

REGULAR ASSEMBLY MEETING 2023-11 MINUTES

May 08, 2023 at 7:00 PM



Assembly Chambers/Zoom Webinar/YouTube Livestream

A. CALL TO ORDER

Meeting No. 2023-11: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and via zoom, was called to order at 7:02pm.

B. FLAG SALUTE

C. LAND ACKNOWLEDGEMENT

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

D. ROLL CALL

Assemblymembers Present: Wade Bryson, Michele Hale, Alicia Hughes-Skandijs, Greg Smith, Christine Woll, 'Wáahlaal Gíidaak, Maria Gladziszewski, Mayor Beth Weldon

Assemblymembers Absent: Carole Triem

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Port Director Carl Uchytel, Engineering and Public Works Director Katie Koester, Airport Manager Patty Wahto, Lands Manager Dan Bleidorn, Bartlett Regional Hospital Chief Executive Officer David Keith, Bartlett Regional Hospital Director of Compliance Nathan Overson

E. SPECIAL ORDER OF BUSINESS

1. Proclamation - Public Service Recognition Week

Mayor Weldon presented a proclamation recognizing city, state, tribal, and federal workers for the public service they provide to the community.

2. Instruction for Public Participation

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. ***Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.*** For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

E. APPROVAL OF MINUTES

3. February 27, 2023 Assembly Regular Meeting #2023-05 DRAFT Minutes

4. March 20, 2023 Assembly Regular Meeting #2023-07 DRAFT Minutes

Motion by Ms. Hale to approve the February 27, 2023 Assembly Regular Meeting minutes and the March 20, 2023 Assembly Regular Meeting minutes and asked for unanimous consent.

Hearing no objection, the minutes were approved by unanimous consent.

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested to remove item 9, Ordinance 2022-06(b)(AW) and said he will provide an update about permitting software at the next Assembly Finance Committee meeting

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)*

Michael Riederer, a North Douglas resident, asked CBJ to work with neighboring landowners to sell the assets of US Forest Service tract 4605, also known as Douglas Bench Road to allow for the building of residential homes. Mr. Riederer also requested that CBJ hold additional large and small land sales as described in the Land Management plan. He said he believes CBJ should provide additional buildable land to increase housing stock instead of focusing on increasing housing density within the existing land, which might have detrimental impact on the quality of life.

Karla Hart, a Back Loop resident, said that she was surprised at the last Assembly meeting when the executed MOU with the cruise ship industry that will impose a large five ship limit defined a large ship as 950 passengers and larger instead of 500 passengers or larger. Ms. Hart said that the 500 passenger and larger classification was used in discussion throughout the visitor industry task force. She said it seemed disingenuous to the public to change that definition, as it will allow up to 60 additional ships in 2024 since there are several ships that are under 950 passengers but above 500 passengers. Ms. Hart asked the Assembly if this was their intention, and if it was expressed concern about the public process.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

MOTION by Ms. Hughes-Skandijis to pull item 10, Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital. Mayor Weldon moved this to the first item under public hearing.

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda as amended, which removed items 9 and 10, and asked for unanimous consent.

Hearing no objections, the Consent Agenda, as amended, was adopted by unanimous consent.

I. Ordinances for Introduction

5. Ordinance 2023-24 An Ordinance Amending the Elections Code Relating to Election Procedure.

At the January 30, 2023 Regular Assembly meeting, the Assembly directed staff to draft an ordinance which would make by mail elections the default for all CBJ elections going forward unless called for differently by the Assembly. Since that is a paradigm shift in the default method by which we conduct elections, it also required an overhaul of our current election code. Ordinance 2023-24 is mostly a housekeeping rewrite of the election code to streamline and move current by mail election sections 29.07.360 and 29.07.370 into the main body of the election code. It also provides clarity of language and codifies some of the past practices that have been in our policies and procedures into the code to enhance election transparency.

The Assembly Committee of the Whole (COW) reviewed the draft ordinance at its April 24, 2023 meeting and forwarded it to the Assembly.

The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at the Special Assembly meeting scheduled for Wednesday, May 17 immediately preceding the Assembly Finance Committee meeting.

6. Ordinance 2023-26 An Ordinance Creating a Short Term Rental Registration Program and Providing for a Penalty.

This ordinance requires owners to register the location and occupancy details of each individual short-term rental unit that they operate. Registration of individual short-term rental unit has two objectives: first, registration will assist the CBJ Sales Tax Office in ensuring compliance with sales tax and hotel-bed tax requirements, and second, registration will give the Assembly and the public greater visibility into the number, type, and geographical distribution of short-term rental units. This ordinance does not require registration for any dwelling units rented for longer than 30 days. The ordinance also provides for a penalty if owners publicly list short-term rental units without having properly registered those units with CBJ.

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

7. Ordinance 2022-06(b)(AK)(c) An Ordinance Appropriating \$1,200,000 to the Manager for a Loan for the Ridgeview Subdivision Project; Funding Provided by the Affordable Housing Fund.

During the Fall 2022, Round Two competition of the Juneau Affordable Housing Fund (JAHF), four projects were awarded funding through a competitive funding round. The awardees were announced at the November 28, 2022 Lands Housing and Economic Development Committee meeting and approved at the December 12, 2022 Assembly meeting. The phase one preliminary plat and the preliminary alternative residential development plan were approved by the Planning Commission on December 12, 2022.

This ordinance appropriates funds for a low interest \$1.2 million loan to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. The loan will be secured by a deed of trust on the property.

The Systemic Racism Review Committee reviewed this request at the February 28, 2023 meeting and forwarded it to the full Assembly for public hearing.

At the direction of the Assembly Committee of the Whole at its March 6, 2023 meeting, the City Manager redrafted this ordinance with substantive changes requiring re-introduction.

The Lands, Housing and Economic Development Committee heard this topic on April 24th and forwarded version b to the Assembly. The Manager has updated this version c to explicitly authorize the Manager to subrogate the CBJ's interests to those of a commercial lending institution (bank).

The City Manager recommends the Assembly reintroduce this new version of the ordinance and set it for public hearing at the May 17, 2023 Special Assembly meeting at 5:30p.m. just prior to the Assembly Finance Committee meeting.

8. Ordinance 2022-06(b)(AU) An Ordinance Appropriating \$30,000 to the Manager for the Deferred Maintenance Capital Improvement Project; Funding Provided by School District Operating Funds.

This ordinance would appropriate \$30,000 to the CBJ Deferred Maintenance CIP for Thane Warehouse building repairs. The Juneau School District has agreed to pay \$30,000 of the installation fees associated with the overhead coiling door at the Thane Warehouse. The installation of this door provides improved access to the property stored at the warehouse. Maintenance and repair costs are considered instructional in nature, and therefore will be funded inside the cap from School District operating funds.

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

9. Ordinance 2022-06(b)(AW) An Ordinance Appropriating up to \$300,000 to the Manager for Community Development Permitting and Land Management Software; Funding Provided by General Funds.

This ordinance would appropriate up to \$300,000 for permitting and land management software for the Community Development Department. The software would provide an online public portal for permit and land use applications, inspection requests, status updates, and payments. The software would manage cross-departmental workflow, historical data, record keeping, and reporting for Community Development and Engineering and Public Works services while integrating data and functionality from the legacy system. The new software would increase staff productivity while offering a faster, more accurate, and user-friendly system for permit and land use applicants in the CBJ. Funding for the software would be provided by general funds.

The Mayor's Housing and Development Task Force recommended that CBJ acquire permitting software as a major outtake of its work.

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

J. Resolutions

10. Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital. Bylaws become effective upon Assembly approval by resolution. The hospital board bylaws were last amended in 2020. The hospital board has proposed an amendment, as provided in Attachment A to Resolution 3025. This resolution would adopt the hospital board's recommended amendment to its bylaws that were approved by the board at its regular meeting on April 25, 2023. A summary of the amendment is provided in the attached documents. The amendment is straightforward and simply brings the bylaws in line with the current CBJ Code.

The Human Resources Committee reviewed this resolution at its May 8, 2023, meeting and forwarded its recommendation for adoption to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

11. Resolution 3027 A Resolution in Support of the City and Borough of Juneau's Application for the Charging and Fueling Infrastructure Grant.

This resolution supports CBJ's application for a Charging and Fueling Infrastructure Grant for a borough wide Electric Vehicle Charging Plan and the installation of publicly accessible charging infrastructure in neighborhoods across the borough with an emphasis on providing charging in underserved and rural areas. The Electric Vehicle Charging Plan will include charging strategies for electrification of commercial and governmental fleets. The total project cost for a plan and implementation is \$5 million dollars, with a 20%, or \$1 million match. The grant is reimbursable and if CBJ is successful in its application, can be appropriated over multiple fiscal years as funds are expended.

The Public Works and Facilities Committee reviewed and approved this request at its April 24, 2023 meeting.

Juneau Commission on Sustainability reviewed this opportunity at its April 19 and May 3 meetings.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

12. Bid Award RFB 24-004 Term Contract for Janitorial Services at CBJ Shops.

Recommendation to Award Bid No. 24-004 Term Contract for Janitorial Services at CBJ Shops: to include, Mendenhall Waste Water Treatment Plant (MWWTP), Mendenhall Waste Water Treatment Plant-Collections (MWWTP-C), Capital Transit Bus Barn (CT) & Consolidated City Shop (CCS). Please see the attached memo from Purchasing Officer Renee Loree for complete details.

The City Manager recommends the award of this bid to Pak's Pro Cleaning Service, based on having the lowest responsive and responsible TOTAL BID price of \$102,000.00.

13. Bid Award No. 24-022 Term Contract for Roadway Deicer 'SALT' for City & Borough of Juneau Streets Division

Recommendation to Award Bid No. 24-022 Term Contract for Roadway Deicer 'SALT' for City & Borough of Juneau Streets Division. Please see the attached memo from Purchasing Officer Renee Loree for complete details.

The City Manager recommends the award of this bid to Bering Marine Corporation based on them having the lowest responsive and responsible TOTAL BID price of \$105,516.00.

L. Transfers

14. Transfer Request T-1057 A Transfer of \$75,000 from CIP R72-136 Areawide Drainage Improvements to CIP R72-128 Pavement Management.

This request would transfer \$75,000 from the Areawide Drainage Improvements CIP to the Pavement Management CIP. The underground drainage infrastructure along Montana Creek Road is significantly degraded due to corrosion and failure of the bottom of the metal culverts. Before repaving the failing roadway, these culverts must be replaced. The Areawide Drainage Improvements CIP was specifically designated to cover drainage issues such as the drainage degradation identified along Montana Creek Road.

The Public Works and Facilities Committee reviewed this request at the April 24, 2023 meeting.

The City Manager recommends approval of this transfer.

15. Transfer Request T-1058 A Transfer of \$200,000 from CIP B55-086 Deferred Maintenance, CIP B55-081 Study-Secondary Campus Access, and CIP B55-078 RRC Detox Additions to CIP B55-080 Crisis Stabilization.

This request would transfer \$200,000 of hospital funds to the Crisis Stabilization Capital Improvement Project, from the following capital improvement projects:

B55-086 Deferred Maintenance (\$ 106,805)

B55-081 Study-Secondary Campus Access (\$ 88,479)

B55-078 RRC Detox Additions (\$ 4,716)

Due to delays in the timing of completion of the Aurora Behavioral Health Center and unforeseen additional costs, the Crisis Stabilization CIP requires \$200,000 in supplemental funding. Bartlett has identified several other capital projects that were abandoned, completed, or had unobligated funding that can be transferred to the Aurora Behavioral Health Center to facilitate timely completion.

The Public Works and Facilities Committee reviewed this request on April 24, 2023. The Hospital Board approved this request at the April 25, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

16. Liquor & Marijuana Licenses for Review

These Alcohol Marijuana Control Office (AMCO) license actions are before the Assembly to either protest or waive its right to protest the license actions.

Liquor Licenses - RENEWAL

Licensee: Southern Glazer's Wine & Spirits of Alaska d/b/a Southern Glazer's of AK

License Type: General Wholesale, License #4859

Location: 5452 Shaune Dr. Bay 2., Juneau

Marijuana Licenses – RENEWAL

Licensee: The Green Elephant LLC., d/b/a The Green Elephant

License Type: Retail Marijuana Store, License #10844

Location: 101 Mill St. Suite B, Juneau

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

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

N. PUBLIC HEARING

J. 10. Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital. *Pulled from the consent agenda by Assembly request.*

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital. Bylaws become effective upon Assembly approval by resolution. The hospital board bylaws were last amended in 2020. The hospital board has proposed an amendment, as provided in Attachment A to Resolution 3025. This resolution would adopt the hospital board's recommended amendment to its bylaws that were approved by the board at its regular meeting on April 25, 2023. A summary of the amendment is provided in the attached documents. The amendment is straightforward and simply brings the bylaws in line with the current CBJ Code.

The Human Resources Committee reviewed this resolution at its May 8, 2023, meeting and forwarded its recommendation for adoption to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Resolution 3025 and asked for unanimous consent.

AMENDMENT #1 by Ms. Hughes-Skandijs to amend Resolution 3025 to delete the words "located inside and outside the City and Borough of Juneau" in section 0122 General Powers. In speaking to her proposed amendment Ms. Hughes-Skandijs said this would help maintain clarity in the powers of the board.

Ms. Gladyszewski asked how this language differed from current ordinances.

Ms. Layne answered that the language "located inside and outside the City and Borough of Juneau" matched current CBJ code.

Mr. Smith asked how this language change would affect the hospital and hospital board. Mr. Kieth (BRH CEO) said that the intent of the resolution is to allow the hospital to meet certain regulatory requirements for hospice and home health care. The recommendations for changes proposed by the BRH board was to meet Centers for Medicare & Medicaid Services (CMS) and other regulatory requirements to allow them to oversee the hospital, hospice, home health, and any future entities that may fall into those categories, like Wildflower Court. Mr. Smith asked if Bartlett has provided medical care outside of Juneau. Mr. Keith answered that BRH has a relationship with Petersburg Medical Center where they provide credentialing and privileging support.

OBJECTION by Ms. Hale. Ms. Hale said she did not support making changes without communicating with the empowered board in question.

Ms. Woll also objected, for the purposes of asking a question. Ms. Woll asked if the proposed amendment and motion passed, would it prevent BRH from operating licensed medical facilities outside of the Borough. Ms. Layne said taking out the language “and outside the City and Borough of Juneau” would remove the board’s ability to operate outside of the borough, but noted that if BRH wanted to operate outside of CBJ then they would also need approval from both the CBJ Assembly and the Assembly of whatever borough they were looking to operate in.

Mr. Bryson also objected, and asked for more clarification. Ms. Layne said that Title 40 of CBJ code, where it talks about the powers of the Hospital Board, states that the hospital board is responsible for all licenses hospitals and associated licensed health facilities, but the Bartlett Bylaws only had licensed hospitals listed. She said the purpose of the resolution was to make sure the duties matched, and that she added “inside and outside the City and Borough of Juneau” as it’s currently in Title 40 of the code. Mr. Bryson asked Ms. Hughes-Skandijs what she was trying to accomplish with this amendment.

Ms. Hughes-Skandijs said she had misunderstood a previous conversation with the attorney and withdrew Amendment #1. Hearing no objection, Resolution 3025 passed, without amendment, by unanimous consent.

17. Ordinance 2023-08 An Ordinance Repealing Ordinance 2022-63 and Authorizing the Manager to Enter into a Revised Revenue Sharing Agreement with Goldbelt, Inc. to Fund Installation of the Gondola and Associated Infrastructure at the Eaglecrest Ski Area.

This ordinance would repeal ordinance 2022-63 authorizing the Manager to accept \$10M from Goldbelt, Inc., for the installation of the gondola and associated facilities and replace it with Ordinance 2023-08. The Assembly previously approved the ordinance on January 9, 2023. After approval of the ordinance, Goldbelt, Inc. requested changes to the payment schedule of their contribution to the CBJ. The City Manager, Legal Counsel, and the Eaglecrest Manager have negotiated with Goldbelt, Inc. through revisions to the original revenue sharing agreement that are depicted in Exhibit A. Goldbelt, Inc. has provided a letter of intent to enter into the revised revenue sharing agreement in Exhibit B.

The Assembly Committee of the Whole reviewed a revised Exhibit A Revenue Sharing Agreement at its April 24, 2023 meeting and forwarded it to the Assembly.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2023-08 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-08 passed by unanimous consent.

18. Ordinance 2022-06(b)(AD) An Ordinance Appropriating \$10,000,000 to the Manager for the Eaglecrest Gondola Capital Improvement Project; Funding Provided by an Investment from Goldbelt, Inc.

Goldbelt, Inc. has agreed to invest \$10 million for the installation of the gondola and associated infrastructure at Eaglecrest Ski Area. This ordinance appropriates funds for that purpose. The initial investment will be repaid according to the terms outlined in the revenue sharing agreement between CBJ and Goldbelt, Inc., authorized by Ordinance 2022-63. This appropriation will be effective upon execution of the agreement.

This ordinance was introduced to the Assembly on January 9, 2023. Public hearing for the ordinance was postponed until the revenue sharing agreement was finalized between Eaglecrest Ski Area and Goldbelt Inc. The letter of intent between Eaglecrest and Goldbelt, Inc. was signed on April 12, 2023. The Committee of the Whole

discussed this request at the November 28, 2022 and December 12, 2022 meetings, and approved the revenue sharing agreement at the April 24, 2023 meeting. The Systemic Racism Review Committee reviewed this request at the January 10, 2023 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2022-06(b)(AD) and asked for unanimous consent.

OBJECTION by Ms. Hughes-Skandijs for the purposes of a comment. Ms. Hughes-Skandijs said that at the last Eaglecrest Board meeting, a member of the board asked Mr. Scanlan what would happen if it cost more than \$10 million dollars to build the gondola project; Ms. Hughes-Skandijs said that Mr. Scanlan answered they would look for additional funding opportunities, including the Assembly. Ms. Hughes-Skandijs removed her objection.

OBJECTION by Mayor Weldon for the purpose of a question. Mayor Weldon asked if this money is appropriated, what is the basic plan for movement on the gondola. Mr. Satre, Chair of the Eaglecrest Board, answered that they need to do more engineering and geotechnical work this summer, in the hopes of moving to construction work next building season. Mayor Weldon asked if the \$10 million dollars will cover the project. Mr. Satre said, speaking on behalf of the Board, that they had originally hoped for the gondola plus ancillary activities, but with increasing construction costs they are now planning to have the backbone of the gondola done with the \$10 million dollars and hope to revisit the ancillary facilities at a future time.

Ms. Woll asked when a final cost estimate will be available. Mr. Satre replied he did not know that answer, but that Mr. Scanlan might be able to provide it when he was back from vacation.

Mayor Weldon removed her objection.

Hearing no objection, Ordinance 2022-06(b)(AD) passed by unanimous consent.

19. Ordinance 2023-22 An Ordinance Authorizing the Eaglecrest Ski Area to Enter Into a Franchise Agreement with Alaska Rainforest Sanctuary, LLC dba Kawanti Adventures, for Operating the Alaska Zipline Adventure Canopy Tour.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement with Alaska Rainforest Sanctuary LLC to operate their zipline under the DBA Kawanti Adventures. Eaglecrest has been permitting a third party to operate the zipline tour at Eaglecrest since 2006 under a commercial use permit. Alaska Rainforest Sanctuary purchased the zipline infrastructure and took over the previous Commercial Use Permit in 2018. Normally, the CBJ would use the lease process for this type of arrangement, but the federal Land and Water Conservation Fund prohibits the CBJ from issuing leases at Eaglecrest. However, the CBJ can grant a franchise agreement as a mechanism to formalize this business relationship. Eaglecrest contacted six different zipline operators to see if there was interest in developing a zipline tour and received no affirmative responses. This ordinance would allow Alaska Rainforest Sanctuary to operate the zipline tour for five consecutive summer seasons.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2023-22 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-22 passed by unanimous consent.

20. Ordinance 2023-23 An Ordinance Authorizing the Manager to Execute a Lease with GCI Communication Corporation for Approximately 15,500 Square Feet of City Property Located at 1580 Thane Road for a Satellite Communication Earth Station Site.

This ordinance would authorize the Manager to lease a fraction of municipal property, Alaska Tidelands Survey No. 556, located at 1580 Thane Road for fair market value. GCI applied to continue to lease this property for the operation of a Satellite Communication Earth Station site. GCI has leased this space from the City since 1983. On January 23, 2023, the Assembly Lands, Housing, and Economic Development Committee passed a motion of support to continue to lease this property to GCI. An appraisal was completed in February and determined market value for this lease to be \$29,211 per year.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2023-23 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-23 passed by unanimous consent.

21. Ordinance 2022-06(b)(AQ) An Ordinance Transferring \$7,026,038 from CIP B55-087 Emergency Department Addition to CIP B55-080 Crisis Stabilization, and Deappropriating \$7,026,038 from the Manager for the Crisis Stabilization Capital Improvement Project.

This request would transfer \$7,026,038 from the Emergency Department addition CIP to the Crisis Stabilization CIP for the purpose of releasing Bartlett fund balance currently in the Crisis Stabilization project to improve BRH's available capital to support ongoing operations as well as other ongoing strategic initiatives of the hospital.

The Hospital Board reviewed this request at the March 28, 2023 meeting. The Public Works and Facilities Committee reviewed this request on April 24, 2023. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2022-06(b)(AQ) and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for the purposes of a question. Ms. Gladziszewski asked for an update about emergency room plans. Mr. Watt said the hospital desires upgrades to the emergency room at a scaled down budget, but they have not determined the scope of the project at this time.

Ms. Hughes-Skandijs asked what the total CIP was for the crisis stabilization project. Mr. Rogers said there was a memo in a previous Public Works and Facilities Committee packet with that information, but he could not answer it from memory.

Ms. Gladziszewski asked if this ordinance needed to pass immediately or if it could wait until answers were provided. Mr. Rogers said the hospital board has voted to abandon the emergency department project and will seek to do something else with the bond fund appropriation. If the Assembly and Hospital Board wanted to revisit an emergency department upgrade, the hospital could then pay for that from their general fund balance.

Ms. Gladziszewski removed her objection.

Hearing no objection, Ordinance 2022-06(b)(AQ) passed by unanimous consent.

22. Ordinance 2022-06 (b)(AS) An Ordinance Appropriating \$11,944,152 to the Manager for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate Airport CARES Act funding for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction capital improvement projects, to be appropriated as follows:

Parking Lot Paving (A50-106) \$ 9,854,010

Bag Belt Replacement (A50-105) \$ 1,419,716

Gate K Reconstruction (A50-110) \$ 670,426

Funding appropriated for the Parking Lot Paving CIP would rehabilitate the long-term, short-term, employee, and rental car lots and taxi staging areas, and will include the addition of EV charging stations. \$600,000 was previously appropriated to this project, to engage the design consultant. The Airport Board approved this action at its April 12, 2023 meeting.

Funding appropriated for the Bag Belt Replacement CIP would provide for the replacement of aging and unreliable components of the outbound baggage conveyor system. \$50,000 was previously appropriated to this project, to engage the design consultant. The Airport Board approved this request at the March 9, 2023 meeting.

Funding appropriated for the Gate K Reconstruction CIP would provide for the replacement of the failed culvert on the primary Aircraft Rescue and Fire Fighting (ARFF) response route for the runway and main taxiway. The Airport Board approved this action at its March 9, 2023 meeting. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

These projects are fully funded by federal grants and do not require any local match.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to adopt Ordinance 2022-06 (b)(AS) and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for the purposes of a question. She said \$9.8 million for paving the parking lot was a lot of money per square foot and asked if there was anything special about the project. Ms. Wahto, Airport Manager, said that bids are coming in high but that this project also included lights, draining, and was phased which increased cost.

Mayor Weldon asked about the changes in parking during the project. Ms. Wahto said that the long term parking lot will be moving near the north terminal between Alaska Seaplanes and FedEx and that short term parking will be moving about several times during the project but signage will be up.

‘Wáahlaal Gíidaak commented that she would like to see permanent signage that welcomed visitors to Dzantik’i Héeni, land of the Lingít Aaní.

Mayor Weldon removed her objection.

Hearing no objections, Ordinance 2022-06(b)(AS) passed by unanimous consent.

23. Ordinance 2022-06(b)(AT) An Ordinance Appropriating \$250,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

This ordinance would appropriate \$250,000 in Harbors Funds for Phase III of the Aurora Harbor Improvements CIP. The lowest bid for this project came in at \$4.3 million, exceeding the available budget in the CIP. This appropriation would provide the necessary funding to award the base bid, which includes a main float and finger floats for 60-foot vessels, electrical build out, and potable water.

The Docks and Harbors Board approved this request at the April 14, 2023 meeting. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2022-06(b)(AT) and asked for unanimous consent.

Hearing no objection, Ordinance 2022-06(b)(AT) passed by unanimous consent.

24. Ordinance 2023-15 An Ordinance Appropriating Funds from the Treasury for FY24 School District Operations.

This ordinance will appropriate to the School District an FY24 operating budget of \$96,317,000. This is an overall increase in the budget of \$9,658,000 from the FY23 Amended Budget. The FY24 school budget is supported with a combination of funding sources including CBJ local funding of \$33,050,800 and state and federal funding of \$58,996,000. The local funding consists of \$30,775,800 for general operations and \$2,275,000 for programs and activities not subject to the state funding cap.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. The district's budget was submitted April 3, 2023. During the April 26, 2023 Special Assembly meeting, the Assembly approved the local funding portion of \$30,775,800 for school district general operations. During the May 3, 2023 Assembly Finance Committee meeting, the Assembly approved \$2,275,000 for program and activities not subject to the state funding cap.

By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2023.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-15 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-15 passed by unanimous consent.

25. Items for Reconsideration

*Notice of reconsideration was given at the April 17, 2023 Assembly meeting for **Ordinance 2023-21, An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours.***

Assembly Action

MOTION by Mr. Bryson to reconsider Ordinance 2023-21 An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours and asked for a vote.

Mayor Weldon asked how many votes this needed for reconsideration to pass. Ms. Layne said there needed to be five affirmative votes to take up the ordinance for reconsideration.

OBJECTION by Ms. Woll. Ms. Woll said that reconsideration is a useful tool when new information becomes available or when Assemblymembers were confused about an issue and have since gotten clarity. Ms. Woll said that neither situation applies.

OBJECTION by Ms. Hughes-Skandijs, who agreed with Ms. Woll, said she did not see a clear and compelling case for reconsideration.

ROLL CALL VOTE to reconsider Ordinance 2023-21.

Yeas: Mr. Bryson, Ms. Hale, 'Wáahlaal Gíidaak

Nays: Mr. Smith, Ms. Hughes-Skandijs, Ms. Woll, Ms. Gladziszewski, Mayor Weldon

Motion to reconsider Ordinance 2023-21 failed; 3 yeas, 5 nays.

P. NEW BUSINESS

26. Bid Award RFB #DH23-015 Aurora Harbor Rebuild Phase III

Docks & Harbors completed an in-house design for the next phase of the Aurora Harbor project and has solicited general contractors for construction bid award. This project will construct a single, new 270 foot main float with slips to support 60 foot vessels and transient side-tie vessels, including power and water. Due to float manufacturing limitations, the performance period for this contract will extend into May 2024.

Funding provided from the Aurora Harbor Rebuild CIP H51-125 which includes money from the 2017 1% Sales Tax Initiative, Harbor Enterprise Fund Balance and ADOT Harbor Facility Grant.

Bids were opened on April 12, 2023. The bid protest period expired at 4:30 p.m. on April 19, 2023 with the following results:

	<u>Engineer's Estimate</u>	<u>Trucano Construction Co.</u>	<u>Western Marine Construction</u>
Base Bid	\$3,235,800	\$4,269,650	\$4,510,950
Additive Alt. A	\$ 143,250	\$ 236,900	\$ 244,950
Additive Alt. B	\$ 457,000	\$ 589,750	\$ 551,500
Additive Alt. C	\$ 333,600	\$ 495,800	\$ 462,200
Additive Alt. D	\$ 57,500	\$ 72,750	\$ 109,500
Total Project Cost	\$ 4,227,150	\$ 5,664,850	\$ 5,879,100

The Docks and Harbor Board recommended this bid award at the regular board meeting held on April 27, 2023.

The City Manager recommends the base bid award of this procurement to Trucano Construction Company for a total award of \$4,269,650.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to award Bid Award RFB #DH23-015 Aurora Harbor Rebuild Phase III to Trucano Construction Company and asked for unanimous consent.

Hearing no objection, Bid Award RFB #DH23-015 for the base bid to Trucano Construction Company passed by unanimous consent.

27. Bid Award BE23-267 (A50-106) JNU Parking Lot Improvements

Bids were opened on the subject project on April 5, 2023. The bid protest period expired at 4:30 p.m. on April 6, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>	<u>Total Amount</u>
Colaska dba SECON	\$7,997,405.00	\$287,046.00	\$8,284,451.00
<i>Engineer's Estimate</i>	<i>\$6,684,079.00</i>	<i>\$321,489.00</i>	<i>\$7,005,568.00</i>

Project Description:

Base Bid: The Work is generally described as follows: Rehabilitate Juneau Airport public long and short-term parking lot, employee parking and eastern portion of rental lot parking. Remove and replace asphalt pavement, replace stormwater drainage, lighting and underground electrical. Replace stormwater drainage on Air Operations Area (AOA) adjacent to rental lot. Provide phased project delivery to maintain parking access during construction. Trades will include site work, concrete, electrical, mechanical, paving, and fixed equipment.

Additive Alternate 1: – Western Portion of Rental Lot: The Work is generally described as follows: Rehabilitate Juneau Airport western portion of rental lot parking. Remove and replace asphalt pavement, replace stormwater drainage, lighting and underground electrical. Provide phased project delivery to maintain parking access during construction. Trades will include site work, concrete, electrical, and paving.

Funding Source: FAA CARES grant

Total Project Funds: \$10,454,010

CIP No. A50-106

Construction Encumbrance: \$8,284,451

Construction Contingency: \$0

Design: \$767,783

Contract Administration/Inspection: \$1,029,229

CBJ Administrative costs: \$372,547

Staff recommends award of this project to SECON for the total amount bid of \$8,284,451.00, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to award Bid Award BE23-267 (A50-106) JNU Parking Lot Improvements to SECON for the total amount bid of \$8,284,451.00, contingent upon receipt of an anticipated FAA CARES grant amendment and asked for unanimous consent.

Hearing no objection, Bid Award BE23-267 (A50-106) passed by unanimous consent.

28. Bid Award BE23-263 (A50-105) Outgoing Baggage Belt Repairs

Bids were opened on the subject project on March 7, 2023. The bid protest period expired at 4:30 p.m. on March 9, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>	<u>Total Amount</u>
Robson Handling Technology USA, Inc.	\$1,169,012.00	\$106,912.00	\$1,275,924.00
Dawson Construction, LLC	\$1,321,000.00	\$221,000.00	\$1,542,000.00

Engineer's Estimate	\$ 706,860.00	\$420,750.00	\$1,127,610.00
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Project Description: This project is a partial replacement of existing out-going baggage conveyor assembly components within the Juneau International Airport.

Funding Source: CARES Grant
Total Project Funds: \$ 1,469,716
CIP No. A50-105
Construction Encumbrance: \$1,275,924.00
Construction Contingency: \$0
Design and Contract Administration/Inspection: \$168,792
CBJ Administrative costs: \$25,000

Staff recommends award of this project to Robson Handling Technology, USA, Inc. for the total amount bid of \$1,275,924, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to award Bid Award BE23-263 (A50-105) Outgoing Baggage Belt Repairs to Robson Handling Technology, USA, Inc. for the total amount bid of \$1,275,924, contingent upon receipt of an anticipated FAA CARES grant amendment and asked for unanimous consent.

Hearing no objection, Bid Award BE23-263 (A50-105) passed by unanimous consent.

29. Bid Award BE23-223 (A50-110) Gate K Reconstruction

Bids were opened on the subject project on March 1, 2023. The bid protest period expired at 4:30 p.m. on March 2, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Total Bid</u>
Colaska dba SECON	\$555,213.00
Engineer's Estimate	\$488,827.00

Project Description: Work generally consists of the emergency removal of an existing eighty foot long steel pipe arch with approximate 12'-0" span and 6'-4" rise, protection of existing utilities, installation of a stream bypass system, installation of a new eighty foot long aluminum pipe arch with 13'-1" span and 8'-4" rise, removal and reconstruction of existing riprap bank armoring, re-seeding of disturbed banks, reconstruction and repaving of disturbed roadway and other miscellaneous Work.

Funding Source: Airport CARES grant
Total Project Funds: \$670,426
CIP No. A50-110
Construction Encumbrance: \$555,213
Construction Contingency: \$0
Design and Contract Administration/Inspection : \$104,213
CBJ Administrative costs: \$11,000

Staff recommends award of this project to SECON for the total amount bid of \$555,213, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to award Bid Award BE23-223 (A50-110) Gate K Reconstruction to SECON for the total amount bid of \$555,213, contingent upon receipt of an anticipated FAA CARES grant amendment and asked by unanimous consent.

Hearing no objection, Bid Award BE23-223 (A50-110) passed by unanimous consent.

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

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

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

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

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to accept Robert Ridgeway for the Hardship List and Amelia Lucas, Jeffrey Goodell, Joy Oberholtzer, Patricial Harper, and Landon Rector for the Late File Senior and Disabled Veteran Exemption List and refer them to the Assessor's for action.

Hearing no objections, the motion passed by unanimous consent.

Q. STAFF REPORTS

31. Election Maps Update

Mr. Barr said they are proposing no changes to the Assembly District 1 and 2 boundary lines. He said they plan to report out CBJ election results by the new interim precincts but are planning to wait to propose permanent changes to the Assembly District 1 and 2 boundaries until after the State Redistricting Board finalizes its work.

R. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon said that there were a lot of activities happening around town recently, including the Maritime Festival and the Little League opening ceremonies. She said that in addition to Public Service Recognition week it was also Teacher Appreciation Month and she appreciated all the hard working teachers.

Committee and Liaison Reports

Committee of the Whole (COW) – Chair Gladziszewski reported that the COW met on April 24 and received an update and talked about childcare, election code changes, community schools, and the gondola revenue sharing agreement. She said the next COW meeting will be May 22.

Assembly Finance Committee (AFC) – Mayor Weldon, speaking for the absent chair, reminded people that the AFC meeting this week will start at 5:00pm, not 5:30pm.

Public Works and Facilities Committee (PWFC) – Chair Bryson said they discussed the emergency department funding switch that came to the Assembly tonight, as well as EV chargers and a waste study.

Human Resources Committee (HRC) – Chair Smith said that the HRC meeting from earlier today was cancelled. He said at the next meeting on June 12 they are looking at making the Parks & Recreation Advisory Committee (PRAC) appointment process smoother. He said they need to set dates for empowered board interviews; after some discussion the Assembly decided upon June 27 as a tentative date.

Lands, Housing, and Economic Development Committee (LHEDC) – Chair Hughes-Skandijs said the last meeting was April 24. She said they discussed changes to the accessory dwelling unit program and they forwarded two options to the full COW. They also discussed housing loans and they heard from Travel Juneau.

Joint Assembly/School Board Facilities Committee -- Chair Hale said there will be a joint meeting on May 25 at noon.

City Manager Hiring Committee – Chair Woll said that they will be meeting next week, date and time still to be determined. She asked Assemblymembers to please fill out a survey of the qualifications and competencies they are hoping to see in their next City Manager. Ms. Woll said she will be working with staff to hold interviews later in the summer and invited the whole body to attend those interview sessions.

S. ASSEMBLY COMMENTS & QUESTIONS

Ms. Hughes-Skandijs reported the Chamber of Commerce will meet May 10 at 2:30pm. She said she attended the Eaglecrest Board meeting on May 1 and they are working on Mr. Scanlan's performance review. She said during the Eaglecrest Board meeting they also received the annual report from the manager, which noted labor shortages. She said there may be future work in the biathlon sphere.

Mr. Smith joined the Juneau Commission on Housing and Homelessness where they discussed the third phase of Housing First. He reported that Travel Juneau has a board retreat this Friday and that the PRAC has not met since they are in the process of reforming.

Mr. Bryson said he attended a Docks and Harbors meeting where they discussed the Aurora Harbor improvements that were on tonight's agenda and the UAS property and potential solutions for a new rental agreement. Mr. Bryson also attended the UA Campus Council which reported they had 581 graduates over the three campuses. He reported the new UAS chancellor, Aparna Palmer, started. Mr. Bryson also talked a lot about the North Douglas Crossing and trash at the Maritime Festival. Mr. Bryson received a plaque, on behalf of Juneau, acknowledging 150 years of cruising from Holland America.

'Wáahlaal Gíidaak said the last Planning Commission meeting was cancelled and she was unable to attend the last Systemic Racism Review Committee (SRRC) meeting. She said the Hōkūle'a arrived to Juneau today by barge and the welcoming ceremony will be June 10 and the global launch on June 15.

Ms. Woll reported that the school board will be meeting tomorrow.

Ms. Hale said the Juneau Commission on Aging (JCOA) met on April 25 and there will be upcoming listening sessions to hear about elder concerns in partnership with AARP. She said she met with the Assessor's office and they are working on changes to the forms to simplify the hardship and senior exemption process. Ms. Hale reported that she attended and spoke at the May 5 Missing and Murdered Indigenous Women rally on behalf of the Mayor.

Ms. Gladziszewski said the Juneau Commission on Sustainability (JCOS) met on May 3; at that meeting they talked about introducing a sustainability award. On May 16 they will be hosting a sustainability session regarding greenhouse gas inventory. Ms. Gladziszewski attended the Totem Pole trail ceremony and spoke on behalf of the Mayor; Sealaska Heritage presented an application to rename part of Seward Street to Heritage Way which will go to go the Planning Commission. Ms. Gladziszewski said the State Museum's current exhibit "Visceral" about intestines was amazing and recommended everyone go see it.

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

U. EXECUTIVE SESSION

32. Law Department - Litigation Update

MOTION by Ms. Gladziszewski to go executive session at 9:03pm to receive a litigation update from the City Attorney and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

The Assembly reconvened into open session at 9:25pm.

V. SUPPLEMENTAL MATERIALS

W. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:26 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor