ASSEMBLY COMMITTEE OF THE WHOLE

December 2, 2019, 6:00 p.m.

Assembly Chambers - Municipal Building

Assembly Work Session - No Public Comment

MINUTES

I. ROLL CALL

Deputy Mayor Maria Gladziszewski called the meeting to order at 6:00 p.m. in the Assembly Chambers.

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

Assemblymembers Absent: None.

Staff present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Manager Mila Cosgrove, Finance Director Jeff Rogers, Assistant City Attorney Teresa Bowen, Assistant City Attorney Emily Wright, Library Director Robert Barr, Parks and Recreation Director George Schaaf, Lands Director Greg Chaney, Deputy Lands Director Dan Bleidorn, Community Development Director Jill Maclean, Planning Manager Alexandra Pierce

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved as presented.

III. APPROVAL OF MINUTES

IV. AGENDA TOPICS

A. Mendenhall Loop Road Project

Mr. Watt explained that last Monday at the regular Assembly meeting, there had been items that should have been included in the Assembly packet that were not and that led to them getting off course on the issue of the Mendenhall Loop Road Project. He said that the right information would have included the materials resulting from the Planning Commission (PC) having reviewed the project in June 2019. Not only was the information not included in the Assembly packet but when the Planning Commission reviewed the project, staff should have then forwarded that information to the Assembly during the summer so that if the Assembly did not like the Planning Commission's decisions that it made, there would have been time for the Assembly to weigh in on the issue. State statute requires that we notify them within 90-days if we object to the project. By the time it got to the Planning Commission there was at least one month or possibly more had gone by. The Assembly then would have had their opportunity to comment on the project sometime in July. He explained that they have a process fix for that in the future and will include similar Planning Commission Notices of Decision on the Assembly's consent agenda following any PC review of state projects so they have a timely manner in which the Assembly can discuss those.

Mr. Watt went on to explain that what the Assembly had last Monday night was the next phase of approval which was the land section. State Dept. of Transportation/Public Facilities (DOT/PF) wants and needs to purchase small slivers of land and the process in our Land Code is to come to the Assembly with a threshold question "Should we discuss this further?" and then it goes to a Planning Commission review, it would go to the Parks and Recreation Advisory Board for review since one sliver relates to park land and it would go to the Assembly Lands Committee and make its way back to the Assembly. The discussion last week was about the merits of the project as opposed to the procedure and merits of the sliver of land disposal. He said that is where this has ended up.

Mr. Watt said that given that they now have the background information and given that they already voted in the absence of the proper information, it is more difficult for the Assembly to unspool that and in this case it would be similar to a reconsideration. It would actually need to have the Assembly make a motion to rescind, at the December 16 meeting, the action that was previously taken at the November 25 meeting. He said that after the COW has an opportunity to ask questions and discuss this, he would request that the COW adopt a motion to forward the requests from DOT/PF to purchase those land slivers back to the Assembly so that it can consider them at the meeting on December 16.

Ms. Gladziszewski recapped the timelines involved and process before them.

Members then discussed the process and timelines involved and staff answered several questions related to the projects as well as the parliamentary procedures involved.

After a brief at ease, Ms. Gladziszewski clarified that the action to be taken tonight would be to refer the matter back to the Assembly. The next steps at the Assembly meeting would then be to take up a motion to rescind the previous action, which would take a vote of six members in the affirmative. If that motion to rescind the previous action passed, it would then need a subsequent motion to authorize the Manager to work with DOT/PF on negotiations to sell the slivers of land in question and that motion would only require five votes to pass.

<u>MOTION</u> by Mayor Weldon to refer this matter back to the Assembly. *Hearing no objection, the motion carried.*

B. Child Care Follow-Up

Ms. Gladziszewski stated that they have received a lot of information on the Child Care Committee follow-up and at the last meeting the COW requested answers to the following information:

1) A cost breakdown per child and capacity for the various items suggested and staff has provided that information in the packet.
2) The practical differences between Best Starts and provider stipend option and staff has provided that information in the packet.
3) Get a brief overview of the Best Starts program and that is provided in the packet.

Ms. Cosgrove gave a presentation on the materials found in the packet and the work of the staff group assigned to work out the practical aspects coming out of the Child Care Committee recommendations this past spring.

Ms. Cosgrove explained that the staff recommendations that have changed since the last COW meeting at which this was discussed were:

- Eliminated property tax exemption
- Eliminated provider stipend option in favor of a simplified per child model
- Eliminated quality coach

Some of the key points the recommendations were trying to address were from the McDowell survey that estimated 74% of those with infants and 47% of toddlers in need of child care do not have access to child care. In contrast to that, only 11% of preschoolers do not have access to care.

Ms. Cosgrove, Mr. Kevin Ritchie, and Ms. Joy Lyon then answered questions from Assemblymembers about the Simplified option, the Best Starts program, and Learn & Grow programs respectively. When asked who would administer the simplified program if that was the route that the Assembly chose, Ms. Cosgrove explained that CBJ does not have that expertise on staff and it would likely be something that AEYC would administer under a Memorandum of Agreement. Ms. Lyon agreed that they would be willing to take on that role if the Assembly chose to use that method.

Assemblymembers compared and contrasted the Simplified vs. Best Starts program models as well as home care models and the recommendations from the Child Care Committee and the staff group assigned to further that work. They also discussed long term vs. short term goals and financial constraints.

MOTION by Mayor Weldon to forward the Simplified per child solution forward with a request of the Deputy Manager to look at a piece that increases funding at the level 3 Learn and Grow level and the lower income level to receive increased funding.

Ms. Hale objected to the motion for purposes of a question.

The committee then discussed the language of the Mayor's motion and her intent. Mayor Weldon clarified that she wanted to go with the Simplified model since that starts the process at the bottom and at the same time she would like the Deputy Manager to bring back some additional proposed language to increase incentives for assisting low income families as well as the moving from level 2 to level 3 in the Learn and Grow program. She also amended her motion to refer this matter to the Assembly Finance Committee.

Members of the Assembly then discussed some of the nuances of the simplified vs. the Best Starts programs.

Ms. Hale removed her objection.

Ms. Gladziszewski asked if there were any further objection to the motion as follows: **MOTION** by Mayor Weldon to direct staff to proceed with the Simplified model with some tweaks to incentivize moving facilities from level 2 to level 3 and low income any age level 3 and to also refer this to the Assembly Finance Committee. *Hearing no objections, the motion carried.*

Ms. Gladziszewski noted that the final requested Assembly action bullet items in Ms. Cosgrove's presentation all relate to items that will be taken up during Finance Committee consideration. Mr. Jones outlined the timing and process that those items will need to be done starting sooner than the main budget process begins. Ms. Cosgrove said she could bring back information for the January Finance Committee meeting.

C. Dockless Transportation

Ms. Cosgrove gave a report that following the adoption of the ordinance implementing the moratorium, they formed a staff committee to work on this issue and the four staff members were Michele Elfers, Teresa Bowen, Scott Hinton, and Tim Felstead. The moratorium sunsets on February 1, 2020 so this matter is before the Assembly COW to provide updated information from the staff committee and see what the Assembly wishes to do with this issue going forward.

Mr. Felstead gave a presentation and highlighted that some of the issues the project team looked at relating to dockless vehicles also brought up the fact that any of these same concerns would also apply to docked vehicles.

Those concerns related to:

- Parking on sidewalks, retrieval (possibly from the channel), parking in corrals
- Seawalk congestion
- Riding on sidewalks
- Lack of safety equipment
- Items left at transit stops

When looking at regulatory guidance, there is comprehensive guidance when looking at trying to put together a policy. Mr. Felstead shared the following recommendations from the staff committee:

Commercial shared micromobility recommendations
1. Commercial shared micromobility devices should be subject to a regulatory and permit process.
2. Regulations and permitting should apply to both docked and dockless devices.
3. Commercial services should be offered first on a pilot basis to assess community impact.
4. Commercial shared micromobility devices should not be allowed in the downtown core.

Additional recommendation
1. Address existing definitions for micromobility devices in general to clarify where they can be used and parked

Mr. Felstead explained that there would need to be changes to the code language to bring it up to date with respect to definitions since the current code language was developed in the 1970s and there have been many modern changes that should be included in the code language.

Assemblymembers then discussed the work of the committee and asked a number of questions. With respect to the recommendations, they discussed whether or not to allow micromobility devices in the downtown core or boroughwide if at all. Members also discussed the safety concerns regarding allowing micromobility devices and lawsuits that other communities have experienced. Ms. Cosgrove explained that there was at least one lawsuit in a California community related to ADA concerns caused by micromobility devices being left on sidewalks.

MOTION by Mr. Edwardson to continue the moratorium as is and to remove the sunset date.

Additional discussion took place regarding whether the moratorium should be extended to docked vehicles as well as dockless vehicles. Discussion also took place about whether the moratorium would be for just the downtown area or boroughwide.

AMENDMENT by Ms. Hale to extend the moratorium on commercial microbililty devices in the downtown core.

Mr. Edwardson objected to the amendment since the staff briefing was requested to address just the dockless vehicles and if the subject was to also include action on docked vehicles, that would need additional public notice and they should be briefed on docked vehicles.

Additional discussion took place on the amendment. Ms. Gladziszewski asked Ms. Hale to restate her amendment.

AMENDMENT by Ms. Hale for the moratorium on commercial shared micromobility devices to be extended in the downtown core but not borough-wide. For purposes of this amendment, “micromobility devices” include dockless vehicles such as bicycles, e-bicycles, scooters and electric scooters.

Mr. Bryson noted that at this point, he may have a conflict of interest due to his business. Mr. Palmer asked to take a brief at ease.

After a brief break, Mr. Palmer reported that Mr. Bryson does have an economic conflict of interest on the amendment that prohibits him for participating any further. Mr. Palmer also stated that Mr. Bryson does not have a current conflict of interest on the underlying main motion. Mr. Palmer said Mr. Bryson should be recused from voting on the amendment and depending on the outcome of that vote, he may also need to be recused from the remainder of the matter before the committee.

Roll Call vote on the amendment:

Yeas: Hale, Hughes-Skandijs, Triem, Gladziszewski, and Weldon
Nays: Edwardson, Smith, Jones
Recused: Bryson

Motion carried 5:3

Mr. Palmer noted that since the amendment passed, Mr. Bryson will need to remain recused for the vote on the main motion.

Mr. Edwardson asked if he could withdraw his motion. Mr. Palmer said that Mr. Edwardson could withdraw his motion but that does not prevent another member from making that motion. Mr. Edwardson then withdrew his motion. Mr. Palmer explained the next steps since the main motion was withdrawn.

MOTION by Ms. Hale for the Assembly to establish a moratorium on micromobility devices in the downtown core with the downtown core to be defined by staff in the ordinance.

Ms. Hale’s initial motion was for the moratorium to be established for a one-year period but then she withdrew the one-year period language.

Additional discussion took place regarding the downtown core definition. Staff was asked to define that within the ordinance if the motion carried.

Roll Call vote on the motion:

Yeas: Hale, Hughes-Skandijs, Triem, Gladziszewski, and Weldon
Nays: Edwardson, Smith, Jones
Recused: Bryson

Motion carried 5:3

Mr. Bryson rejoined the meeting at 8:28p.m.

C. Blueprint Downtown

Mr. Watt explained that the packet contained a memo from Community Development Department (CDD) staff about the Blueprint Downtown project. The timeline is on the last page of the memo. The Assembly should expect to see this coming to them sometime in late spring 2020. He said that Ms. Maclean and Ms. Pierce were present in the audience if the Assembly had any questions.

The Assemblymembers asked when the next meeting of the Blueprint Downtown Steering Committee was. Ms. Pierce said that the next meeting is scheduled for Decemember 12 at 6p.m. in the Assembly Chambers.

D. Telephone Hill Update

Mr. Watt provided two handouts regarding Telephone Hill.

The first handout was prepared by State DOT – "Department: Transportation & Public Facilities – South Coast Region" and the second was a map from our GIS system showing a better map of the properties than that shown in the DOT handout.

Mr. Watt said that DOT has been asked by the Governor's economic development team to identify under-utilized properties that could lead to economic development in the state and this is part of that effort.

Mr. Watt gave brief history of the property. Telephone Hill was identified by the Heery Report in the late 1970s as the location for where a new Capitol Building would go. That then led to the city and state working together to get the funds to acquire the property. The city appropriated $2 Million to the state and the state then used our funds with state funds to acquire, some with purchase and some through eminent domain, all the properties showing in the yellow and red areas of the map he handed out.

Mr. Watt explained that the state fell on harder economic times in the 1980s so the building of a new Capitol Building was not likely. There were several attempts after that, mainly led by CBJ to look at building a new Capitol Building. The property fell under a joint use management agreement between the city and the state.

In approximately 2007, as CBJ was undertaking the planning for the Downtown Transit Center (DTC), the Assembly passed an ordinance which formalized the agreement with more detail especially with regard to the properties identified in the red box on the GIS map. He said they have made preliminary contact with the state as it is an important issue and an important piece of land, approximately 2.5 acres or more.

Mr. Watt said it is a very large parcel of land and he has made contact with the governor's economic team about the property. At root level, the state has identified it as underutilized property and an opportunity for economic development and he thinks they are right. That is not to say that seven homes in downtown Juneau isn't insignificant. He said that the solution of the state to rent these properties has gone on for approximately

35 years and while some have been kept up, some of the homes have not been maintained well and have building maintenance needs.

Members asked staff a number of questions regarding ownership, and if CBJ would have first right of refusal and what potential litigation might be involved.

Mr. Watt and Mr. Palmer answered questions and said that everything is in the beginning stages of discussions with the state and many of the issues are subject to legal review and interpretation at this time.

V. ADJOURNMENT

There being no further business to come before the committee, Ms. Gladziszewski adjourned the meeting at 8:41 p.m.

Respectfully Submitted,

Elizabeth J. McEwen, MMC
Municipal Clerk