC
B. Staff from CDD and Law work with the PC on proposed amendments at the PC Title 49 Committee, the PC COW and eventually the full PC.
C. Assembly reviews and works on the PC product (usually with committee work at Lands and/or COW)

It is not uncommon for a code amendment to take a year, or so. Analyzing obstacles to workloads, I offer the following analysis/comments:

Planning Commission:
We currently ask the PC to do the following:

- Review the CIP
- Review Land Disposals
- Hear Conditional and Special Use Permits, Variances, and Major Subdivisions
- Work on Code Amendments
- Work on Area Plans
- Work on Comprehensive Plan Updates

In short, we should consider whether we ask too much of our PC volunteers. If we want the PC to focus on Code amendments, then given their current duties, we have to be realistic about their ability to prioritize workload.

Community Development Department:
CDD's budget was cut last year (and partially restored this year) and the Assembly has prioritized area plans and the Comp Plan. Complex code analysis can be time intensive. Reducing code complexity, prioritizing code work and trying to reduce Appeals should be prioritized.

Law Department:
Spends and enormous amount of time whenever we have an Appeal. Appeal work takes priority over code amendments and often derails code projects. Appeal reduction should be a priority.

Assembly:
The Assembly deals with a remarkably diverse number of issues. The Land Use Code is detailed and technical. It is unusual for the Assembly to be able to digest and agree to a code amendment in one pass. System changes that take some burden off of the Assembly could be prioritized. Prior Assemblies have been generally reluctant to reduce code complexity by removing requirements and have been interested in the details of proposed code changes.

The Assembly has charged the Systemic Racism Review Committee with reviewing all ordinances. At a national level, the President has suggested policy consideration of zoning rules that have exclusionary effects. The Assembly may need to conceptually address this issue at a macro level.

The Juneau Chamber of Commerce has also formed a sub-committee that desires to work on ideas to streamline permitting requirements. Organized involvement from the development community may help streamline consideration of ideas.

Big Picture Concepts:

1. The Assembly should continue to prioritize the Comprehensive Plan as it should be a driving force for code amendments.
2. The Assembly could prioritize making the code less complex. A recent example is our layered jurisdiction to anadromous stream permitting. Similar to when CBJ removed our codes regarding Bald Eagles, the Assembly could leave some issues to more expert environmental regulatory agencies.
3. The Assembly could consider reducing the workload of the PC in several ways, including:
    a. Splitting the duties between two appointed boards. One would work on code, Comprehensive and area plans, focusing on the policy issues, the other would retain the permitting duties, focusing on the implementation of the code and policies; or
    b. Appointing a Hearing Officer who would hear all permitting issues; or
    c. Deciding to reduce the PC's workload, perhaps removing the duty to analyze land sales or the CIP.

<u>Recommendation:</u>
No recommendation at this time. The Assembly should consider whether it prefers to explore different code amendment processes, taking into account the delicate balance of careful deliberation and timely action. All changes to Title 49 are required by code to go to the PC. We should ask for their advice and opinion. Our goal should be to have expectations that match the level of staffing that is funded and the time constraints placed on both the PC and the Assembly.

Presented by: The Manager
Presented: 07/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-13

An Ordinance Amending the Land Use Code Related to the Coastal Management and the Habitat Provisions of Title 49.

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

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

Section 2. Amendment of Section. CBJC 49.05.200 Comprehensive plan, is amended as follows:

49.05.200 Comprehensive plan.

(a) The City and Borough Comprehensive Plan is designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks, and other public requirements.

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.

(1) Plan adopted. There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:

(A) Reserved. ~~The Juneau Coastal Management Program, Volumes 1 and 2, dated February 2008;~~

...

Section 3. Repeal of Article. CBJC Article IX of Title 49.70, Coastal Management, is repealed and reserved.

Section 4. Amendment of Section. CBJC 49.70.310 Habitat, is amended as follows:

49.70.310 Habitat.

(a) Development in the following areas is prohibited:

(1) On Benjamin Island within the Steller sea lion habitat;

(2) Within 50 feet from the ordinary high water mark ~~of the banks~~ of streams designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(3) Within 50 feet from the ordinary high water mark of lakeshores designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update.

(b) In addition to the above requirements there shall be no disturbance in the following areas:

(1) Within 25 feet <u>from the ordinary high water mark</u> of stream corridors designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(2) Within 25 feet <u>from the ordinary high water mark</u> of lakeshores designated in Appendix B of the comprehensive plan of the City of Borough of Juneau, 2013 Update.

<u>(c) The following developments or disturbances are exempt from the setback prohibitions of this section: (1) docks, bridges, culverts and public structures whose purpose is access to or across the stream or lake; and (2) uses which must be in or adjacent to the stream or lake in order to function, such as mining activities, fish culturing, water supply intakes and similar uses. Except for the setback area necessary for such developments or disturbances, the remaining setback shall be vegetated or revegetated, where feasible and prudent, and such vegetation or revegetation shall be kept or arranged to maximize shade on the stream or lake. A variance is required for any other development or disturbance in the setback prohibitions of this section.</u>

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this ________ day of ________________________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
LAW DEPARTMENT

MEMORANDUM

DATE: May 17, 2021
TO: Michael LeVine, Chair of Planning Commission
FROM: Robert Palmer, Municipal Attorney
SUBJECT: Ordinance 2021-13 Draft vPC, Amend Title 49 re Habitat and Coastal Zone Mgmt.

In 1970, Congress enacted the Coastal Zone Management Act to facilitate coastal development by involving state and local governments in "consistency determinations." In 1977, the Alaska Legislature enacted the Alaska Coastal Management Act, which allowed the State and municipalities to participate in the decision making process. The CBJ quickly followed by enacting the Juneau Coastal Management Program, CBJC 49.05.200(b)(1)(A), and a robust set of "enforceable policies," CBJC 49.70.900-960, which articulated the CBJ's priorities for consistency determinations pursuant to State law. That regulatory framework existed for approximately 35 years.

In 2011, by operation of AS 44.66.020 and .030, the Alaska Coastal Management Act was repealed. Without the Alaska Coastal Management Act, the local enforceable policies of CBJC 49.70.900-960 are historical artifacts of a regulatory framework that no longer exists.

Unfortunately, because CBJC 49.70.900-960 remained in code for the last decade, its presence has recently caused chaos. Notably, CDD staff recently approved a grading permit to cut trees and undertake a grading project along Duck Creek in violation of 49.70.310 by applying a provision from the coastal management section, 49.70.950(f). Currently, the only tool to deviate from the setback provisions of 49.70.310 is a variance, CBJC 49.20.200.

Given the 2011 repeal of the underlying State law and the recent Duck Creek permitting error, I worked with CDD Director Maclean to propose amendments to Title 49 that eliminated the confusion between 49.70.310 and 49.70.900-960. The attached draft does the following:

Section 2: Repeals the overarching Juneau Coastal Management Plan
Section 3: Repeals all of the "enforceable policies" of the Coastal Management code
Section 4: Adds an exception to 49.70.310 for water-dependent facilities

Staff request: Consider any amendments and then recommend Ord. 2021-13 for Assembly introduction.

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