THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
Meeting Minutes – December 13, 2021

MEETING NO. 2021-28: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom webinar and called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

II. LAND ACKNOLWEDGMENT

Ms. Hughes-Skandijs 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*!

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Greg Smith, Christine Woll, Michelle Hale, ‘Wáahlaal Gíidaak, Carole Triem, Alicia Hughes-Skandijs, and Wade Bryson

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Parks and Recreation Director George Schaaf, Port Director Carl Uchytil, Assistant Municipal Attorney Sherri Layne, Assistant Municipal Attorney Adam Gottschalk, CDD Senior Planner Irene Gallion, JPD Police Chief Ed Mercer, Deputy Chief David Campbell.

IV. SPECIAL ORDER OF BUSINESS

A. Report on JPD Accreditation

Juneau Police Department Police Chief Ed Mercer introduced Scott Hayes, Executive Director of the Oregon Accreditation Alliance (OAA) to the Assembly.

Mr. Hayes thanked the Assembly for the opportunity to present the Juneau Police Department with their initial accreditation award. He described the award as a substantial step for any law enforcement agency to allow an outside, independent organization evaluate their department’s polices, practices, and procedures. Mr. Hayes addressed the public’s increasing demands for police accountability and transparency, and said that accreditation is a step towards building community trust and legitimacy to the profession. He gave a brief overview of the OAA’s history and objectives. He explained that the agency under evaluation must adhere to 105 standards in order to become accredited, and added that these standards are based on national best practices and legislation changes. Juneau is the second agency in Alaska to receive an accreditation from the OAA. He said that the accreditation will occur every three years from this point forward. Mr. Hayes thanked Chief Mercer, Deputy Chief David Campbell, Sgt. Garza, and Sgt. Gifford in preparing JPD for the extensive accreditation process.

Chief Mercer appreciated Mr. Hayes' direction and guidance through this process, and spoke to the beneficial outcomes that accreditation will have towards JPD's commitment to serve the community. He thanked City Manager Rorie Watt, Deputy City Manager Robert Barr, and former Deputy City Manager Mila Cosgrove for their support and consideration. He also thanked Deputy Chief Campbell, Lieutenant Scott Erickson, Lieutenant Jeremy Weske, Lieutenant Krag Campbell, Public Safety Manager Erin Kalwara, Sergeant Nick Garza, and Sergeant Chris Gifford.

Ms. Gladziszewski asked Mr. Hayes to clarify the other town in Alaska that has been accredited by the OAA. Mr. Hayes said that Soldotna had recently completed their second re-accreditation process. He added that Kenai just joined the OAA, and Nome has inquired about accreditation.

Ms. Woll congratulated Chief Mercer on receiving the Public Service Award at the 2021 Alaska Federation of Natives President's Awards.

B. COVID-19 Update

Mr. Barr announced that the Emergency Operations Center (EOC) reduced Juneau's risk mitigation level down to Moderate earlier today. This is a step down from the Modified High level that was put in place on November 15. He explained the reasoning of this decision as a response to the sustained improvement in hospital and public health capacity over the past two weeks. The EOC also considered Juneau's high vaccination rate and the current trend of cases when making the decision to reduce the risk level. He clarified that the primarily major change from Modified High to Moderate is that the masking requirement shifts to a recommendation for those who are fully vaccinated. Mr. Barr reminded the listening public that organizations and businesses can choose to continue to require masking if they choose to do so, and CBJ will continue to do so in City facilities for the time being.

C. Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform.

V. APPROVAL OF MINUTES

A. August 2, 2021 Regular Assembly Meeting #2021-19 DRAFT Minutes
B. September 13, 2021 Regular Assembly Meeting #2021-23 DRAFT Minutes
C. December 1, 2021 Special Assembly Meeting #2021-27 DRAFT Minutes
D. December 4, 2021 Special Assembly Meeting Retreat-Worksession DRAFT Minutes

Ms. Woll noted that the August 2, 2021 Regular Assembly Meeting Minutes had some corrections that she had sent to the Clerk's Office. Motion by Ms. Woll to approve the August 2, 2021 minutes with correction and to approve the minutes of the September 13, December 1, and December 4 meetings and asked for unanimous consent. *Hearing no objections, the August 2, 2021 minutes were approved with correction and the September 13, December 1, and December 4, 2021 minutes were approved by unanimous consent.*

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Aaron Spratt, a Valley resident, said that he was happy to see the reduction of the risk level, and that one of the factors contributing to the risk levels was the comparison of the positive case rate against the population. He asked Mr. Barr to explain why the case count was a substantial factor in the risk mitigation strategies when it appears to be a comparatively low number. He also asked Mr. Barr to clarify the false positivity rate within PCR tests.

Mr. Barr explained that the false positivity rate for PCR tests is exceptionally low, and that the FDA includes this in their emergency use and authorization use PCR tests. He added that does not necessarily mean that false positives are impossible, but the rate at which they occur is generally less than 1%. Mr. Barr further explained that the EOC just had a meeting with the State Department of Public Health Section of Epidemiology earlier today; while the City does adjust for inflation when comparing case counts to the population, and this is done at the direction and guidance of the CDC.

Amy [Last Name Withheld], a Valley resident, asked the Assembly to explain why all of the meeting minutes are not approved, including the September 29 Special Assembly meeting. She said that the Assembly keeps putting off all of the COVID mitigation strategies, and are not answering requests for information. Amy said that it was suspicious of the Assembly to reduce the risk level to a Moderate Level 2, and advised them to read the Constitution. She said that the Assembly was acting against the Oath they all swore to uphold. She said that this community will soon begin an uprising, and said that Juneau's people have had enough.

Russell Peterson, an Auke Bay resident, thanked the Assembly for the at-home test kits, as they were really helpful and hoped that more people will use them.

Bradley Johnson, a Valley resident, referenced a December 2019 Juneau Empire article which detailed increased flu cases, and said that he did not remember any mandates being enforced during that time. He asked the Assembly to consider Australia's strict mandates and the significant amount of Omicron variant COVID cases in their country at the moment. Mr. Johnson said that we all have to accept an inherent risk of disease. He also mentioned Texas' decrease in positive cases and deaths, and compared this to strict mandates and lockdowns being enforced in states like California and New York. Mr. Johnson said that he would like the CBJ to focus more towards health, and did not agree with mask mandates while restaurants are allowed to sell triple bacon burgers.

James Merrell, a Douglas resident, said that dropping the CBJ risk level was a step in the right direction, and hoped that the Assembly would consider removing it entirely. He said that his family was unable to attend the Christmas Public Market even due to private medical decisions that they had made. Mr. Merrell felt that it was morally and constitutionally wrong to not allow American citizens the right to assemble, and found it upsetting that certain members of the community have been discriminated against. He hoped that the Assembly would consider listening to members of the public.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes.

None.

C. Assembly Action

MOTION by Ms. Gladziszewski for the Assembly to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objections, the Consent Agenda was adopted by unanimous consent.*

1. **Ordinances for Introduction**

a. Ordinance 2021-08(b)(am)(S) An Ordinance Appropriating $2,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds.
This ordinance would appropriate $2,000,000 of general funds for the Capital Civic Center CIP. This project is an expansion of Centennial Hall that will include upgrades to satisfy the goals of the business community, the travel industry, and the arts economy. This appropriation would provide funds for a 30% complete plan set that would be adequate for a more detailed cost estimate of the entire project.

The Committee of the Whole reviewed this request at its November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.
The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

b. Ordinance 2021-08(b)(am)(T) An Ordinance Appropriating $2,500,000 to the Manager for the Augustus Brown Pool Capital Improvement Project; Funding Provided by General Funds.
Delaying renovation of Augustus Brown Pool has substantially increased costs due to inflation, supply chain issues, and limited competition in the pool specialty trade. This ordinance would provide $2,500,000 of general funds to satisfy the additional funding needs of completing the project scope of work.

The Public Works and Facilities Committee reviewed this request at the November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.
The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

c. Ordinance 2021-08(b)(am)(U) An Ordinance Appropriating $500,000 to the Manager for the Centennial Hall Renovation Phase 2 Capital Improvement Project; Funding Provided by General Funds.
The design and bid process for renovations to Centennial Hall are proceeding, but as a result of inflation and supply chain issues, the costs are estimated to be higher than anticipated. Seismic bracing has also been identified as an additional recommended improvement. This ordinance would provide $500,000 of general funds to satisfy the additional funding needs of completing the project scope of work.

The Public Works and Facilities Committee reviewed this request at the November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.
The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

d. Ordinance 2022-01 An Ordinance Repealing the Temporary Sales Tax Exemption for Sales of Cost of Power Adjustments on Electrical Power.
In 2008, a massive avalanche damaged the hydroelectric lines. Electrical power costs for CBJ residents and businesses increased dramatically. The Assembly responded and temporarily exempted the cost of power adjustments on electrical power from sales tax. (Emergency Ordinance 2008-17; Ordinance 2008-31). However, the exemption has inadvertently remained in the sales tax code. Because the Assembly in 2008 only intended the exemption for cost of power adjustments to be temporary, this ordinance would repeal that sales tax exemption.
The Manager recommends the Assembly introduce this ordinance, and refer it to the Finance Committee.

e. Ordinance 2022-03 An Ordinance Authorizing the Municipal Attorney to Update Monetary Values Pursuant to Adjustment Provisions in Previously Adopted Legislation.
Various CBJ ordinances, resolutions, and regulations have automatic monetary adjustment provisions tied to the Consumer Price Index or other inflation metrics. This ordinance would clarify that the Municipal Attorney is authorized to update those monetary values in the published CBJ Code pursuant to the previously adopted legislation.
The City Manager recommends the Assembly introduce this ordinance and refer it to the Finance Committee.

2. Resolutions

a. Resolution 2971 A Resolution Supporting New Broad-based Taxation as Part of a Long-term State Fiscal Plan, and Opposing a Statewide Sales Tax.
Continued reductions to state services threaten the health of Juneau's economy and the well-being of Juneau's residents. To avoid continued reductions to state services, the State of Alaska must adopt and implement a long-term fiscal plan. The adoption and implementation of a long-term fiscal plan that fully funds essential government services will require new broad-based revenues. The Legislature is currently considering a statewide sales tax, an income tax, and other revenue measures as part of a long-term fiscal plan. Municipalities have long funded local government services by imposing local sales taxes carefully tailored to the needs of their local residents and economies. A statewide sales tax combined with existing local sales taxes will eventually result in communities reducing local sales tax rates and increasing local property tax rates to continue delivering essential municipal services and an income tax would tax workers in Alaska based on income and ability to pay.

The Assembly Finance Committee recommended this resolution at its meeting on December 1, 2021.
The Manager recommends the Assembly adopt this resolution.

3. Bid Award

4. Liquor License

a. Liquor License Transfer of Location

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Transfer of Location
License Type: Restaurant/Eating Place, License #5278
Licensee: Abigail May LaForce Barnett d/b/a Zerelda's Bistro
Transfer From Location: 9351 Glacier Hwy, Juneau
Transfer To Location: 9106 Mendenhall Mall Rd Suite B, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development departments have reviewed the above license and recommended the Assembly waive its right to protest the transfer application. Copies of the documents associated with this license 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 license transfer of location.

5. Other Items for Consent
a. CSP 2021-0003 Meadow Lane Improvements
The Meadow Lane Improvements project will reconstruct the roadway between Stikine Street and the southern end loop. Improvements will include replacement of the road base and asphalt with the addition of a valley gutter along both sides of the roadway.

The water main and sanitary sewer main will be replaced, including service laterals up to the property line. The existing deep ditches will be filled in with shallow swales, and drainage will be collected via curb inlets and area drains into an underground system.
The City Manager recommends the Assembly approve this project consistent with the Planning Commission's recommendation.

b. Marijuana License Renewal
CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal application.

Marijuana Renewal License
License Type: Limited Marijuana Cultivation Facility License: #15209
Licensee: Herb'n Legends LLC d/b/a Herb'n Legends LLC
Location: 2771 Sherwood Lane Unit D, Juneau
(AMCO 60-day comment period ends: 1/8/2022)

The above marijuana license renewal is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed this renewal and found the business to be in compliance with CBJ Code. The assembly packet contains the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's Office upon request.
The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana license #15209.

IX. PUBLIC HEARING

A. Ordinance 2021-40 An Ordinance Amending Title 40 Regarding the Hospital Board of Directors Authority.

Over the last few years, Bartlett Regional Hospital has seen high demand for certain medical services, especially behavioral health services. The BRH Board has been reviewing its campus plan and determined the increased demand on medical services is best met by buying or leasing property off of the hospital campus. This ordinance is one step to allowing the BRH Board of Directors to buy or lease property away from the hospital. If the BRH Board of Directors wants to buy property, the Board would also need to request a specific appropriation from the Assembly, which would need to be approved by a separate ordinance. (See CBJC 53.04.020). If the BRH Board of Directors wants to provide emergency medical services, like emergency behavioral health services, outside of the City and Borough of Juneau, the Board would also need to request specific authority from the Assembly, which would likely need to be approved by the other municipality. (See CBJ Charter 2.3 and A.S. 29.35.020).

The Systemic Racism Review Committee reviewed this ordinance on October 26, 2021, and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2021-40 and asked for unanimous consent.

Objection by Ms. Triem for purpose of a question. Ms. Triem asked why the Assembly had not discussed this before, specifically if it involves a change in the BRH Board strategy. Mr. Watt explained that the Joint Assembly/BRH Task Force discussed this item at length, and recommended the Assembly discuss strategies with the BRH Board at their next joint meeting.

Ms. Hughes-Skandijs mentioned that this item was mentioned at a prior meeting, and they will hear more about this as a full Assembly through the BRH Board.

Ms. Triem asked if there was a time constraint that the BRH Board needed the Assembly to adhere to. Mr. Watt explained that time constraint was not restricted within this month, but was still an active area of interest with the BRH Board.

Mr. Bryson asked Mr. Watt if the BRH Board was seeking to purchase other buildings because they had failed to purchase the old Juneau Birth Center building. Mr. Watt said that was likely to be a fair assessment, BRH is interested in acquiring other spaces they can provide on a lease basis to bring specialists into town.

Ms. Triem removed her objection.

Hearing no further objections, Ordinance 2021-40 was adopted by unanimous consent.

B. Ordinance 2021-44 An Ordinance Amending the Uniform Sales Tax Code Related to the Sale of Goods and Services Aboard Cruise Ships.

This ordinance would require the collection of sales tax on the sales of goods and services onboard cruise vessels while in the Gastineau Channel. Sales that occur inside the borough boundary but outside the Gastineau Channel would remain exempt.

The Assembly or Assembly Finance Committee considered this ordinance and its predecessor (Ord. 2020-48) on September 2, 2020; October 27, 2020; and November 3, 2021. The Systemic Racism Review Committee reviewed this request at the November 23, 2021, meeting and forwarded it to the Assembly for public hearing.
The Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:
<u>MOTION</u> by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2021-44 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-44 was adopted by unanimous consent.*

C. Ordinance 2021-45 An Ordinance Authorizing the Docks and Harbors Board to Lease ATS 615 in Tee Harbor to Lisa Haffner-Ritter on behalf of Donohue's Marina LLC.
This ordinance would allow the current lessee to exercise preferential rights to enter into a new 35- year lease with the City & Borough of Juneau. The existing 55-year lease was authorized by the State of Alaska in 1966, transferred to the City & Borough of Juneau in February 2001 and is currently managed by Docks & Harbors. The lessee, Lisa Haffner, is requesting to exercise preferential lease rights for the 3.18 acre parcel which is located in Tee Harbor. 35 years is the maximum lease length authorized under CBJ code. An appraisal was completed by Horan & Company on October 12 with a recommended lease rent of $5,545.12 annually.

The Docks & Harbors Board reviewed the lease request and appraisal at its October 28 Regular Board meeting. The Systemic Racism Review Committee reviewed this ordinance on November 23, 2021, and forwarded it to the Assembly for public hearing.
The Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:
<u>MOTION</u> by Ms. Triem for the Assembly to adopt Ordinance 2021-45 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-45 was adopted by unanimous consent.*

D. Ordinance 2021-08(b)(am)(P) An Ordinance Appropriating up to $2,880,000 to the Manager for the Purchase of 2.8 Acres from the University of Alaska Southeast for the Juneau Fisheries Terminal; Funding Provided by General Funds.
This ordinance would appropriate partial funding for the purchase of approximately 35,000 square feet of uplands and two acres of tidelands from the University of Alaska Southeast (UAS). Docks and Harbors is currently leasing this property from UAS to support commercial fisheries and commercial boat repair activity. Continuation of the lease after expiration in May 2022 will result in a significant increase in leasing costs to the Docks and Harbors enterprise, which cannot be recovered through

existing subleases. Investment in the purchase of this property will reduce ongoing operating costs and alleviate pressure on Docks and Harbors user fees.

The total cost of the property is $2,880,000, of which $2,000,000 would be funded with general funds and appropriated at this time. The remaining $880,000 would be funded by the Harbors Fund and appropriated once an available fund source has been determined.

The Committee of the Whole reviewed this request at the November 1, 2021 meeting. The Assembly Finance Committee reviewed this request at the December 1, 2021 meeting. The Systemic Racism Review Committee reviewed this ordinance on November 23, 2021, and forwarded it to the Assembly for public hearing.
The Manager recommends the Assembly adopt this ordinance.

Public Comment:
Russell Peterson, an Auke Bay resident, spoke against this ordinance. He felt that that CBJ did not need to be in the sublease business, and described this as a decision that should be left to private enterprise. Mr. Peterson added that the enterprise facility has $880,000 available to spend, and suggested that they make that offer to UAS for the crane. He advised against spending money that we do not have towards things that we do not need. He noted that the shipyard only brings in about $30,000 a year. He advocated allowing for the Docks & Harbors Board to pursue the $880,000 offer to UAS for the cranes that would be helpful towards the fishing industry, and disagreed with the rest of the ordinance.

Loren Jones, a West Juneau resident (and former Assemblymember), spoke in support of this motion, and for using the General Fund Balance towards this purchase. He did not believe that Docks & Harbors had enough fund balance to purchase this alone. Mr. Jones encouraged the Assembly to consider how this could be used to monetize the waterfront in the future. He supported the Assembly using the full $2.8M from the General Fund, and wished them all happy holidays.

Assembly Action:
MOTION by ‘Wáahlaal Gíidaak for the Assembly to adopt Ordinance 2021-08(b)(am)(P) and asked for unanimous consent.

Objection by Ms. Hale for purposes of a question. Ms. Hale referenced the part of the ordinance that states: “The remaining $880,000 will be funded by the Harbors fund and appropriated once an available fund source has been determined.” She asked Mr. Uchytil to clarify if this line meant that Docks & Harbors does not currently have the $880,000 available.

Mr. Uchytil confirmed that was correct, and explained that Docks & Harbor staff has been working with Finance Director Jeff Rogers to come up with the Harbor match. The current fund balance for Docks & Harbors is $1.5 million, half of which is covered by a bond covenant. He said that there are still negotiations to be had about how to come up with the funding, most likely coming from an interdepartmental treasury loan.

Ms. Hale maintained her objection. She asked Mr. Palmer if it was possible to reinstate the previously removed $880,000 back into the ordinance during this meeting. Mr. Palmer explained that the title of this ordinance did allow for an amendment to be made during this meeting if she chose to do so.

Amendment #1 by Ms. Hale to adjust the amount coming from the General Fund Balance to $2,880,000.
In speaking to her amendment, Ms. Hale said that she wholeheartedly agreed with Mr. Jones' testimony, and said that this property was important and critical for the future of CBJ Docks & Harbors.

Objection by Mr. Bryson for purposes of a question. Mr. Bryson asked Mr. Uchytil to explain the potential consequences if the Assembly were to decide not to purchase this property. Mr. Uchytil explained that the 33-year lease on the property expired in May 2021, and allows for CBJ to submit a one-time renewal. There is no obligation for UAS to sell the property to CBJ, but UAS is required to lease 2.8 acres to the City. He further explained the history and details of the property compared to other CBJ waterfront properties. Mr. Uchytil said that the Docks & Harbors Board believes that this area is critical for viability of CBJ's commercial waterfront, and would be a strategic acquisition.

Mr. Bryson removed his objection, and spoke in support of Ms. Hale's amendment.

Objection by Mr. Smith. Mr. Smith said that the question was never regarding whether the Assembly would buy the property, but rather how they could best utilize their financial reserves for the needs of the City. He felt that the $2 million amount was a good balance, and there was not a strong urge that the City would lose the property otherwise.

Objection by Ms. Gladziszewski. Ms. Gladziszewski echoed Mr. Smith's comments that the Assembly had always supported the purchase of this property, but there are other projects that are asking for funding from the treasury. She supported helping out Docks & Harbors, and felt that the contribution of $2 million was reasonable.

Objection by Ms. Triem. Ms. Triem objected for similar reasons as shared by Mr. Smith and Ms. Gladziszewski. She asked Mr. Rogers to explain the interdepartmental loan timeline.
Mr. Rogers explained that there are two places of the Code that describes a loan structure. He said that the loan must be repaid within five years, and the Finance Department would calculate a nominal interest rate based on their earnings. The loan requires an Assembly ordinance to be enacted, so it would come before the Assembly with the terms of the agreement.

Ms. Hughes-Skandijs spoke in support of the amendment, and noted that the majority of people agreed to pay the full amount at the November Assembly Finance Committee meeting. She spoke to her experience sitting as a liaison on the Docks & Harbors Board, and is aware of several other projects they are trying to fund within their budget. She said that this was a reasonable investment, and felt that the Assembly had enough available funds to finance the full amount.

Ms. Woll spoke in support of the amendment, and agreed with Ms. Hughes-Skandijs' comments. She was not in favor of charging Docks & Harbors to pay the Assembly back through a loan, when the Assembly has the available funds to support this purchase.

Objection by Mayor Weldon. Mayor Weldon acknowledged that while the Assembly does have the money to fund this acquisition, there are several other asks coming before the Assembly.

Roll Call Vote on Amendment #1:
Ayes: Hale, Bryson, Hughes-Skandijs, Woll

Nays: Triem, ‘Wáahlaal Gíidaak, Smith, Gladziszewski, Mayor Weldon.
Motion failed. Four (4) Ayes, Five (5) Nays.

There being no further amendments and hearing no objections, Ordinance 2021-08(b)(am)(P) was adopted by unanimous consent.

The Assembly took a break at 8:00p.m. The meeting resumed at 8:10p.m.

E. Ordinance 2021-08(b)(am)(O) An Ordinance Appropriating $5,500,000 to the Manager as Funding for the Seawalk and Statter Harbor Phase IIIC Capital Improvement Projects; Funding Provided by General Funds.
This ordinance would appropriate $5,500,000 of general funds for the Seawalk and Statter Harbor Phase IIIC capital improvement projects, to be appropriated as follows:

Statter Harbor Phase IIIC (H51-108)	$3,000,000
Seawalk (H51-113)	$2,500,000

This appropriation provides for CBJ’s commitment to the cruise industry of $3 Million of Non-Passenger fee funding towards the completion of the Statter Harbor Phase IIIC project. Funding appropriated for the Seawalk project provides for a triangular shaped portion of marine walk in front of Marine Park.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the November 23, 2021 meeting and forwarded it to the Assembly for public hearing.
The Manager recommends the Assembly forward this ordinance to the January 5, 2022 Assembly Finance Committee for further discussion.

Public Comment:
None.

Assembly Action:
MOTION by Ms. Gladziszewski for the Assembly to adopt Ordinance 2021-08(b)(am)(O) and asked for unanimous consent.
She noted that the Assembly already discussed this ordinance at the most recent Assembly Finance Committee (AFC) meeting, and had made a recommendation.

Mr. Smith asked Mr. Watt to explain why he recommended the Assembly to refer this ordinance back to the Assembly Finance Committee. Mr. Watt agreed with Ms. Gladziszewski’s comments that the Assembly had discussed this at the recent AFC meeting, and he only made this recommendation in consideration of other, larger financial issues that were brought up during that meeting. He said that he would support the appropriation if the Assembly chose to move forward with it tonight.

Hearing no objections, Ordinance 2021-08(b)(am)(O) was adopted by unanimous consent.

F. Ordinance 2021-08(b)(am)(Q) An Ordinance Appropriating $150,000 to the Manager for a Grant to the Juneau Community Foundation to Support Sheltering Operations at The Glory Hall; Funding Provided by General Funds.

This ordinance would appropriate $150,000 of general funds for a grant to the Juneau Community Foundation (JCF) to support sheltering operations at The Glory Hall. Future funding for this purpose may be considered upon a request from JCF as part of CBJ's annual budget process.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the November 23, 2021 meeting and forwarded it to the Assembly for public hearing.
The Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:
<u>MOTION</u> by Ms. Hale for the Assembly to adopt Ordinance 2021-08(b)(am)(Q) and asked for unanimous consent.

Objection by Mayor Weldon for purpose of a statement. Mayor Weldon recently attended a tour of the new Glory Hall and appreciated what they were doing; but noted that last year the Assembly said that they would provide funding on a one time only basis. She wanted to clarify for the record that she was supporting this as one-time funding and not in a reoccurring manner.

Hearing no objections, Ordinance 2021-08(b)(am)(Q) was adopted by unanimous consent.

G. Ordinance 2021-08(b)(am)(R) An Ordinance Appropriating $570,000 to the Manager for Expanded Mobile Integrated Health Services in Fiscal Year 2022; Funding Provided by State Revenue and a Private Grant.
This ordinance would appropriate $570,000 for expanded Mobile Integrated Health services in fiscal year 2022, to be funded as follows:

Southern Region EMS Council, Inc. (SREMSC)	$540,000
Juneau Community Foundation Grant	$30,000

The SREMSC is providing ARPA funds from the State of Alaska to contract CBJ to perform mobile integrated health services in the community. The Juneau Community Foundation is providing grant funding from Norwegian Cruise Lines for a community paramedic vehicle in support of the expanded services.

Revenue received from the contracted services will partially offset the use of general funds for CBJ's Mobile Integrated Health Program's fiscal year 2022 budgeted expenditures.

The Systemic Racism Review Committee reviewed this request at its November 23, 2021 meeting and forwarded it to the full Assembly for public hearing.
The Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2021-08(b)(am)(R) and asked for unanimous consent.

Objection by Mr. Bryson for purpose of a question. Mr. Bryson asked Mr. Barr to explain if the Mobile Integrated Health program was connected to the local 911 system, or if it was a preventative/reactive setup. Mr. Barr explained that the Mobile Integrated Health team is not connected to 911 dispatch, although it is not uncommon for people to get referred to their service. The program will typically refer those in need to medical providers at the hospital or healthcare providers throughout the community.

Mr. Bryson removed his objection.

Hearing no objections, Ordinance 2021-08(b)(am)(R) was adopted by unanimous consent.

X. UNFINISHED BUSINESS

A. Draft 2022 Assembly Goals

Mayor Weldon thanked everyone who attended the Assembly Retreat on December 4, and for their work on developing the 2022 Assembly Goals. She said that their intent was to decrease the number of Assembly Goals, but they ended up increasing the number of goals instead. She explained that the Assembly could take two courses of action: they could adopt the goals as they are presented, or work on decreasing the goals through prioritization by email.

Ms. Hale asked Mayor Weldon if "prioritization by email" would mean that each Assemblymember would email their list of priorities to be complied by CBJ staff. Mayor Weldon confirmed that would be the exact scenario.

Ms. Triem spoke in favor of adopting the Assembly Goals as they are.

MOTION by Mr. Smith for the Assembly drop any implementing action on the Draft 2022 Assembly Goals that received four or less votes.

The Assembly took a five minute at-ease to review the draft goals.

Objection by Ms. Triem. Ms. Triem was in favor of the 2022 Assembly Goals as presented; and noted that out of the thirty goals presented, Mr. Smith's motion would only remove five, and she would rather keep those five goals.

Ms. Gladziszewski supported Mr. Smith's motion to remove some of the goals, but was concerned about the implications it may have on Title 49.

Ms. Hale expressed frustration over the Assembly Goals process, and felt that it is a disservice to the Assembly to come up with several goals that they cannot adequately fulfill all at once. She said that she hoped to receive more clarity prior to the Assembly retreat around the goal-setting process.

Ms. Hughes-Skandijs felt that the Assembly has too many goals. She would be curious to see how the goals would rank among Assemblymembers' priorities, but was also curious to what staff felt about it. She did not want to drag out the process more, she wanted to make this a usable document.

Mayor Weldon liked Mr. Smith's suggestion to remove goals with four or less votes. She asked the Assembly to raise their hands if they agreed with removing some of the Assembly Goals. All members, with the exception of Ms. Triem, raised their hands in favor of removing the goals that had received four or less votes.

Mayor Weldon asked Mr. Barr to remove the Assembly Goals which received four votes or less, and to email out a revised priority list to the Assembly.

Members had a discussion about other options and approaches that may be used in addressing the goals in an ongoing basis over the course of the year. Mayor Weldon suggested establishing an informal committee with Ms. Hughes-Skandijs, Ms. Hale, and herself to establish what that structure might be.

XI. NEW BUSINESS

A. Commercial Use of Municipal Aquatics Facilities Regulation 11 CBJAC 02

The proposed regulations would authorize the Aquatics Manager to issue permits for commercial use of aquatics facilities.

Staff presented the proposed regulations at the Aquatics Board meeting in November, 2019, and they were discussed among the full board at seven meetings over the course of 2020 and 2021.

The Assembly Human Resources Committee reviewed the proposed regulations at its November 22, 2021 meeting and recommended forwarding to the full Assembly for action.

The City Manager recommends that the Assembly approve the regulation.

Public Comment:
None.

<u>MOTION</u> by Mr. Smith to adopt 11 CBJAC 02 and asked for unanimous consent. *Hearing no objections, the Assembly adopted 11 CBJAC 02 with unanimous consent.*

Ms. Triem thanked the Aquatics Board for the two years that they spent working on these regulations, and thanked Aquatics Board Chair Will Muldoon for his efforts in getting this to the Assembly.

Mr. Bryson asked Mr. Palmer to clarify if other Parks & Recreation departments would need to go through a similar process to obtain a permit for their facilities. Mr. Palmer said that would most likely be the case, as the Parks & Recreation Director would like to have all divisions follow the template that the Aquatics Board utilized.

B. Passenger-For-Hire Fee Regulation Change 05 CBJAC 20.080

This regulation would increase the per charter vessel and per passenger fees by 10%. The newly completed Statter for Hire Floats offer substantial economic benefits for the charter vessel companies. The D&H Board delayed this regulation amendment in 2021 due to COVID uncertainty and has proactively informed charter operators that a modest rate increase would be proposed, which gives the business community ample time to adjust their 2022 rates. The 10% change is expected to raise $15,000 in revenue to the Harbor Enterprise.

The D&H Board has discussed this topic 11 times in the last year. On December 8, 2021, the D&H Board held the required public hearing. In addition to the publicly noticed Docks & Harbors meetings, the proposed changes were advertised via Docks & Harbors Facebook, the monthly newsletter *The Tide Line* and discussed on monthly episodes of Action Line with Pete Carran. The TBMP coordinator also notified the membership of Docks & Harbors' proposed changes.

The City Manager recommends that the Assembly approve the regulation.

Public Comment:
None.

Assembly Action:
<u>MOTION</u> by Ms. Gladziszewski for the Assembly to approve Regulation 05 CBJAC 20.080, and asked for unanimous consent. *Hearing no objections, the regulation was approved by unanimous consent.*

XIII. STAFF REPORTS

None.

XIV. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon thanked Mr. Barr, saying that he had filled former Deputy City Manager Mila Cosgrove's shoes very well. She also thanked the Clerks for organizing the Assembly retreat, and providing food and staff support.

Mayor Weldon also acknowledged Lauren McDonnell and Holly Johnson for being Chamber Citizens of the Year. She shared that she was able to participate in bell ringing, and enjoyed being out in the community.

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Committee of the Whole (COW) Chair Gladziszewski reported that the COW last met on November 29 and received a Juneau Coalition on Housing and Homelessness report from Mandy Cole. They also received an update on the Capital Civic Center, and the results of the Tourism Survey. The next COW meeting is scheduled for December 20.

Assembly Finance Committee (AFC) Chair Triem reported that the AFC last met on December 1 to go over the current state of finances ahead of the Assembly retreat. The next AFC meeting is scheduled for January 5, 2022.

Lands Housing and Economic Development Committee (LHEDC) Chair Hale reported that the LHEDC last met on November 29 to review the Juneau Affording Housing Funding recommendations which were forwarded to the COW. They also discussed the Hidden Valley easement request, and the Christmas tree policy. The next LHEDC meeting is scheduled for December 20.

Public Works and Facilities Committee (PWFC) Chair Bryson reported that the PWFC last met on November 29 to discuss sustainability as a mission statement, and future energy audits on CBJ properties. The PWFC also passed their committee goals ahead of the Assembly retreat. They also received a presentation from Waste Management regarding odors and odor finders.

Human Resources Committee (HRC) Chair Hughes-Skandijs reported that the HRC met earlier this evening, and forwarded the following appointments to the full Assembly:
<u>Building Code Advisory Committee</u>: Chris Gianotti and Douglas Murray to terms beginning immediately and ending November 30, 2024.
<u>Juneau Commission on Aging</u>: Emily Kane, Linda Kruger, Anne Stepetin, and Kathleen Samalon to be reappointed to terms beginning immediately and ending December 31, 2023. They also recommended appointment of Bobbie Epperly to a new term beginning immediately and ending December 31, 2022.
<u>Local Emergency Planning Committee</u>: Bill Legere, Warren Russell, Loren Jones, Christopher Russell, Ryan Sand, Karen Wood, Ed Williams, and Erin Walker-Tolles to terms beginning immediately and ending December 31, 2024. The LEPC are nominations for approval by the State of Alaska Emergency Response Commission. *Hearing no objections, all appointments were approved by unanimous consent.*

Ms. Hughes-Skandijs reminded the Assembly that the full Assembly will meet as the HRC on December 15 at 5:30p.m. via Zoom to interview applicants for the Hospital Board, Planning Commission and Systemic Racism Review Committee.

<u>Liaison Reports</u>
Ms. Hughes-Skandijs shared that the Bartlett Regional Hospital/Assembly Subcommittee had not met since the last Assembly meeting, and she will discuss this with the BRH Board Chair tomorrow.

Ms. Gladziszewski shared that she was unable to attend the most recent Housing Development Task Force (HDTF) meeting. At the meeting, Mr. Palmer discussed variances, the Assembly retreat, and permitting delays. The next HDTF meeting is scheduled to be held on January 7, where the committee will bring recommended changes to Title 49.

Mr. Bryson shared that the Airport Board met on December 9 and discussed CARES Act funding, which brings their current fund balance to $19.5M. The Federal Aviation Administration extended their mask mandate through March 18, 2022. He added that Juneau has become the first airport in Alaska to adopt the Blue Lighting Initiative against human trafficking. He also reported that the Local Emergency Planning Committee met on December 8, where they received a presentation from the Red Cross about their trainings. The LEPC has several Iron Man planning meetings coming up. The committee has submitted a request to create a Tribal Government Liaison seat and a Public Health seat on the LEPC. Mr. Bryson said that he toured the CBJ Streets & Fleets Department last Friday. On December 9, he conducted his final interview with Pete Carran on Action Line as Mr. Carran will be retiring from KINY after thirty years of service on December 31, 2021.

Ms. Hughes-Skandijs attended her first Parks and Recreation Advisory Committee meeting.
She also attended a Juneau Commission on Aging (JCOA) meeting, where they decided that the JCOA will expand their focus to include other economic aspects, rather than solely focusing on the senior

economy. Ms. Hughes-Skandijs reported that at the last Planning Commission they discussed the wrestling center lot construction and the Title 49 Committee met to discuss parking.

Ms. Hughes-Skandijs wished everyone a happy Winter Solstice, happy holidays, and encouraged people to be safe. She mentioned that she ran into a friend on First Friday, and they commented on the Christmas Tree in Marine Park. She asked if that Christmas tree belonged to the City. Mr. Schaaf clarified that the tree was set up by Parks & Recreation. Ms. Hughes-Skandijs shared that her friend expressed concern that CBJ had only put up a Christmas tree, and not any other celebratory symbols for the various winter holidays.

Ms. Triem reported that she did not attend the last Aquatics Board meeting. She attended the Juneau Commission on Sustainability meeting on December 1, where they forwarded their priorities and CIPs to the Assembly in advance of the Assembly retreat.

‘Wáahlaal Gíidaak reported that the Juneau School Board has a work session scheduled to be held on December 15. She also reported that the Sister Cities Committee members visited the airport to review the current Sister Cities displays.

‘Wáahlaal Gíidaak took a tour of the Juneau Police Department earlier today. ‘Wáahlaal Gíidaak commented that she had witnessed a young woman and her young children walking in the road due to the sidewalks being obstructed with snow. She asked for an explanation regarding the Assembly’s approach towards maintaining sidewalks for pedestrians.

Mr. Watt explained the priority systems for plowing roads and sidewalks, which is primarily focused on roads and walking paths on route to schools. He added that in the event of large snowfall events, the City may fall behind on plowing all routes in the priority system, which happened to be the case for this most recent large snowfall event.

Mr. Bryson added that he recently reviewed the priority system map: The first priority list included main roads, the second priority included school routes, and the third priority included smaller roads. He explained that the City used to have 33 staff members dedicated to snow removal, but are now down to 16 employees. Currently, Streets & Fleets has more snow removal equipment than employees available to operate them. ‘Wáahlaal Gíidaak mentioned that some sidewalks have become frozen with decreasing temperatures and accumulating snow.

Ms. Hale reported that the Bartlett Regional Hospital (BRH) Board met on November 23. The BRH Board discussed the upcoming vaccine requirement deadline for BRH employees; so far twelve religious exemption applications have been filed. BRH is taking statewide referrals to mental health units, although there have been no intakes as of November 23. She added that there are not enough medical providers in Juneau to adequately treat wounds. Several medical providers are taking online courses to be able to fill in. She said that the BRH Board began the new CEO search process on December 9, they are contracting a consulting firm to aide in the selection process.

Ms. Hale said she attended the Juneau Chamber of Commerce meeting on December 2, and spoke highly of Tourism Manager Alexandra Pierce's presentation on the cruise ship survey. She also commented on snow removal as a former bus rider, saying that she had noticed CBJ staff clearing the paths to bus stops.

Ms. Woll reported that the Systemic Racism Review Committee (SRRC) last met on November 23. They plan to have a training with Housing and Homelessness Director Scott Ciambor regarding their approach to housing issues. Ms. Woll also reported that the Docks & Harbors (D&H) Board held a public meeting to discuss passenger fee regulations, which was adopted earlier in tonight's meeting. They are holding another public meeting to discuss lightering fees on January 8, 2022. Ms. Woll reminded the Assembly and the listening public that D&H will hold another public meeting on proposed recreation and fish habitat improvements at the Fish Creek Recreation Area on December 16.

Mr. Smith said that he attended the Eaglecrest Board meeting where they discussed their Capital Budget Request. Eaglecrest is still experiencing staffing issues, and is currently at a 65% staffing level.
Mr. Smith said he also attended the UAS Campus Council, where they considered potential format changes to the *Evening at Egan* lecture series. He added that the Alaska Committee received a tour of KTOO, and learned how residential customers will continue to access the *Gavel to Gavel* program after GCI disconnects from cable in March 2022. Mr. Smith acknowledged and expressed appreciation for Eaglecrest staff and CBJ Streets & Fleets Snow Plow operators. He wished everyone a Merry Christmas, Happy Hanukkah, Happy Kwanzaa, Happy Holidays, and Happy New Year.

Ms. Gladziszewski shared that she was not able to attend the last Downtown Business Association (DBA) meeting. She also addressed the snow plow issues, and mentioned that the Assembly have been receiving emails about driveway berms. She asked Mr. Watt to explain how and why driveway berms continue to happen every year.

Mr. Watt explained that there is approximately over five thousand driveways around the borough, and every street varies in width. Residential streets are generally only wide enough to plow through the middle of the road. Berms can be caused by both CBJ and DOT snow plows.
He addressed the frequently asked question for the City to push the snow elsewhere, explaining that doing so would take a lot longer and it would cost substantially more money. Over the years, it was decided that it was not economical and that people would have to maintain their own driveways. Additionally, the City Code requires business and home owners to maintain the snow in front of their respective residences. Mr. Watt clarified that CBJ does clear sidewalks on school routes. He spoke to the difficulty of plowing the day after a snow storm, especially after multiple snow storms in succession. CBJ Streets & Fleets will clear snow as they are able, but they cannot clear everyone's road first.

Mayor Weldon shared that she attended the *Gavel to Gavel* tour at KTOO. She reported that the Capital Committee met and decided to purchase the Assembly building, and are giving it to the Legislature. The Legislature is currently discussing renovations.

C. Presiding Officer Reports
None.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS –

None.

XV. EXECUTIVE SESSION

A. Collective Bargaining Contract Negotiation Strategy
B. Litigation Strategy Discussion

Ms. Woll shared that she met with the City Attorney prior to tonight's meeting, and said that she had a conflict of interest as it pertains to contract negotiations with the Juneau Career Firefighters Association. Ms. Woll recused herself from any discussion regarding that specific contract.

MOTION by Ms. Gladziszewski for the Assembly to go into Executive Session to discuss matters, the immediate knowledge of which may have a detrimental effect on the finances of the city, namely an update on Collective Bargaining and also a candid discussion of the facts and litigation strategies with the Municipal Attorney. *There being no public comment on recessing into Executive Session and hearing no objections, the Assembly went into Executive Session at 9:15p.m. They returned from Executive Session at 10:35p.m.*

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 10:35 p.m.

Signed: ______________________________
Elizabeth J. McEwen
Municipal Clerk

Signed: ______________________________
Beth A. Weldon
Mayor