ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

January 25, 2021 7:00 PM

Zoom Webinar/Telephonic/FB Livestream
Meeting No: 2021-04 https://juneau.zoom.us/j/95975299048 or call: 1-253-215-8782 Webinar ID: 959 7529 9048

Submitted By:

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Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **Instruction for Public Participation**

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

B. **Update on COVID-19 Vaccine Strategy by Alison Gottschlich, Public Health Nurse Manager, State of Alaska, Division of Public Health**

IV. APPROVAL OF MINUTES

A. **January 15, 2020 Special Assembly Meeting with BRH Board Draft Minutes**

B. **June 24, 2020 Special Assembly Meeting #2020-33 Draft Minutes**

C. **October 1, 2020 Special Assembly Meeting #2020-43 Draft Minutes**

D. **November 23, 2020 Regular Assembly Meeting #2020-46 Draft Minutes**

E. **December 14, 2020 Regular Assembly Meeting #2020-47 Draft Minutes**

F. **December 15, 2020 Special Assembly Meeting #2020-48 Draft Minutes**

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

a. **Ordinance 2020-09(AH) An Ordinance Appropriating $75,000 to the Manager for Consulting Services to Explore the Joint Facility and Expansion Concept at Centennial Hall; Funding Provided by the General Fund's Fund Balance.**

This ordinance would appropriate $75,000 for consultant services to explore the expansion of Centennial Hall into a joint facility with the Juneau Arts and Culture Center (JACC). The consultant will develop conceptual options for an expansion of Centennial Hall into a joint facility that serves as a performing arts, civic, and convention center including a professional cost estimate. The information obtained from the consultant would enable the Assembly to make an informed decision whether to proceed with the expansion concept.

Funding for this request would be provided by the General Fund's fund balance.

The Public Works and Facilities Committee reviewed this request at the December 7, 2020 meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

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

meeting.

b. **Ordinance 2020-09(AI) An Ordinance Appropriating $75,000 to the Manager for a Homeless Youth Navigator Position; Grant Funding Provided by the Alaska Department of Labor and Workforce Development.**

This ordinance would appropriate $75,000 for a homeless youth navigator position to assist youths struggling with housing issues, food insecurity and unemployment. This position would provide support to youths at the Zach Gordon Youth Center (ZGYC) and Hurlock youth shelter, dependent upon operational funding for the latter. This position is an expansion of existing services currently provided by ZGYC, with the added benefit of available rental assistance through a partnership with Tlingit Haida Regional Housing Authority.

Funding for this request would be provided by a grant from the Alaska Department of Labor and Workforce Development.

The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

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

c. **Ordinance 2020-09(AJ) An Ordinance Appropriating $325,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the U.S. Department of Health and Human Services, Juneau Community Foundation, and Friends of Zach Gordon Youth Center.**

This ordinance would appropriate $325,000 to operate a youth shelter and rapid rehousing facility at the Hurlock Street property. The Zach Gordon Youth Center (ZGYC) and Tlingit Haida Regional Housing Authority (THRHA) are partnering to help address the community need for emergency sheltering and rapid rehousing for runaway and homeless youth. This initiative is endorsed by the CBJ Assembly Taskforce on Homelessness.

Grant funding for this request would be provided by the following organizations:

U.S. HHS Family and Youth Services Bureau	$200,000
Juneau Community Foundation	$100,000
Friends of ZGYC	$ 25,000

The Committee of the Whole reviewed this request at the November 9, 2020 meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

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

d. **Ordinance 2020-09(AK) An Ordinance Amending Ordinance 2019-06(AI) Related to the Appropriation Fund Source for COVID-19 Testing Equipment.**

This ordinance would shift the cost of COVID-19 testing equipment from CBJ's CARES Act funding to Bartlett Regional Hospital's CARES Act funding. This reappropriation of funds would increase the unobligated funds available in CBJ's CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs.

The Assembly reviewed this request at the December 22, 2020 Special Assembly meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee, and set it for public hearing at the next Assembly meeting.

e. **Ordinance 2020-09(AL) An Ordinance Appropriating $700,000 to the Manager as Supplemental Funding for the COVID-19 Emergency Individual Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.**

If the Assembly adopts Ordinance 2020-09(AK) deappropriating $700,000 from CBJ's CARES Act funding, the Assembly has financial capacity to approve a supplemental appropriation for the Individual Assistance Program.

2,348 people have applied for this program. The current $2,000,000 appropriation is estimated to provide grants for 943 applicants. Approximately 1,405 applicants remain eligible for Individual Assistance, but there are insufficient funds. The proposed supplemental appropriation of $700,000 would provide awards to approximately 330 additional applicants.

The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee, and set it for public hearing at the next Assembly meeting.

f. **Ordinance 2021-01 An Ordinance Providing for a Property Tax Abatement Program to Incentivize the Development of Housing in Downtown Juneau.**

This ordinance would use the existing tax abatement structure created for assisted living units to create a downtown Juneau tax abatement program, which is an Assembly goal. To qualify for this program, at least four new residential units would need to be added to a parcel in the downtown Juneau area. Any condemned or uninhabitable existing dwelling unit that is renovated up to current code for a residential dwelling unit would qualify as a new unit for this program. For the purposes of this ordinance, the downtown Juneau area is the same as the Title 49 Fee in Lieu of Parking map.

This topic has been reviewed by numerous Assembly committees since the spring of 2018. Most recently, the Lands and Resources Committee reviewed tax abatement for downtown on August 10, 2020, December 7, 2020, and January 11, 2021.

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

2. Resolutions

a. **Resolution 2938 A Resolution Authorizing the Manager to Convey a Utility Easement across Chicken Yard Park in Lots 5 and 6, Block 113, Juneau Townsite.**

The owners of 626 Fifth Street were granted parking and access easements across the city-owned property known as Chicken Yard Park by the Assembly in 2019. The CBJ received an application from this property owner for a supplemental easement across City property to install an electric car charging station within the existing parking easement. On September 1, 2020, the Parks and Recreation Advisory Committee provided a recommendation in favor of granting this easement. At its November 9, 2020 meeting the Lands and Resources Committee passed a motion of support to the Assembly for granting this easement.

The City Manager recommends this Assembly adopt this resolution.

3. Liquor License

a. **Liquor License Renewals for Licenses: 188, 1690 and 828**

These liquor license actions are before the Assembly to either protest or waive its right to protest the license action.

Liquor License Renewal
License Type: Restaurant Eating Place, License #188
Licensee: Bullwinkle's, Inc. d/b/a Bullwinkle's Pizza
Location: 318 Willoughby Ave, Juneau

License Type: Restaurant Eating Place, License #1690
Licensee: Bullwinkle's, Inc. d/b/a Bullwinkle's Pizza
Location: 9108 Mendenhall Mall Rd., Juneau

License Type: Package Store, License #828
Licensee: Thibodeau's Market Inc., d/b/a Thibodeau's Douglas Depot
Location: 1017 3rd Street, Douglas

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend 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 license renewals.

4. Other Items for consent

a. **Marijuana License Transfer for License 16213**

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license transfer of controlling interest application [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

MARIJUANA LICENSE TRANSFER

License Type: Retail Marijuana License, License #16213
Licensee: Alaskan Kush Company, LLC d/b/a Alaskan Kush Company
Location: 159 S. Franklin St., Juneau

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed this transfer application for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of this license transfer of controlling interest. In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the transfer of AMCO license 16213.

b. **CSP-2020-0009 CBJ Delta Drive, Tongass Boulevard, and Douglas 4th Street**

These are CBJ projects to improve infrastructure in and near Delta Drive, Tongass Boulevard, and Douglas' 4th Street. The projects include: sidewalk additions on Delta Drive and Tongass Boulevard, drainage improvements on Tongass Boulevard, and utility repairs on Douglas' 4th Street.

The Planning Commission recommended approval of these projects at its meeting on January 12, 2021. The meeting materials, including Staff Report, are located at: http://novus.cbjak.org/CoverSheet.aspx?ItemID=9363&MeetingID=1412

The City Manager recommends the Assembly approve these projects.

c. **CSP-2020-0010 ADOT/PF Vanderbilt Hill Road Resurfacing**

This is an Alaska DOT/PF project to repair Vanderbilt Hill Road between Egan Drive and Glacier Highway. The project includes minor structural improvements, drainage repairs, resurfacing, replacement and repair of guardrail, striping, and new signs. The project is estimated to cost $1.8 million and will be completed during the spring through fall of 2021. Typical road sections for the project show a 56-foot-wide travel way, with no sidewalks, and lighting dispersed throughout the project area and concentrated near intersections. The existing right-of-way width varies from 190 feet to 90 feet.

The Planning Commission tentatively approved this project at its meeting on January 12, 2021. CBJC 49.15.580(b). Pursuant to AS 35.30.010(c), the Assembly may modify or disapprove of this project, by resolution, prior to March 4, 2021.

Following is a link to the staff report provided at the January 12, 2021 Planning Commission meeting. http://novus.cbjak.org/CoverSheet.aspx?ItemID=9358&MeetingID=1412

The City Manager recommends the Assembly affirm the Planning Commission's decision to approve this project.

d. **CSP 2020-0011 CBJ Calhoun Reconstruction**

On January 12, 2021, the Planning Commission recommended denial of this project. The Planning Commission recommends the Assembly direct and fund a traffic study of Calhoun Avenue and surrounding area, including pedestrian, bicycle, vehicle, and emergency vehicle movements, and consideration of one-way operations.

As presented to the Planning Commission, this project would have included replacement of the water utility, replacement of the combined sewer and storm water systems, widening of the sidewalk when possible, construction of a curb separating the sidewalk from the driving surface, and resurfacing for two-way traffic.

The January 12, 2021 Planning Commission materials, including Staff Report, are located at: http://novus.cbjak.org/CoverSheet.aspx?ItemID=9362&MeetingID=1412

The City Manager recommends the Assembly refer this project to the Public Works and Facilities Committee.

5. Transfers

a. **Transfer Request T-1035 A Transfer of $500,000 from Various Capital Improvement Projects to CIP P47-073 Centennial Hall Renovation Phase II.**

This transfer of $500,000 to the Centennial Hall Renovation Phase II CIP will provide for the completion of the design of renovations to Centennial Hall. The transfer consists of sales tax funding and comes from the following projects:

Project	Sales Tax
Mt. Jumbo Gym Roof	$250,000
Deferred Bldg. Maintenance	$250,000
Transfer Total	**$500,000**

The Assembly Finance Committee reviewed this request at its January 6, 2021 meeting. The Public Works and Facilities Committee reviewed this request at its January 11, 2021 meeting.

The City Manager recommends approval of this transfer.

b. **Transfer Request T-1032 A Transfer of $304,398 from Various**

Capital Improvement Projects to CIP P46-114 DPAC Maintenance.

This transfer of $304,398 to a new DPAC Maintenance CIP will provide for maintenance and repairs relating to the pool deck, lighting, and other damaged areas. The transfer closes out three completed CIPs, and consists of the following funding:

Project	Sales Tax	Bond Proceeds	Total
Dimond Loop Field Repair	$ 0	$149,220	$149,220
ZGYC & AB Pool Improvements	$ 55,000	$ 0	$ 55,000
AB Pool Covers	$100,178	$ 0	$100,178
Transfer Total	**$155,178**	**$149,220**	**$304,398**

The Parks and Recreation Aquatics Board is in agreement with the proposed closeouts and transfer of funds to the new CIP to address the maintenance needs of the Dimond Park Aquatic Center.

The Public Works and Facilities Committee reviewed this request at the January 7, 2021 meeting.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

A. **Ordinance 2020-60(b) An Ordinance Authorizing the Manager to Convey Approximately 22,000 Square Feet of Property Located at Lot 2, USS 3559 to the Owners of the Adjacent Property Located at 11259 North Douglas Highway.**

Dwight Scott Williams and Carol Colp submitted an application to purchase City property on USS 3559 LT 2, which is adjacent to their property located at 11259 N. Douglas Highway. At the November 9, 2020 meeting, the Lands Committee provided a motion of support for this land disposal. The Planning Commission provided a positive recommendation with the condition that the new lot created by this sale meet the dimensional requirements of the Rural Reserve zoning district. The purchase price of the property shall be the fair market value, which has been determined to be $34,600.00.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

A. **Junk Cars at 4650 River Road**

A property owner on River Road (Backloop area) has been illegally operating a junk yard for a number of years. The Community Development Department tried different strategies to encourage the property owner to abate the various Title 49 violations to no avail. In 2019, the CBJ filed suit to resolve the Title 49 violations. Despite the property owner's promises to abate the junkyard in various court filings, no substantial change has occurred. There are approximately 350 cars and large vehicle parts on the property. The Superior Court in Juneau recently granted the CBJ's motion for summary judgment, attached, which resolves any lingering arguments about the Title 49 violations. The CBJ is now in a position to let a public contract to partially clean up the property and then recover the public funds expended through a trust account and lien process.

The City Manager recommends the Assembly, by motion, authorize use of the junk vehicle fund to initially cover the cost of partially removing vehicles from the property.

B. **Lemon Creek Park Planning**

Staff provided a memo on Lemon Creek park planning at the PWFC on January 11, 2021.

The City Manager requests a motion of support to expend existing CIP funds on the Eagles Edge playground in accordance with the memo to the PWFC.

C. **Systemic Racism Review Committee Process Recommendations from HRC**

X. NEW BUSINESS

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

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

C. Presiding Officer Reports

1. **Wille and Weldon v. Planning Commission and CCTHITA**

This appeal relates to a Planning Commission decision granting a conditional use permit for transitional housing at 6205 Alaway Avenue (Lemon Creek/Midtown) for the Central Council of the Tlingit and Haida Indian Tribes of Alaska. This appeal has been referred to a hearing officer.

No action is needed at this time.

2. **Sealaska Heritage Institute v. Planning Commission**

On May 13, 2020, the CBJ Planning Commission granted a conditional use permit to the Sealaska Heritage Institute for an arts campus building and plaza. The parties are trying to resolve this case and have until March 15, 2021, to provide an update to the Assembly.

No action is needed at this time.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

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

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - January 15, 2020

MEETING NO. 2020-03: The Special Meeting of the City and Borough of Juneau Assembly and the Bartlett Regional Hospital Board (BRH) held in the BRH Board Room at the Hospital Campus, was called to order at 5:30 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Maria Gladziszewski, Loren Jones, Michelle Hale, Wade Bryson and Greg Smith

Assemblymembers Absent: Rob Edwardson, Carole Triem and Alicia Hughes-Skandijs
Bartlett Regional Hospital Board Present: Chair Lance Stevens, Mark Johnson, Marshal Kendziorek, Brenda Knapp, Rosemary Hagevig, Dr. Lindy Jones, Kenny Solomon-Gross and Iola Young

Bartlett Regional Hospital Board Absent: Deborah Johnston

Staff Present: City Manager, Rorie Watt, Deputy City Manager, Mila Cosgrove, BRH Executive Director, Chuck Bill, Deputy Municipal Clerk, Diane Cathcart, City Attorney, Robert Palmer, BRH City Attorney, Megan Costello

II. APPROVAL OF AGENDA

Agenda approved as presented

III. AGENDA TOPICS

A. Bid Award: Bid BE20-020 JNU Terminal Reconstruction

Bids were opened on the project on January 9, 2020. The bid protest period expired at 4:30 p.m. on January 10, 2020. Results of the bid opening are on page 3 of your packet.

The City Manager recommends award of this project, base bid and alternates 1 through 3, to Dawson Construction for the total amount bid of $16,184,600.

MOTION: by Maria Gladziszewski for the Assembly to approve Bid Award BE20-020 JNU Terminal Reconstruction project to Dawson Construction for the total bid amount of $16,184,600.00 and asked for unanimous consent. ***Hearing no objections, motion passed.***

B. Joint Meeting with the Bartlett Regional Hospital Board

1) Deferred Maintenance Study
2) Affiliation Update
3) Projects Update
4) Board Development
5) Strategic Planning (Campus Plan, etc.)
6) For the Good of the Order

1. Deferred Maintenance

Chair Stevens gave an overview of the deferred maintenance at Bartlett Regional Hospital including ongoing projects and identifying the process. Ms. Gladziszewski asked if BRH is refining its process to make it better. Mr. Bryson asked the board to highlight what is considered deferred maintenance and how bad is it. Chair Stevens, there are two types: 1. structures such as roof replacement and 2. equipment to run a hospital, each thing has a life cycle. He also noted that BRH does not currently have a backlog of deferred maintenance projects. Mr. Bill stated that while BRH doesn't have a backlog of projects it does have an aging plant; a study is being done of the Hospital Campus by Jensen Yoba Wall.

2. Provider Network Development Study

Mr. Bill, some of the focus for the study will be: new services that can be brought in and what does that look like, community needs assessment and a campus needs assessment. Ms. Gladziszewski asked for a copy of the Request for Proposal (RFP) be given to the Assembly for reference. Ms. Hale stated it is a changing landscape in the hospital world and BRH deemed it important to understand that landscape and how to move BRH forward. Mr. Solomon-Gross said the community needs assessment portion is important to help have a pro-active vs. reactive board; and to have information for BRH's "toolbox" to guide the hospital into the 21st Century. Ms. Hagevig, the board is also looking at public relations pieces, to help connect with the community, the southeast and Anchorage communities and Northwest Coast.

3. Project Updates

The Board has Planning and Finance Committees. Chair Stevens said BRH has 4 pages of ongoing projects. Current and upcoming projects include: pharmacy remodel with the gift shop and coffee bar, repaving of road outside the Administration building, major IT upgrade. Future thoughts include providing a 2nd access that isn't in the flood plain, an after hours lockdown program to give security the ability to push a button and lockdown the facility if needed and Rainforest Recovery remodel. Mr. Bill noted that Rainforest Recovery will add 4 beds for detox with 50% of the facility no longer alcohol related. Mr. Smith asked if BRH would be requesting general funds from the Assembly; Mr. Bill didn't believe that would be necessary. Mr. Bryson asked about adolescent mental health services. Chair Stevens said BRH is creating a Crisis Stabilization Unit, reviewing the costs associated with that and getting ready to go out to bid for it. There are operating grants for those types of programs and we have a plan to fund it through grants and revenue bonds. Mr. Solomon-Gross commented that this program would allow adolescents to stay in Juneau vs. being sent out of town to a different facility. Ms. Hagevig noted the role Juneau has played extending services and leadership in mental health department is wonderful. Ms. Knapp said best practices for mental health is caring for patients in the least restrictive environment and that 25 years ago BRH started a small mental health unit. Chair Stevens mentioned that BRH is already doing mental health services within the current structure while waiting for a new mental health facility to come online.

4. Board Development

The board was able to participate in Governance Institute and trainings to better understand the changing healthcare systems. The board also attends regular staff trainings and webinars. Ms. Gladziszewski, this is a special board, is there a way to improve recruitment to see more people applying for board seats since this is a community hospital. Ms. Knapp said the Governance Committee has looked at that but with 3 seats coming up each year for a 9 member board the window for potential change becomes very small. Ms. Hagevig suggested advertising the full board member description and highlighting that it's more than just once a month meetings.

5. Strategic Planning

Chair Stevens, strategic planning will be part of the outcome from all the planning projects. When the board gets all the studies back they can start to plan and have considered hiring a facilitator to help make the best use of strategic planning versus becoming a shelf plan.

6. Good of the Order

Mayor Weldon thanked the board for the tourism memo, she found it very helpful. Dr. Jones said it's a challenge, the Emergency Room (ER) doubles in the summer and gets bottlenecks due to the size of the facility and limited bed space which impacts care. Mr. Bill, BRH never turns a patient away but it may take longer to get through the ER with longer wait times.

Mayor Weldon thanked the board for all their work over the last year.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. ADJOURNMENT

With no further business to come before the Assembly, meeting was adjourned at 6:50 p.m.

Signed: ________________________ Signed: ______________________________

Diane Cathcart — Beth A. Weldon

Deputy Municipal Clerk — Mayor

DRAFT

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - June 24, 2020

I. CALL TO ORDER / ROLL CALL

MEETING NO. 2020-33 The Special Meeting of the City and Borough of Juneau Assembly held a meeting via Zoom Webinar in Juneau, Alaska. The meeting was called to order at 7:43 p.m. by Deputy Mayor Maria Gladziszewski.

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

Assemblymembers Absent: Mayor Beth Weldon

Staff/Others Present: Deputy Municipal Clerk, Diane Cathcart, Municipal Clerk Beth McEwen, Airport Board Chair Jerry Godkin, Airport Manager Patty Wahto, and Eaglecrest Ski Area Manager Dave Scanlan.

II. APPROVAL OF AGENDA

Agenda approved as presented.

III. AGENDA TOPICS

A. Eaglecrest Board Appointments

Human Resources Committee Chair (HRC) Wade Bryson reported the full Assembly met as the HRC and interviewed applicants for the Eaglecrest Board and forwarded the following motion.

<u>**MOTION**</u>: by Mr. Bryson to recommend the Assembly reappoint Dave Hanna to the Eaglecrest Board to a term beginning July 1, 2020 and ending June 30, 2023. The HRC also recommended the Assembly appoint Kevin Krein to the Eaglecrest Board to a term beginning July 1, 2020 and ending June 30, 2023 and asked for unanimous consent. *Hearing no objection, those appointments were approved.*

B. Airport Board Appointments

Human Resources Committee Chair (HRC) Wade Bryson reported the full Assembly met as the HRC and interviewed applicants for the Airport Board and forwarded the following motion.

MOTION: by Mr. Bryson to recommend the Assembly reappoint Dennis Bedford to the Docks and Harbors Board to a term beginning July 1, 2020 and ending June 30, 2023. The HRC also recommended the Assembly appoint Jerry Kvasnikoff to the Docks and Harbors Board to a term beginning July 1, 2020 and ending June 30, 2023 and asked for unanimous consent. *Hearing no objection, those appointments were approved.*

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:48 p.m.

Signed: ____________________________ Signed: ________________________________
Elizabeth J. McEwen, Municipal Clerk Beth A. Weldon, Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – October 1, 2020

MEETING NO. 2020-43: The Special Meeting of the City and Borough of Juneau Assembly held virtually via Zoom webinar, was called to order at 5:30 p.m. by Mayor Beth Weldon.

I. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Community Development Administrative Officer Brenwynne Grigg,

II. APPROVAL OF AGENDA

Mr. Watt noted the following changes to be made to the agenda. He asked the Assembly to remove Ordinance 2020-09(O) form the Consent Agenda, as it had not made it out of the Assembly Finance Committee (AFC) meeting.

He also asked to Assembly to reschedule Public Hearing for Emergency Appropriation Resolution 2908 due to actions that were taken at the AFC the night prior.
Hearing no objections, the City Manager's agenda changes were made.

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

1. Ordinances for Introduction

a. **Ordinance 2020-09(O) An Ordinance Appropriating up to $500,000 to the Manager for Post-Secondary Education Assistance Grants Related to COVID-19; Funding Provided by the CARES Act Special Revenue Fund.**

This ordinance would establish a grant program for students who have graduated high school or have a GED and have been financially harmed by COVID-19. Many students have continued their formal education pursuits and had to increase their educational debt because the students lost summer or on-campus employment due to COVID-19. This program would provide eligible students grants up to $1,800.

The Assembly Finance Committee reviewed this request at its September 30, 2020, meeting. **The City Manager asked that the Assembly remove this item from the agenda as it did not pass out of the Assembly Finance Committee.**

b. Ordinance 2020-09(J) An Ordinance Appropriating $1,100,000 to the Manager as a Grant to United Human Services of SE Alaska to Construct the Southeast Community Services Center; Funding Provided by the General Fund's Fund Balance.

This ordinance is being introduced at the request of Mayor Weldon. It would authorize a grant of $1,100,000 to United Human Services. The introduction of this ordinance has been moved up so that in the event the Assembly approves this ordinance, site work for UHS can proceed in concert with the Glory Hall facility.

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

IV. PUBLIC HEARING

A. Ordinance 2020-09(M) An Ordinance Appropriating $1,653,000 to the Manager as Supplemental Funding for the Juneau School District's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would appropriate $1,653,000 as supplemental funding for the Juneau School District's FY21 COVID-19 related costs, estimated to be spent in the following categories:

Technology	$830,000
Supplies	$36,000
Addl. Staff Time and Support	$237,000
Transportation	$300,000
Food Service	$250,000
Total	**$1,653,000**

In an effort to maximize the effectiveness of both JSD and CBJ potential CARES dollars, JSD is proposing to shift the expenditures of the JSD CARES Act funds to the January - June, 2021 period, and instead utilize CBJ's CARES Act funding for expenditures through the end of the calendar year, since CBJ's allocation is set to expire on December 30, 2020. JSD's CARES Act funding does not expire until 2022.

Funding for this appropriation would be provided by the CARES Act Special Revenue Fund. The Assembly Finance Committee reviewed this request at its September 30, 2020, meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment
None.

Assembly Action
MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-09(M) and asked for unanimous consent.
Hearing no objections, Ordinance 2020-09(M) was adopted by unanimous consent.

B. Ordinance 2020-09(L) An Ordinance Appropriating $383,775 to the Manager as a Grant to Travel Juneau for the Juneau Cares Campaign; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would authorize a $383,775 grant to Travel Juneau for the Juneau Cares campaign. This grant would support a community messaging campaign intended to demonstrate the visitor industry's commitment to the health of Juneau as a tourist destination. Building traveler confidence that the visitor industry keeps health and safety as its top priority is an important step in bringing tourists back to Juneau for the 2021 summer season.

Funding for this grant is provided by the CARES Act Special Revenue Fund. The Assembly Finance Committee reviewed this request at its September 30, 2020, meeting.
The City Manager recommends the Assembly adopt this ordinance.

Public Comment
None.

Assembly Action
MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2020-09(L) and asked for unanimous consent.

Objection by Mr. Jones. Mr. Jones said that he asked several questions about this ordinance at last night's AFC meeting, and while he appreciated the answers given, he did not believe this would be very effective and cannot support this ordinance.

Mr. Bryson spoke in favor of the ordinance. He said that Juneau needs every advantage we can get, and choosing not to advertise Juneau would disadvantage the community.

Ms. Gladziszewski spoke against the motion, she said that while she appreciated marketing, she does not believe that putting money towards marketing would be money well spent.

Ms. Triem supported the ordinance, and said that putting money towards marketing early on would be a good use of funding for Juneau.

Ms. Edwardson spoke in favor of the ordinance, saying that while he agreed with many of the points made, he supported Mr. Bryson's comments.

Mayor Weldon spoke in favor of the ordinance and said she believes the timing is right, and making Juneau a safe place for visitors will also make it a safe place for our residents.

Roll Call Vote on Ordinance 2020-09(L)
Ayes: Hughes-Skandijs, Hale, Edwardson, Bryson, Triem, Smith, Mayor Weldon.
Nays: Jones, Gladziszewski.
Motion passed. Seven (7) Ayes, Two (2) Nays.

C. Ordinance 2020-09(I)(b) An Ordinance Appropriating $2,300,000 to the Manager as a Grant to The Glory Hall to Construct an Emergency Shelter, Care Center, and Meal Distribution Facility; Funding Provided by the General Fund's Fund Balance.

This ordinance would authorize a $2.3 million grant to The Glory Hall to construct an emergency shelter, care center, and meal distribution facility. Located in the Mendenhall Valley, the facility would be a component of a new Southeast Community Services Campus aimed at serving elders, youth, and low-income community members and people experiencing disabilities.

This facility would replace The Glory Hall's current downtown location. The full cost of the project is estimated to exceed $5.0 million. Of this amount, over $500,000 has been raised in local contributions from more than 200 donors. Additional anticipated support from the Rasmuson Foundation and the Alaska Mental Health Trust will be based on CBJ's level of commitment. If approved, funding for this project would be provided from the general fund's fund balance.

The Assembly Finance Committee reviewed this request at its September 2 and September 30, 2020 meetings. Information on this topic was also provided to the Assembly at its September 14, 2020 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Laurie Craig, an Auke Bay resident, spoke in favor of this ordinance, and said that it was something desperately needed for our community. She said that her decision was made from a sense of compassion, as well as from a downtown business perspective. She urged the Assembly to act quickly on this ordinance, and work out the details on the operating agreement at a later time.

Jeannette Lacey, a Twin Lakes resident, shared that she is the director of case management at Bartlett Regional Hospital. She said that her team works very closely with the Glory Hall, which provides an invaluable service to the community. Ms. Lacey believes a new facility would help our community's most vulnerable members by providing individual sleeping space and safety. She added that in some instances the current facility's conditions have led to lengthened hospital stays for Glory Hall patients being treated at BRH. She said that this pandemic has highlighted the need for individual space and support for this population. Ms. Lacey hoped that the Assembly would move forward with this project.

Lorraine Derr, a Juneau resident, shared that she was one of the members of Resurrection Lutheran Church who successfully fundraised to purchase the building of the current Glory Hall. She recalled that two years ago, the Glory Hall Board approached her to discuss purchasing land to help relocate the Glory Hall. Ms. Derr helped raise over $450,000 to relocate the Glory Hall. She explained to the Assembly that the construction of the new Glory Hall cannot wait and must begin soon, and she appreciated their consideration.

Mandy Cole, a Juneau resident, shared her testimony as an AWARE partner with the Glory Hall, and as a mother of teenage sons. She said the Glory Hall has been an integral partner with every homelessness program in Juneau to provide services to coordinated systems of care. She added that without the Glory Hall, the rest of the care providers would not be able to provide the services they do to the populations they serve. Ms. Cole shared that as a mother of two children who have helped at the Glory Hall, she believes the Glory Hall educates the community on how to care for our neighbors in need.

Saralyn Tabachnick, a Downtown resident and the former Executive Director of AWARE, said she believes that the atmosphere and space of a shelter is critically important, particularly amidst a pandemic. She said the Glory Hall is looking to build a new facility to better serve their patrons and our community, and found that to be commendable. Ms. Tabachnik shared that the Glory Hall and AWARE collectively provide over 20,000 nights of safe shelter each year for those experiencing homelessness. She expressed certainty that the space the Glory Hall will make will provide better service for their patrons, and urged the Assembly to adopt this ordinance.

Dr. Heidi Brocious, a Valley resident and UAA Associate Professor of Social Work, commended the Assembly for embracing evidence-based practices around homelessness, and for using social science systems that determines what methods work, such as Housing First. Dr. Brocious wished to share the findings of social science based studies that have researched and tested solutions regarding homelessness. The conclusions of these studies all found that interventions that perform best usually contain a combination of the following: high-intensity case management, Housing First, critical time intervention, abstinence-contingent housing, non-abstinence contingent housing, housing vouchers, and residential treatment. Dr. Brocious said that this shelter project would tackle at least three of those evidence-based practices by bringing people into critical time intervention, abstinence-contingent housing, and high-intensity case management. She shared the long term impact of these programs appear to reduce homelessness and improve housing abilities compared to usual services.

Mr. Smith asked Dr. Brocious if she was part of the study that researched the cost savings of the Housing First project for Bartlett Regional Hospital. Dr. Brocious confirmed that she did author that study, and that the study actually researched use reduction rather than cost savings. The study will be published in a peer-reviewed journal within the next month.

Amy Skilbred, a Twin Lakes resident and current Executive Director of the Juneau Community Foundation (JCF), spoke in favor of providing full funding for the Glory Hall as soon as possible. She shared that the Glory Hall has been a trusted partner of the JCF, and helped ensure that Housing First was running smoothly. She said that the Glory Hall has an opportunity to secure $500,000 from the Rasmussen Foundation, and $350,000 from the Alaska Mental Health Trust. Ms. Skilbred suggested amending Section 4 of the ordinance to make those funds available right away. She thanked the Assembly for their time and for all they have done so far.

Erin Walker-Tolles, a Valley resident and current Executive Director of Catholic Community Services, spoke in support of the ordinance. She expressed enthusiasm about this project, and said that this would be the right thing to do, and could result in cost savings down the road for CBJ.

Gus Marx, a Valley resident said he is the current Co-Chair of Juneau Coalition of Housing and Homelessness, which works with about 30 various agencies, such as social services and Veterans Affairs. He said that the new Glory Hall is one of the top priorities of the coalition, and is included in this year's Community Action Plan. As a Valley resident, he saw this as a positive development that will provide a more dignified structure for patrons to use.

Dave Branding, a Downtown resident and current CEO of JAMHI Health and Wellness, spoke in favor of this ordinance. He believes the current Glory Hall building is not conducive for the services provided, and the building is not as safe as it could be. Mr. Branding said that the proposed new building could truly help people and do so safely. He thanked the Assembly for all of the work that they do for Juneau.

Bruce Denton, a Valley resident and current Vice-Chair of Glory Hall Board, spoke in favor of this ordinance and spoke to the urgency of moving forward with this project. He shared that the Glory Hall has a building permit that they expect to be issued shortly, and final contract numbers and dirt work bids to arrive tomorrow. They are prepared to start construction as soon as the utility and field permits come out of CBJ. Mr. Denton said that they expect the project to be built next summer.

Ms. Gladziszewski asked Mr. Denton if he has any objection to the new language "low barrier shelter" in Section A(3), which states: "Recipients will ensure alignment with community needs for provision of Housing and Homelessness Services, including ensuring the new facility will be a low barrier shelter." Mr. Denton shared that the Glory Hall Board spent some time crafting new language, which was amended again today.

Mayor Weldon informed Ms. Gladziszewski that there is a new amendment that will be presented to the Assembly later in tonight's meeting.

Assembly Action

MOTION by Mr. Jones to move Ordinance 2020-09(I)(b) and asked to make an amendment.

Ms. Triem asked if the version the Assembly is currently working on the same version that was sent out yesterday. Mr. Jones confirmed that Ms. Phillips sent this version out to the Assembly yesterday in an email.

Mr. Jones spoke to his reasons for proposing amendments after discussions with the Glory Hall Board members and others from the community. He shared that he had asked the City Manager if there was an operating agreement, and if there was something similar for other projects. Mr. Jones recalled the City Manager telling him that there have been similar projects with operating agreements, and he provided Mr. Jones with copies of the operating agreements from the Housing First Phase 1 and Phase 2 projects.

Mr. Jones said that based on that, he found the ordinances for those projects and suggested a solution to the issues raised by the public and Glory Hall Board members.

AMENDMENT #1 by Mr. Jones to make the following two part amendment to Ordinance 2020-09(I)(b):

Amendment 1, Part 1

In Section 2. Appropriation, add the following sentence at the end of that section: *"An agreement would be developed to document the parties' commitment to the Assembly's intent."*

This is the same language that was used in the ordinance that funded Housing First Phase 2.

Amendment 1, Part 2

Delete Section 4 completely. Mr. Jones also noted that with the exception of the deletion of Section 4, the Manager would be informed that the items currently listed in Section 4 are the intent of the Assembly in his negotiation of the management agreement. He said that would then require Section 5 to be renumbered to number 4.

Mr. Jones clarified that by removing Section 4, and specifically the language in Section 4(a)(5), that the intent of the Assembly would be to provide for the negotiations to take place between the City Manager and the Glory Hall and to remove the Assembly requirement for ratification and review by the ad hoc committee before the funds could be disbursed.

Ms. Gladziszewski expressed concern with respect to the language related to the new facility being a "low barrier" shelter, and she is not sure if that is what the shelter should be. She asked if he could clarify the Assembly's intent in that line. Mr. Jones said that he would like to remove the Assembly from the "low barrier" discussion, and leave that up to the negotiations between the City Manager and the Glory Hall.

Mr. Smith asked Mr. Jones if the Glory Hall staff seemed to be in agreement with these amendments. Mr. Jones shared that he spoke with the Mayor, the City Manager, the City Attorney, and Glory Hall Vice-Chair Mr. Denton. He added that he did not talk to the staff of the Glory Hall, as that is not his responsibility to do so.

Mayor Weldon asked Mr. Palmer if Mr. Smith would need to recuse himself as he is a member of the Glory Hall Board. Mr. Palmer clarified that this would not be a conflict of interest, since Glory Hall Board members are not paid, it would be one of the exceptions to the Conflict of Interest Code.

Hearing no objection, Amendment #1 (Parts 1 & 2) from Mr. Jones passed by unanimous consent.

Hearing no objections, Ordinance 2020-09-(I)(b) as amended passed by unanimous consent.

The Assembly took a break at 6:30p.m. and reconvened at 6:40p.m.

D. Emergency Appropriation Resolution 2907 An Emergency Appropriation Resolution Appropriating $2,000,000 to the Manager as Additional Funding for Phase 2 and 3 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This Emergency Appropriation Resolution adds funding to the existing CBJ Business Sustainability Grant program. JEDC estimates that the total amount of eligible grants may exceed available grant funds by up to $2 million. Without additional funds, JEDC will be required to prorate all eligible grant awards to remain within the currently appropriated amount. This process of proration delays disbursement of funds to all applicants because every application must be fully processed before any disbursements can be made. Fully funding all estimated grant applications allows JEDC to move with greatest possible speed to disburse funds to affected small businesses.

Currently, without additional funds, JEDC anticipates prorated grant amounts would be disbursed in late October. If this Emergency Appropriation Resolution passes, JEDC could begin disbursing eligible grant awards as soon as tomorrow.

If the Assembly chooses to not pass this resolution tonight, the Manager will direct JEDC to disburse 75% of full disbursements, beginning tomorrow. The remainder of the disbursements would be scheduled once proration calculations are complete.

The Assembly Finance Committee reviewed this request at its September 30, 2020, meeting.
The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment
Eric Forst, a Downtown resident and one of the owners of the Red Dog Saloon said that although they have been operating continuously in Juneau since early 1940s, their business has been down approximately 92% compared to last year. He said that every day has been a challenge, and this program is a lifeline for businesses in the community. Mr. Forst said that this program keeps businesses open and people employed, and hopefully will be able to be in operation next year. He said that this program will allow them to stay open this winter without laying off all their staff and closing down. He hoped that the Assembly will see the value of this

program, and that the volume of applications speaks to the need. He strongly urged the Assembly to pass this ordinance.

Laura Martinson, a Douglas resident and owner of Caribou Crossing, thanked the Assembly for the first round of grant distribution, and said that it was instrumental in helping her pay her rent. She shared that Phase 2 and 3 will allow her to pay her vendors, the majority of which are small local artists. She believes that as small businesses get the help they need, it trickles out to the rest of the community. Ms. Martinson said that she is looking forward to next year, they are ready to welcome visitors back. She added that this program is a short term fix that produces long term benefits.

Assembly Action

MOTION by Mr. Bryson for the Assembly to adopt Emergency Appropriation Resolution 2907 and asked for unanimous consent. *Hearing no objections, the resolution passed by unanimous consent.*

E. Emergency Appropriation Resolution 2908 An Emergency Appropriation Resolution Appropriating $400,000 to the Manager as Funding for Bartlett Regional Hospital's Planning for and Construction of Patient Intake and Triage During the COVID-19 Pandemic; Funding Provided by the CARES Act Special Revenue Fund.

This emergency appropriation resolution would authorize $400,000 for patient intake and triage planning during the COVID-19 pandemic at Bartlett Regional Hospital (BRH). The pandemic has caused BRH to make operational changes that require improvements to the hospital’s entrances, HVAC, and infrastructure. The hospital’s current patient entrances do not accommodate appropriate health guidelines for the safe admission and prioritization of patients. Temporary shelters are currently in place to aid in the assessment of individuals prior to entering the facility, but permanent solutions are required to mitigate the effects of COVID-19 on patient intake and triage throughout the remainder of the pandemic.

Improvements to BRH’s HVAC system are required to increase the number of isolation rooms and improve air handling systems throughout the facility. Pandemic- induced operational changes may also require enhancements such as electronic scheduling and telemedicine.

Funding for this appropriation is provided by the CARES Act Special Revenue Fund. The December 30 deadline for the expenditure of CARES Act funding is quickly approaching. For this reason, this is an emergency resolution. Alternatively, the Assembly could choose to not pass this resolution and direct that BRH use its fund balance to pay for this work.

The Public Works and Facilities Committee reviewed this request at its August 31, 2020 meeting. The Assembly Finance Committee reviewed this request at its September 30, 2020 meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

This item was removed by the City Manager, under agenda changes, due to the Assembly Finance Committee's request to hold off on taking action on this request at this time.

F. Emergency Appropriation Resolution 2910 An Emergency Appropriation Resolution Appropriating up to $175,000 to the Manager for a Grant to the Greater Juneau Chamber of Commerce to Lease and Implement a COVID- 19 Detection Platform; Funding Provided by the CARES Act Special Revenue Fund.

This resolution would establish a COVID-19 testing and monitoring program for businesses with willing employees. The program would include PCR testing, molecular antigen testing, temperature checks, and questionnaires. This program has the potential to limit spread of COVID-19 for employees that work in or interact with employees of other businesses. The program would be administered by the Juneau Chamber of Commerce.

The Assembly Finance Committee reviewed this request at its September 30, 2020 meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment
Geoff Larson, a Thane resident, spoke in support of this resolution, He shared that he spoke at the most recent Assembly Finance Committee meeting and with the Economic Stabilization Task Force, and said he was available to answer any questions.

Assembly Action
Mr. Palmer identified to the Assembly the most recent version of the resolution, Version (b), and the changes he had added based on Ms. Triem's requests at the AFC meeting. He explained that these changes will not necessarily be a part of Version (b) unless there is a motion or amendment

MOTION by Ms. Hale for the Assembly to adopt Emergency Appropriation Resolution 2910 version (b), including Ms. Triem's amendment, and asked for unanimous consent.

Objection by Ms. Gladziszewski for purposes of a question. Ms. Gladziszewski asked for Ms. Triem to clarify her amendment.

Ms. Triem explained her amendment, which would ensure that the information collected would be confidential between CBJ and the operations of this program, it is still subject to Calico's data privacy policy. Ms. Gladziszewski removed her objection.

Hearing no objections, Resolution 2910(b) as amended passed by unanimous consent.

G. Emergency Appropriating Resolution 2912(b) An Emergency Appropriation Resolution Appropriating up to $3,000,000 to the Manager for a COVID-19 Housing Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This resolution would establish a COVID-19 housing assistance program for individuals that have been financially harmed by the pandemic and need assistance paying for mortgage, rent, and utilities including heating fuel. This program would be administered by Catholic Community Services.

The Assembly Finance Committee reviewed this request at its September 30, 2020, meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment
None.

Assembly Action
Mr. Palmer explained that all of the recommendations made at the AFC meeting have been incorporated to the most recent version (b) of this resolution, as well as an amendment by Ms. Triem.

MOTION by Ms. Triem to adopt Emergency Appropriation Resolution 2912(b) and noted that version (b) has some strike through and underlined text on page 4 which she would like to offer up as an amendment.

Ms. Triem asked for Resolution 2912 version (b) with the following amendment be adopted by unanimous consent.

AMENDMENT #1 by Ms. Triem to add the following underlined text and remove the strike through text on page 4 under Section 3(f) of the resolution:

> "However, nothing in this resolution shall be construed to provide confidentiality to summary information about program status and effectiveness. Upon balancing the public's right to know and privacy of disadvantaged individuals, this confidentiality

provision is intended to provide the same level of confidentiality as provided in A.S. 47.05.020 and 7 AAC 37.030 (prohibition on disclosure of public assistance records). ~~However, nothing in this resolution shall be construed to provide confidentiality to the name of the applicant and the amount of grant award, if any~~."

Hearing no objection, Amendment #1 from Ms. Triem passed by unanimous consent.

Hearing no objections, Emergency Appropriation Resolution 2912(b) as amended passed by unanimous consent.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VII. OTHER BUSINESS

Ms. Hughes-Skandijs had a question for the City Manager. She shared that she was given permission to go forward to develop an Economic Disaster Resolution with Mr. Palmer, and asked if she could receive a status update on the resolution.

Mr. Watt shared that he had just recently received that resolution, and he will contact her tomorrow to provide a status update.

Ms. Gladziszewski acknowledged that this was Mr. Edwardson's last Assembly meeting, and the entire Assembly thanked him for his service on the Assembly.

Mayor Weldon acknowledged the passing of former Assemblymember Peter Freer. She shared that the Assembly will have an official acknowledgement at the October 26 meeting.

VII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 7:00p.m.

Signed: ____________________________
Elizabeth J. McEwen
Municipal Clerk

Signed: __________________________
Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING

DRAFT Meeting Minutes – November 23, 2020

Meeting No. 2020-46: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held virtually through Zoom, and called to order by Mayor Beth Weldon at 7:00 p.m.

I. FLAG SALUTE

II. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy Manager/EOC Incident Commander Mila Cosgrove, Municipal Clerk Beth McEwen, and Deputy Clerk Diane Cathcart, Emergency Operations Committee PSC Robert Barr, Finance Director Jeff Rogers, Parks and Recreation Director George Schaaf, Deputy Parks & Rec. Director Michele Elfers, Jensen-Olsen Arboretum Manager Merrill Jensen, Public Works Director Katie Koester, Port Director Carl Uchytil, Chief Housing Officer Scott Ciambor, Community Development Director Jill Maclean, and CDD Senior Planner Irene Gallion

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

B. Special Recognition: Merrill Jensen

Mayor Weldon read a proclamation honoring Merrill Jensen for his service with the Jensen-Olson Arboretum. Mayor Weldon presented a Certificate of Excellence to Merrill Jensen, the first manager of the Jensen-Olson Arboretum.

Mr. Jensen thanked Mayor Weldon, and said it had been an honor and a pleasure to be the first arboretum manager. He looked forward to how his successor will continue the Arboretum in the years to come.

IV. APPROVAL OF MINUTES

A. June 3, 2020 Special Assembly Meeting #2020-30 Draft Minutes
B. June 29, 2020 Special Assembly Meeting #2020-34 Draft Minutes
C. July 13, 2020 Regular Assembly Meeting #2020-37 Draft Minutes
D. July 20, 2020 Special Assembly Meeting #2020-38 Draft Minutes
E. October 26, 2020 Assembly Reorganization Meeting #2020-44 Draft Minutes

MOTION by Ms. Hale to approve the minutes of the June 3 and 29, 2020 meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

MOTION by Ms. Triem to approve the minutes July 13, 20, and October 26, 2020 Assembly meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt noted that while he didn't have any agenda changes, he did want to note for those who might be listening that at the request of the Committee of the Whole, Ordinance 2020-53 was split into two ordinances that are appearing on the Consent Agenda for introduction: Ordinance 2020-57 and Ordinance 2020-57. He also noted that at the December 7 Assembly Committee of the Whole meeting, they will be taking public testimony on the Hurlock Property ordinances.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VII. 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 Mr. Jones to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

1. Ordinances for Introduction

a. Ordinance 2020-09(Z) An Ordinance Appropriating $5,900,000 to the Manager as Partial Funding for the City and Borough of Juneau's Fiscal Year 2021 Required Debt Service; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate $5,900,000 as partial funding for CBJ's required debt service in FY21. This subsidy is necessary as a result of the State of Alaska reimbursing 0% of the current fiscal year's school construction bond debt, as the current debt service mill rate does not generate sufficient revenue to cover CBJ's FY21 debt obligations.

Funding for this request is provided by the General Fund's Fund Balance.

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

b. Ordinance 2020-54 An Ordinance Amending Title 53 Regarding Easement Valuation.

This ordinance would increase the easement application fee from $15 to $100 and adjust the easement valuation standard to fair market value as determined by the Manager. If the Manager, or designee, is unable to determine the fair market value, the applicant would still be required to pay for an appraisal. These amendments were proposed because the existing appraisal requirements discourage easements when the cost of the appraisal exceeds the cost of the easement.

The Lands Committee reviewed this ordinance on November 9 and recommended it be introduced at the next regular Assembly meeting.

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

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

This ordinance would enable the CBJ to regain title of the Hurlock property at no cost to the CBJ. Upon the CBJ receiving title to the Hurlock property three notable things occur: (1) the CBJ would retain the $35,000 down payment paid by Alaska Legacy Partners, (2) the debt owed to the CBJ by Alaska Legacy Partners would be extinguished, and (3) the senior assisted living facility condition on Ordinance 2018-42 would terminate.

The Committee of the Whole reviewed this topic on November 9, 2020, and recommended the Assembly introduce this ordinance.

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

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

Upon regaining title to the Hurlock property, this ordinance would enable the CBJ to lease the property to Tlingit Haida Regional Housing Authority for less than fair market value for youth services. While this ordinance would authorize a lease for $100 per year, this ordinance does not require or suggest that the CBJ would provide other financial support; Tlingit Haida Regional

Housing Authority would be required to improve, operate, and maintain the property at its own expense.

The Committee of the Whole reviewed this topic on November 9, 2020, and recommended the Assembly introduce this ordinance.

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

2. Resolutions

a. **Resolution 2918 A Resolution Authorizing the City and Borough of Juneau to Apply for a Community Development Block Grant from the Alaska Department of Commerce, Community and Economic Development, with The Glory Hall for a New Emergency Shelter.**

Project ideas were solicited from the community for a grant from the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community, and Economic Development (DCCED). Grant proposals must be sponsored by a local government and sent to DCCED by December 4, 2020, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. CBJ has successfully used this method in the past. This year we received one proposal from the Glory Hall. Staff's recommendation is to apply on behalf of the Glory Hall.

The Assembly Committee of the Whole reviewed the proposal at its meeting on November 9, 2020, and made a recommendation to the Assembly to support the Glory Hall application and submit a Community Development Block Grant application to the Alaska Department of Commerce, Community, and Economic Development.

The Glory Hall proposes to use CDBG funds to construct a new emergency shelter for low to moderate income individuals, especially those experiencing homelessness or extreme disability.

The City Manager recommends the Assembly adopt this resolution.

b. **Resolution 2920 A Resolution Expressing Assembly Support for the 2020 Juneau Coordinated Human Services Transportation Plan, an Addendum to the Juneau 2019 Transit Development Plan, and Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.**

The 2020 Juneau Coordinated Human Services Transportation Plan is an update to the 2015 Coordinated Human Services Transportation Plan and successfully meets all federal requirements in order for Juneau's transportation providers for seniors, people with disabilities, and people from low-income households to qualify for federal funding administered by the Alaska Department of Transportation and Public Facilities.

The 2020 plan describes current 'coordinated human services' and the organizations that operate these services; provides an analysis of Juneau's senior, disabled and low-income population;

describes the process followed to gather information on current barriers to services and identifies some potential strategies to overcome these barriers. The plan finishes by identifying top priority projects to tackle some of the issues identified. These were voted on by participating agencies and ranked in order of priority. This plan is an operational guide to improve coordinated services in Juneau.

The City Manager recommends the Assembly adopt this resolution.

c. **Resolution 2921 A Resolution of the City and Borough of Juneau Extending the Local Emergency Declaration in Response to COVID-19 and a Request for State and Federal Assistance.**

The health and safety of our community remains priority one. This resolution would extend the existing local emergency declaration enacted with Res. 2884.

A local emergency declaration allows CBJ access to state and federal resources to help Bartlett Regional Hospital, Capital City Fire and Rescue, and the Juneau Police Department. A local emergency declaration opens financial support and reimbursement options to aid businesses and local government in addressing COVID-19.

The Committee of the Whole reviewed and approved this resolution at its meeting on November 9, 2020, and moved it to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

d. **Resolution 2922 A Resolution Temporarily Amending Resolution 2862 Related to the Assembly Rules of Procedure and COVID-19.**

This resolution amends the Assembly Rules of Procedure adopted by Resolution 2887(am) which will expire on November 24, 2020. This resolution would continue to allow telephonic participation by members of the CBJ Assembly, boards, and committees. It also provides reasonable COVID-19 prevention and mitigation measures by encouraging the public to participate remotely and submit comments in writing. This resolution, if adopted, will expire on May 11, 2021.

The Committee of the Whole reviewed and approved this resolution at its meeting on November 9, 2020, and moved this resolution to the Assembly for adoption.

The City Manager recommends the Assembly adopt this resolution.

e. **Resolution 2923 A Resolution Supporting Full Funding ($14,049,988) of the State of Alaska Municipal Harbor Facility Grant Program in the FY2022 State Capital Budget.**

This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately $11 million in harbor grant funding since the program's inception. Most recently, CBJ has received a $125K grant for zinc anode installation at Harris Harbor, which is planned for construction this winter.

Docks & Harbors has submitted an application this year for $2M for the next phase of Aurora Harbor. The City & Borough of Juneau along with the municipalities of the City and Borough of Sitka, the City of Cordova, the City of Seward and the City of Sand Point are poised to contribute $14,049,988 in local match funding for FY2022 towards five harbor projects of significant importance for Alaska.

The Docks & Harbors Board reviewed this resolution at its regular board meeting on October 29, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends the Assembly adopt this resolution.

f. Resolution 2924 A Resolution Amending the COVID-19 Nonprofit Sustainability Grant Program Terms.

At its November 2, 2020, meeting, the Assembly Finance Committee heard an update from the administrator of CBJ's Non-Profit Sustainability Grant Program. The Committee requested that staff work with the grant administrator to draft an amendment to the program to allow the grant administrator to proportionately distribute remaining funds to the eligible applicants. This resolution amends the COVID-19 Nonprofit Sustainability Grant Program to accomplish the supplemental distribution of funds. This resolution would not change the total amount appropriated with Ordinance 2020-36.

The City Manager recommends the Assembly adopt this resolution.

g. Resolution 2925 A Resolution Amending the COVID-19 Housing Assistance Grant Program (Resolution 2912).

The Assembly created the COVID-19 Housing Assistance Grant Program with Emergency Appropriation Resolution 2912 (Oct. 1, 2020). That program appropriated $3M for individual grants of up to $1500 for rent or mortgage and $500 for utilities. After receiving feedback from the grant administrator that the $3M appropriation is sufficient, the grant administrator also identified that there is substantially more financial need from the existing eligible grant recipients. This resolution would increase the eligible grants from $1500 to $2500 for rent or mortgage, in addition to the $500 provided for utilities.

The Assembly Finance Committee reviewed this resolution at its meeting on November 10, 2020, and recommended the Assembly adopt this resolution at its next regular meeting.

The City Manager recommends the Assembly adopt this resolution.

VIII. PUBLIC HEARING

A. Ordinance 2020-09(K) An Ordinance Appropriating $1,500,000 to the Manager as a Grant to Sealaska Heritage Institute to Construct the Sealaska Heritage Arts Campus; Funding Provided by the General Fund's Fund Balance.

This ordinance would authorize a $1.5 million grant to Sealaska Heritage Institute (SHI) to construct the Sealaska Heritage Arts Campus. Located downtown, the campus would serve as an attraction for both locals and tourists. The arts campus is the second phase of SHI's vision to make Juneau the Northwest Coast arts capital of the world.

The full cost of the project is estimated at $13 million. Of this amount, nearly $11 million has been raised from over 1,000 individuals, businesses, and corporations. Additional anticipated support from Rasmuson Foundation is pending. If approved, funding for this project would be provided from the General Fund's fund balance.

This request was reviewed by the Assembly Finance Committee as a pending list item during the FY21 budget process. Due to CBJ's financial position at the time, SHI chose to withdraw the request in hopes that the Assembly may support future petitions for funding. The Assembly Finance Committee reviewed this request again at the September 2 and September 30, 2020, meetings, and moved the ordinance to the full Assembly for introduction and public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Bill Corbus, a Thane resident, spoke in favor of this ordinance. He said that the construction of this facility will be an important additional to the core of our community and it will provide opportunities for the artist community and provide quality tourist experiences.

Joe Kaaxuxgu Nelson, a Downtown resident, spoke in favor of this ordinance and gave some information on the history of this project. He said that this project would benefit higher education and public schools, all of Juneau's children in a number of ways. Mr. Nelson appreciated the city's partnership and looked forward to this project's progress. He thanked the Assembly for listening to his testimony, and urged them to support this ordinance.

Mayor Bruce Botelho, a Douglas resident, said it was a way to fully acknowledge the indigenous origins and traditions of Juneau. He believes that Juneau is going through a renaissance of sorts, and attributed Sealaska Heritage Institute (SHI) as the catalyst for it. Mayor Botelho said that SHI cultivated a relationship with UAS to create a rigorous Indigenous Studies program. He urged the Assembly to consider this project.

Dr. Rosita Kaahani Worl, a resident of Juneau, thanked the Assembly for their support of the Walter Soboleff Building. She believes that the completion of this project will result in an economic boom for the community, similar to the success of the Walter Soboleff Building. She shared the construction impact is projected at $7.3M and the project is projected to support 55 jobs in 2021. Dr. Worl added that SHI has previously invested funds towards UAS and JSD, and hoped that the Assembly would make the same contributions to the community with this new arts campus. She asked the Assembly to support this ordinance, and humbly asked the people of Juneau to help them develop this world class destination.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2020-09(K) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

B. Ordinance 2020-09(U)(b) An Ordinance Appropriating up to $2,300,000 to the Manager for a COVID-19 Extreme Hardship Business Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance appropriates $2,300,000 of CARES Act funding for a grant program to provide additional financial support to businesses that lost more than 50% of their revenue as a result of COVID-19. Grant awards are intended to offset eligible business expenses from November 1 through December 30, 2020. This program supplements the COVID-19 Business Sustainability Grant Program, and will be administered by the Juneau Economic Development Council.

The Assembly Finance Committee reviewed this request at its November 10, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

<u>Public Comment</u>

Leeann Thomas, an Auke Bay resident and current owner of the Triangle Club, spoke about the extreme hardship that the hospitality industry has faced. She said it is not possible for her to keep her staff employed and her business open in amidst the pandemic. Ms. Thomas shared that she has never struggled to pay bills or property tax or sales tax in the past 20 years. She believes that this hardship grant will keep businesses operating until a vaccine or tourism resumes. She encouraged the Assembly to adopt this ordinance and provide this extreme hardship grant.

Ms. Hale asked Ms. Thomas, in reference to the discussions she has had with other bar and restaurant owners in town who informed her that business was already down before the pandemic, if Ms. Thomas had observed that as well. Ms. Thomas answered that she had noticed a decrease in business prior to the pandemic, but that they were unable to do anything to increase attendance at the moment due to the mandates.

Kristin Mabry, a Thane resident and co-owner of The Gym and Mountainside Wellness, spoke in favor of this ordinance. She shared that her businesses were forced to close for two months, since then open only 25% to 50% capacity. She explained that her business operates on a membership model, and members have begun cancelling their memberships due to financial reasons or medical concerns. Ms. Mabry said that they have even more expenses compared to previous years, due to updating supplies and increased cleaning, as well as competing with virtual at-home services. She urged the Assembly to support this ordinance, and thanked them for their time and consideration.

Kirby Day, a Twin Lakes resident, spoke in favor of this ordinance. He testified on behalf of Tourism Best Management Practices (TBMP) businesses, which he said have been drastically affected by this pandemic. Mr. Day shared that many businesses have lost 100% of their business, and many tourism businesses have not had any revenue since September 2019. He added that many businesses will have to wait until May/June 2021 to resume operations. He appreciated everything the Assembly and the ESTF has done, and encouraged them to approve this ordinance.

Reecia Wilson, a Juneau resident and business owner, testified in favor of the ordinance on behalf of her employees and restauranteurs. She shared that the hospitality industry had been hit hard by the pandemic, and are trying their best to stay afloat. She thanked the ESTF and the Assembly for considering this hardship grant and encouraged passage of this ordinance.

Mark Ridgway, a Juneau resident, spoke in favor of this ordinance, and shared that his cinema has been out of business since March. He said that this ordinance could determine whether or not he stays in business. He thanked the Assembly for their time, and urged them to pass this ordinance.

Assembly Action

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-09(U)(b) and asked for unanimous consent.

Objection by Mayor Weldon for purposes of amendment.

Mayor Weldon passed the virtual gavel to Mr. Jones.

AMENDMENT #1 by Mayor Weldon as found in the online packet and as shown below (with additions underlined and deletions via strikethrough):

> *Amend Section 4(c)(3) and (f) as follows:*
> “**Section 4. COVID-19 Extreme Hardship Business Grant Program.** The program is subject to the following terms and conditions:
> …
>
> **(c) Eligible Applicants.** The program is open to all qualifying businesses (including a nonprofit), regardless of whether they have applied for or have obtained any other state or federal COVID-19 related assistance if the following is satisfied:
>
> > …
> >
> > (3) COVID-19 Extreme Hardship. The business suffered at least a fifty percent loss in (i) either gross receipts, as reflected on line one of the CBJ sales tax filing, during Q3 2020 as compared with Q3 2019, or net taxable sales, as reflected on line four of the CBJ sales tax filing, during Q3 2020 as compared with Q3 2019 and (ii) the loss is at least $25,000 from Q3 2019 to Q3 2020;
>
> …
>
> **(f) Grant amount.** The grant amount shall be determined by the following formula: grant amount equals the difference in the applicant’s Q3 2019 and Q3 2020 net taxable sales ~~gross sales~~ divided by the difference in all eligible applicants' Q3 2019 and Q3 2020 net

taxable sales ~~gross sales~~ multiplied by the appropriation in Section 2. However, no grant shall exceed $50,000; the Grant Administrator shall either cap any presumptive grant exceeding $50,000 at $50,000 or the Grant Administrator may apply a reduction factor so no grant exceeds $50,000."

Mayor Weldon asked Mr. Mertz to provide an explanation for this amendment. He said that it would change which line the sales tax return the calculation points to when determining business eligibility. Mr. Mertz explained the reasoning behind focusing on net-taxable sales in the amendment, which was to aide businesses that may have been excluded from eligibility due to the restrictions in Line 4 of the ordinance.

Hearing no objection, Amendment #1 passed by unanimous consent.

AMENDMENT #2 by Ms. Gladziszewski to add the same wording that was in the previous Business Sustainability or Non-Profit Sustainability Grant as provided under Supplemental Materials in the online packet and included below:

Amend Section 4(c)(1) as follows:
"Section 4. COVID-19 Extreme Hardship Business Grant Program. The program is subject to the following terms and conditions:
…
(c) Eligible Applicants. The program is open to all qualifying businesses (including a nonprofit), regardless of whether they have applied for or 8 have obtained any other state or federal COVID-19 related assistance if 9 the following is satisfied:
…
(1) Business Sustainability or Non-Profit Sustainability Grant 12 Eligible ~~Recipient~~. The business received a business sustainability grant pursuant to Ordinance 2019-06(AG)(d) or a non-profit sustainability grant pursuant to Ordinance 2020-36, as amended. For a business that did not receive a grant pursuant to Ordinance 2019-06(AG)(d) or Ordinance 2020-36, the business must satisfy one of the following to be eligible for this program:

(A) Ordinance 2019-06(AG)(d) criteria: (i) the business was registered in Alaska on or before January 1, 2020, (ii) had a physical presence in Juneau, Alaska on February 15, 2020, and (iii) continuously operated through the date of application unless the business is seasonal or was subject to a government mandated shutdown. The program will exclude from eligibility C Corporations traded on a U.S. stock exchange or a corporate-equivalent entity traded on a foreign stock exchange, and businesses owned in whole or majority—owned by such a publicly traded corporation or national chains that own and operate their premises in Juneau; franchisee owned and operated businesses in Juneau would be eligible; or

(B) Ordinance 2020-36 criteria: (i) The nonprofit entity was registered in Alaska on or before January 1, 2020; (ii) The entity is an Internal Revenue Service certified 501(c)3,4,6,7, 19, or 23 nonprofit; (iii) The nonprofit entity had a physical presence in Juneau, Alaska, on February 15, 2020; (iv) A substantial purpose of the nonprofit entity

<u>is to provide services to the general public in the City and Borough of Juneau. Faith based nonprofits are eligible so long as they provide services that are promoted and available to the general public without regard to religious affiliation.(v) The entity has been or will be adversely affected by loss of revenue, program changes, and direct costs between March 1 and December 31, 2020, due to the COVID-19 public health emergency."</u>

Ms. Gladziszewski explained her amendment, and changed where the ordinance states that businesses must have received a previous grant to be eligible. She said that this change would allow for all businesses to be eligible, regardless of having previously received a grant.
Mr. Jones and Mayor Weldon questioned the reasoning for this amendment, considering the previous amendment had removed net-taxable sales for business applicants.
Mr. Rogers clarified that this amendment would allow for both for-profit and non-profit businesses to qualify based on their taxable sales.

Mr. Palmer described this amendment as a "copy and paste" of the criteria for eligibility from the Business Sustainability Grant; however applicants are still expected to comply with the other provisions of this ordinance.

Mr. Smith asked Ms. Gladziszewski if this amendment was meant to assist new businesses that started operation shortly before or during the pandemic. Ms. Gladziszewski responded that this amendment will not solve that problem, but it specifically helps businesses that have not yet applied for previous grant funding.

Ms. Woll asked Mr. Holst if this could potentially create an insurmountable administrative burden. Mr. Holst said that it would not.

Hearing no objections, Amendment #2 passed by unanimous consent.

Hearing no objections, Ordinance 2020-09(U)(b) as amended passed by unanimous consent.

C. Ordinance 2020-09(Y)(b) An Ordinance Appropriating up to $2,000,000 to the Manager for a COVID-19 Emergency Individual Assistance Program; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance appropriates $2,000,000 of CARES Act funding for a financial assistance program for individuals residing in Juneau who have been financially harmed by COVID-19. These assistance payments are intended to assist individuals in paying for food, healthcare, nondiscretionary transportation, utilities, and housing from March 1 through December 30, 2020.

The Assembly Finance Committee reviewed this request at its November 10, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Mr. Palmer noted that version (b) of the ordinance was in the online packet but that the original version was in the paper packet. He stated that version (b) is the version that had the changes as requested by the Assembly Finance Committee at its meeting of November 10.

Mayor Weldon asked that Ms. Walker-Tolles be brought forward for to be able to answer any questions.

Public Comment

Martin Stepetin, a Douglas resident, spoke in support of this ordinance. He described financial hardships he had gone through this year, and said these funds will go a long way to help the people and the economy of Juneau.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2020-09(Y)(b) and asked for Unanimous Consent.

Objection by Mr. Jones, because he does not know what version (b) looks like.

Mr. Palmer shared his screen and explained version (b) of the ordinance, and the changes that the Assembly Finance Committee had proposed. Mr. Jones removed his objection.

Hearing no objections, the motion passed by unanimous consent.

Mayor Weldon thanked Catholic Community Services for taking on another grant program on behalf of CBJ.

D. Resolution 2919 An Emergency Appropriation Resolution Appropriating up to $30,000 to the Manager as Supplemental Funding for the COVID-19 Juneau ArtWorks Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This emergency appropriation resolution would authorize an additional $30,000 for the Juneau ArtWorks Grant Program. The program was initially appropriated

$300,000 for the purpose of supporting artists who have been substantially negatively impacted by the COVID-19 pandemic. After applications were received, it was determined that an additional appropriation was needed in order to fund all eligible awards.

This request would be funded by the CARES Act Special Revenue Fund.

The Assembly Finance Committee reviewed this request at the November 10, 2020 meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Emergency Appropriation Resolution 2919 and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

E. Resolution 2898 A Resolution Authorizing the Manager to Acquire Lot 16, Block D Eagles Edge Subdivision by Donation to the City and Borough to be Added to the Juneau Open Space and Park System as a Playground.

The Eagles Edge Homeowners Association has offered to donate a 9,000 square foot lot located in Lemon Creek to the City along with $100,000 to fund upgrades to the park. In 2012 voters approved $250,000 in temporary sales tax funding for the planning and construction of a neighborhood park in Lemon Creek. This funding is still available for this use and will be utilized for improvements to the park to meet the CBJ standards of safety including ADA accessibility and fall protection.

The Parks and Recreation Advisory Committee reviewed this donation request at its March 3, 2020, meeting and provided a motion of support. The Lands and Resources Committee reviewed this request at its June 1, 2020 meeting and passed a motion of support to the Assembly for the acquisition by donation.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Resolution 2898 and asked for unanimous consent.

Objection by Mr. Jones for purposes of a question. Mr. Jones said that he recalled a discussion taking place roughly two or three years ago with the Lemon Creek Area Plan, and believed that this was never in the plan to use these funds for this park. Mr. Watt answered that his recollection of the Lemon Creek plan identified the need for additional parks. The goal is to use the $250,000 in conjunction with the $100,000 from the neighborhood.

Mr. Schaaf said that the $250,000 was not adequate to purchase property and do a playground as that usually costs approximately $350,000. He said that this funding with the neighborhood funding would allow them to create this park. Mr. Jones said that he did not like the way this came about, as this was sales tax money that was voted on seven years ago. He said that if they are going to be true to area plans, they need to honor those the best they can and the work from the last seven years. Mr. Jones said that he wanted his initial comments on the record, but removed his objection to the passage of the resolution.

Hearing no objection, the motion passed by unanimous consent.

F. Ordinance 2020-09(V) An Ordinance Appropriating $100,000 to the Manager as Partial Funding for the Lemon Creek Park Capital Improvement Project; Funding Provided by Donations from the Eagles Edge Homeowners Association.

This ordinance would appropriate $100,000 as partial funding for the Lemon Creek Park CIP for park maintenance and upgrades to Lot 16, Block D of the Eagles Edge Subdivision. In 2012, voters approved $250,000 in temporary sales tax funding for the planning and construction of a neighborhood park in Lemon Creek. This appropriation would supplement this preexisting funding to be utilized for improvements to the park to meet CBJ standards of safety including ADA accessibility and fall protection. The adoption of Resolution 2898 would authorize CBJ to acquire this parcel of land for use as a playground.

Funding for this request is provided by donations from the Eagles Edge Homeowners Association.

The Parks and Recreation Advisory Committee and the Lands and Resources Committee provided motions of support for this request at the March 3 and June 1, 2020 meetings, respectively.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2020-09(V) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

G. Ordinance 2020-09(H) An Ordinance Appropriating to the Manager the Sum of $14,858,227 as Funding for the Juneau International Airport's Terminal Construction Revenue Bond Debt; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate $14,858,227 in FAA grant funding to service the Airport's terminal construction revenue bond debt obligation. Revenue bonds were issued to fund construction costs at the commencement of the project, as federal funding was not available at that time. It was the intent to service the bond debt with Airport Improvement Program (AIP) and Passenger Facility Charge (PFC) revenue. FAA has now awarded two AIP grants for this purpose. The funds appropriated with this ordinance will be reserved to repay the revenue bond debt associated with the capital improvement project. Matching funds are provided by PFC revenue in the amount of $534,055, which has been previously appropriated with Ordinance 2019-06(G).

The Airport Board approved this request at its October 8, 2020 meeting. The Assembly Finance Committee and the Public Works & Facilities Committee reviewed this request at the November 4, 2020 and November 9, 2020 meetings, respectively.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to adopt Ordinance 2020-09(H) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

H. Ordinance 2020-09(Q) An Ordinance Appropriating $31,047 to the Manager as Funding for Multiple Training Events for the Juneau Police Department; Grant Funding Provided by the United States Department of Justice, Office of Justice Program, FY20 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The Juneau Police Department has been awarded $31,047 in grant funding from the

U.S. Department of Justice for various training opportunities.

The JPD leadership team has identified the following training opportunities to apply this funding to in FY21: property and evidence management, continuing education for polygraph examiners, missing persons, cultural sensitivity, developing standard operating procedures, crimes stats and National Incident-Based Reporting System (NIBRS), Writing NIBRS reports, NIBRS specialized reporting, retention and destruction for evidence and records, and managing police records and redaction.

No local match is required for this grant.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Phillip Moser, a Valley resident, spoke to the need of community oversight of what goes into police department training. He mentioned that polygraph testing is not admissible in Alaska State Court, Federal Court, and is banned in private companies. He expressed concerned that the use of polygraph testing in this training could point to larger issues within the training program, and to what JPD deems valid.

Assembly Action

MOTION by Mr. Jones to adopt Ordinance 2020-09(Q) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

I. Ordinance 2020-09(R) An Ordinance Appropriating up to $700,000 to the Manager as Partial Funding for the Glacier Highway Sewer - Anka to Walmart Capital Improvement Project; Funding Provided by the Alaska Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities (ADOT) has requested CBJ move the generator building at the Gruening Park Sewer Pump Station on Glacier Highway, across from Renninger Drive. ADOT has identified the building to be in conflict with their new roadway construction plans and has agreed to reimburse the CBJ for the costs to relocate the building out of the right- of-way and on an ADOT provided parcel of land. The construction project for the relocation of the generator building and renovation of the sewer pump station will be a component of the Glacier Highway Sewer – Anka to Walmart CIP, and is ready to advertise for construction bids with the intention of completing the work ahead of ADOT's project, which is scheduled to begin next summer.

The Public Works and Facilities Committee reviewed this request at its September 14, 2020, meeting and forwarded it to the full Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2020-09(R) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

J. Ordinance 2020-09(S) An Ordinance Appropriating $160,500 to the Manager for Eaglecrest's Fiscal Year 2021 Supplemental Operating Costs; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate $160,500 for Eaglecrest's FY21 supplemental operating costs, estimated to be spent in the following categories:

Personnel	$150,000
Black Bear Chair Fuel	$4,200
Propane for Outdoor Seating	$6,300
TOTAL	**$160,500**

This supplemental funding would enable Eaglecrest to operate the winter season in compliance with the National Ski Areas Association (NSAA) industry best practices developed in accordance with CDC and WHO COVID-19 health guidelines. Operating in compliance with the NSAA best practices will require Eaglecrest to run the Black Bear chair for more days during the season to accommodate social distancing on the mountain, requiring additional personnel to operate the lift and perform more ski patrols. This request also includes propane costs for heated outdoor seating to accommodate social distancing after December 30.

Funding for this request would be provided by the General Fund's fund balance.

The Assembly Finance Committee reviewed this request at its September 30, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-09(S) and asked for unanimous consent.

Objection by Ms. Hughes-Skandijs for purposes of a question. Ms. Hughes-Skandijs asked Mr. Scanlan how this would compare to the $250,000 request that was not granted from the last budget process. Mr. Scanlan explained that this operation will address staffing needs that have been affected by COVID-19. He added that this operation would also allow Eaglecrest to be able to meet the staffing needs necessary to operate in a different way than they would prior to COVID-19.

Ms. Hughes-Skandijs noted that Eaglecrest shut down early at the end of the last season, and she asked how this would be different from the end of the last season. Mr. Scanlan clarified that there were many changes being rapidly made towards the end of the last season. Since that time, they have been able to learn from the industry and watch how ski areas across the world handled staying open while keeping people safe amidst COVID-19 regulations.
Ms. Hughes-Skandijs removed her objection.

Hearing no objections, Ordinance 2020-09(S) was adopted by unanimous consent.

K. Ordinance 2020-09(T) An Ordinance Appropriating $73,100 to the Manager for Eaglecrest's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would appropriate $73,100 for Eaglecrest's FY21 supplemental operating costs, estimated to be spent in the following categories:

Equipment	$71,200
Propane for Outdoor Seating	$1,900
TOTAL	**$73,100**

This supplemental funding would enable Eaglecrest to operate the winter season in compliance with the National Ski Areas Association (NSAA) industry best practices developed in accordance with CDC and WHO COVID-19 health guidelines. The request for equipment would fund the purchase of tents, tables, and propane heaters for socially-distant outdoor seating, as well as two WeatherPort ski patrol shelters to ensure the safety and health of ski patrollers. This request also includes propane costs for the outdoor seating area prior to December 30.

Funding for this request would be provided by the CARES Act Special Revenue Fund.

The Assembly Finance Committee reviewed this request at its September 30, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2020-09(T) and asked for unanimous consent. *Hearing no objection, Ordinance 2020-09(T) was adopted by unanimous consent.*

L. Ordinance 2020-09(W) An Ordinance Appropriating $300,000 to the Manager as a Grant to Family Promise of Juneau to Purchase a Building to Support Vulnerable Families During the COVID-19 Pandemic; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would authorize a $300,000 grant to Family Promise of Juneau to purchase a building to support vulnerable families during the COVID-19 pandemic. Family Promise's current day center is housed at Chapel by the Lake, in conjunction with their family sheltering space. The purchase of a building would allow the organization to move their day center to an independent location to free up space for sheltering at Chapel by the Lake, while maintaining a stable facility with staff offices to continue providing social service and case management support for children and families experiencing homelessness.

Funding for this grant is provided by the CARES Act Special Revenue Fund.

The Assembly Finance Committee reviewed this request at its November 10, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2020-09(W) and asked for unanimous consent. *Hearing no objection, Ordinance 2020-09(W) was adopted by unanimous consent.*

M. Ordinance 2020-09(X) An Ordinance Appropriating $300,000 to the Manager as a Grant to the Alaska Committee to Coordinate and Support Public Accommodations During the 2021 Alaska State Legislative Session; Funding Provided by the General Fund's Fund Balance.

Given the extraordinary circumstances of the pandemic, the Alaska Committee is investigating ways to support the Alaska State Legislature during its 2021 legislative session. This grant will enable the Alaska Committee to coordinate and support all aspects of the Capital City's public accommodations required by visiting legislators and staff.

Funding for this request is provided by the General Fund's Fund Balance.

The Assembly Finance Committee reviewed this request at its November 4, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2020-09(X) and asked for unanimous consent.

Objection by Ms. Gladziszewski for purposes of a comment. Ms. Gladziszewski said that this ordinance will help provide housing for the legislators and their staff. She encouraged anyone with rental availability or AirBnB or VRBO units to please contact the Legislative Affairs office and notify them as that would help with this effort. Ms. Gladziszewski removed her objection.

Hearing no objection, Ordinance 2020-09(X) was adopted by unanimous consent.

N. Ordinance 2020-53 An Ordinance Authorizing the Manager to Accept the Reconveyance of a Fraction of U.S. Survey 381, Located at 9290 Hurlock Avenue, from Alaska Legacy Partners and Lease the Property to Tlingit Haida Regional Housing Authority for Youth Services.

This ordinance would enable the CBJ to regain title of the Hurlock property at no cost to the CBJ, and then lease the property to Tlingit Haida Regional Housing Authority for less than fair market value for youth services. Upon the CBJ receiving title to the Hurlock property three notable things occur: (1) the CBJ would retain the $35,000 down payment paid by Alaska Legacy Partners, (2) the debt owed to the CBJ by Alaska Legacy Partners would be extinguished, and (3) the senior assisted living facility condition on Ordinance 2018-42 would terminate.

The Assembly Committee of the Whole discussed this item on November 9, 2020, and recommended splitting this ordinance into two separate ordinances (Ord. 2020- 57 and 2020-58). Those ordinances were set for introduction tonight.

The City Manager recommends the Assembly permanently postpone discussion of this specific ordinance by moving to lay Ordinance 2020-53 on the table. Such action would allow the Assembly to consider Ordinances 2020- 57 and 2020-58 at a later meeting.

Public Comment

None.

Assembly Action

MOTION by Mr. Jones for the Assembly to permanently postpone Ordinance 2020-53 and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

IX. UNFINISHED BUSINESS

A. Regulation 03 CBJAC 41 Residential Onsite Wastewater Treatment and Disposal System Maintenance Program

The CBJ has regulations governing onsite wastewater treatment and disposal systems at 03 CBJAC 41. This regulation would amend who can service the systems and how much the CBJ Public Works department charges for inspections and maintenance, if any. This draft regulation was posted to receive formal public comment between the dates of October 5 to October 26, 2020. No public comments have been received. The Assembly's review is guided by CBJC 01.60.260. Notably, the Assembly cannot amend the regulations tonight. However, the Assembly may do one of the following:

1. Not take up consideration of the regulations by moving the regulations with orders of the day, which means the regulations are approved;
2. Discuss the regulations and move to adopt the regulations;
3. Discuss the regulations and direct the Manager to consider reasons to review the regulations again; or
4. Direct the Attorney to prepare an ordinance or resolution for consideration of the substance of the regulations.

The City Manager recommends the Assembly move the regulations with orders of the day.

MOTION by Mr. Jones for the Assembly to move orders of the day. *Hearing no objections, the motion passed by unanimous consent.*

X. NEW BUSINESS

None.

XI. STAFF REPORTS

A. 2020 Municipal Election Report from Municipal Clerk McEwen.
Mr. Smith asked if the Municipality of Anchorage's (MOA) facilities could be used in future elections.

Ms. McEwen said that MOA would be willing to do this again in the future, however it would be subject to their election schedule. She added that the Assembly can decide whether they would like to incur the expense of conducting an election with MOA facility equipment, or to have a regular in-person election. Ms. McEwen encouraged the Assembly to inform the Clerk's office on their decision sooner rather than later, so that they may coordinate accordingly.

XII. ASSEMBLY REPORTS

A. Mayor's Report

1. 2021 Goals with Changes Marked
2. 2021 Goals

Mayor Weldon thanked Ms. Cosgrove for her work on the goals following the retreat and presented the goals to the Assembly for adoption.

MOTION by Ms. Hale for the Assembly to adopt the 2021 Goals as they appear in the packet, and asked for unanimous consent. *Hearing no objections, the 2021 Goals were adopted.*

Mayor Weldon commended Alaska Municipal League for hosting a virtual conference, she said that there were good sessions and good discussions.

Mayor Weldon also acknowledged the passing of former Juneau Superior Court Judge Rod Pegues, and expressed her condolences to his family.

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

Committee of the Whole Chair Jones reported that the COW last met on November 9, several of the items on that meeting's agenda were passed tonight. The next scheduled COW meeting will be held on November 30, where the committee will meet with BRH and JSD. There will be another joint meeting on December 7, the COW will meet with the PC to take testimony on the Hurlock property.

Assembly Finance Committee Chair Triem reported the AFC last met on November 4 to prepare for the Assembly retreat. She shared that they received a sobering overview of FY20, FY21, FY22, and FY23 budgets. The AFC met again after the retreat on November 10 to discuss CARES Act funding.

Lands and Resources Committee Chair Gladziszewski reported that the Lands Committee will meet next week to discuss scope.

Juneau School Board Liaison Gladziszewski shared that the proposed JSD in-person learning start date has been pushed back to January in response to the Governor's Emergency Declaration. The JSD also created a Finance Committee.

Public Works and Facilities Committee Chair Hale reported that the PWFC met on November 9, most of what they discussed was included in tonight's agenda. They received an update from Mr. Epstein on crosswalk parameters near the Whale statue on Glacier Highway. They postponed discussion of Wastewater COVID testing to the December 7 meeting. She shared that the PWFC will be matching their 2021 goals with the 2021 Assembly Goals.

Human Resources Committee Chair Bryson shared the following recommended appointments to committees, which were approved by the Assembly by unanimous consent:

Building Code Advisory Committee: Alan Wilson and Armando Deguzman were appointed to terms beginning December 1, 2020 and ending November 30, 2023.

Building Code Board of Appeals: Bradley Austin and Jeff Wilson were appointed to terms beginning immediately, and ending August 31, 2021. Darrell Weatherall was appointed to a term beginning immediately and ending August 31, 2023.

Douglas Advisory Board: Joyce Vick was reappointed to a term beginning immediately and ending September 30, 2023. Summer Christiansen was appointed to a term beginning immediately and ending September 30, 2021.

Historic Resource Advisory Committee: Shauna McMahon was reappointed to a term beginning immediately and ending June 30, 2023. Sarah Hieb and Olivia Lihou were appointed to terms beginning immediately and ending June 30, 2023.

Juneau Economic Development Council: Raymond Paddock and Marc Guevarra were appointed to at-large seats with their terms beginning immediately and ending October 31, 2023. Jill Weitz was appointed to the non-profit environmental seat beginning immediately and ending October 31, 2023.

Local Emergency Planning Commission: Britta Tonnessen was appointed to the Red Cross primary seat, and Carolyn Garcia to the Red Cross secondary seat for terms beginning immediately and ending December 31, 2022.

Sister Cities Committee: Kelsey Aho was appointed to a term beginning December 31, 2020 and ending on January 1, 2024. Dashiell Hillgartner and Matthew Maixner were appointed to terms beginning immediately and ending January 1, 2023.

Youth Advisory Board: Josh Anderson was appointed to the Parks and Recreation Advisory Committee Representative seat on the YAB.

Ms. Woll provided a liaison report for the Downtown Business Association (DBA), and shared that the DBA has been working on initiatives to encourage shopping downtown for the holidays. They are working with the JACC on expanding Gallery Walk from one evening to a full month long. Ms. Woll also met with the Travel Juneau Board, and reported that they are on schedule for the Juneau CARES campaign to market Juneau as a safe city.

Mr. Smith reported that the LEPC and JCC have not had any meetings since the last Assembly meeting. He went to his first meeting as a liaison to the Airport Board. The Airport Board discussed numbers, which are currently down to a level they have not been at since the 1980s, and welcomed their new Airport Deputy Manager Scott Rinkenberger and Architect Mike Greene.

Mr. Smith acknowledged the losses of David Katzeek and Jay Kerttula from our community. He wished everyone to have a happy Thanksgiving, and to celebrate safely and responsibly.

Ms. Hughes-Skandijs shared that JCOS met on November 4, and had a work session on November 20 to discuss solid waste. The UAS Campus Council met on December 2, and Ms. Hughes-Skandijs congratulated new Chancellor Dr. Karen Carey. She also noted that at the Docks & Harbors Board meeting, they were provided with an update on Juneau Hydropower, and small cruise ship plans.

Mr. Bryson shared that PRAC forwarded the nomination of Josh Anderson to serve as their representative on the YAB. Eaglecrest reported that sales are up, and they have all their mitigation plans in place. The Homelessness Ad Hoc committee held three meetings, and completed their recommendations last night. The next scheduled HRC meeting will be held on December 14, and the Full Assembly will meet with the HRC on December 15 and December 17 to conduct interviews for the Planning Commission and Hospital Board.

Ms. Hale shared that Bartlett Regional Hospital (BRH) Board last met on October 27, and will be meeting again tomorrow. BRH is preparing for a visit from ROCHE around December 7. She reported that none of the three vaccines in consideration have had trials with children yet. Ms. Hale said that she is still coming up to speed on Systemic Racism Review Committee and the HRC looked at some of that tonight. She was reelected to the Alaska Municipal League (AML) Board in a new City/Borough seat. She attended a Juneau Commission on Housing and Homelessness meeting, and shared that everyone is working in tandem trying to find solutions to help homeless youth.

Ms. Triem shared that the Aquatics Board approved fee schedule at the last meeting, and will start on their budget process tomorrow. She said that a Glacier Swim Club (GSC) Board member had to leave the board, and they have a representative to put before the HRC for consideration. Ms. Triem also shared that her Dad's 80th Birthday is on Friday, and he will say that 80 is the new 40. She asked everyone to safely celebrate Thanksgiving this year.

Ms. Gladziszewski acknowledged the passing of Senator Jay Kerttula and appreciated his service. She wished everyone to have a happy Thanksgiving and encouraged everyone to celebrate safely.

Mr. Jones shared that the Planning Commission met on November 10, which was the same night as Assembly. The next scheduled PC meeting is on November 17. He said the Auke Bay Area Zoning meeting was cancelled due to technical difficulties. They are scheduled to meet December 8 and December 22. He attended AML meetings all week, and attended an ESTF meeting on Thursday.

Mr. Jones said Ms. McEwen gave a good report on the election, and he believes that they need some more financial information on what a Municipal Election might look like if Juneau were to hold its own By Mail election. He thinks the Assembly would need to decide how it wants to conduct its election next year by March 2021.

He also shared that the Planning Commission will be submitting a letter to the Assembly about how the Area Plans fit into the CIP planning. Mr. Jones suggested updating the Economic Plan, since our economy is going to be very different than what was originally anticipated.

C. Presiding Officer Reports

1. Wille v. Planning Commission

This appeal relates to a Planning Commission decision granting a conditional use permit for transitional housing at 6205 Alaway Avenue (Lemon Creek/Midtown) for the Central Council of the Tlingit and Haida Indian Tribes of Alaska. The Assembly accepted this appeal and appointed Mr. Bryson as the Presiding Officer. The parties met for a prehearing conference. **The hearing date is currently set for 5:30 p.m. via Zoom on March 8, 2021.**

Presiding Officer Bryson reported that another resident of the neighborhood has joined as an intervener in this appeal.

2. Sealaska Heritage Institute v. Planning Commission

On May 13, 2020, the CBJ Planning Commission granted a conditional use permit to the Sealaska Heritage Institute (SHI) for an arts campus building and plaza. SHI timely filed an appeal of that Planning Commission decision. On June 8, 2020, the Assembly accepted the appeal and assigned it to a hearing officer. Just after that Assembly meeting, SHI and the Planning Commission filed a joint request that the Assembly stay the appeal by not taking any action though December 15, 2020, to see if there was any chance for SHI to resolve this without an appeal. After consultation with the City Attorney, the Mayor granted that request.

The parties appear to have made progress and are requesting the Assembly stay the appeal for another four months for SHI to gather more information and publicly present something to the Planning Commission.

The City Attorney recommends the Assembly grant this second continuance.

MOTION by Mr. Jones that the Assembly grant the second continuance in the Sealaska vs. PC appeal. *Hearing no objection, the motion passed by unanimous consent.*

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

XV. SUPPLEMENTAL MATERIALS

Ordinance 2020-47 An Ordinance Regarding Disclosure of Real Estate Values in Transactions.

Mayor Weldon noted that Mr. Jones had given notice of reconsideration at the last meeting on Ordinance 2020-47 and she asked Mr. Jones what his intent was with respect to this matter.

Mr. Jones stated that he just gave notice of reconsideration at the last meeting and he did not intend to bring it back to be taken up for reconsideration at this meeting.

Mayor Weldon asked if any other members of the Assembly wished to move for reconsideration of this Ordinance.

MOTION by Ms. Hale for the Assembly to reconsider Ordinance 2020-47.

Ms. Hale spoke to her request to reconsider. She said the Assembly heard from members of the public that they were caught off guard about this decision. She said that the City Manager had recommended that they might want to refer the ordinance back to the Assembly Finance Committee for additional review and the Assembly voted against that recommendation at that time. She said that if the Assembly tonight agrees with reconsideration, she would also follow that with a motion to refer it back to the Committee of the Whole for further discussion.

Ms. Gladziszewski asked for a point of order to confirm that another member can request reconsideration. Mr. Palmer clarified that when one person provides notice of reconsideration, it preserves the rights for everybody and any Assemblymember can move for reconsideration regardless of which side they initially voted on according to the Assembly's Rules of Procedure.

Mr. Bryson said he would be in agreement with Ms. Hale's motion and he would like to see this brought back to the AFC for further discussion.

Ms. Gladziszewski spoke against the motion, saying that they have talked about this ordinance for a long time, they have held several meetings on this and AML has been in support of this for years. She said that while they have heard many comments from the public on this, many of those did not have the same information that the Assembly had when it was considering the ordinance and she spoke against the motion to reconsider.

Ms. Hughes-Skandijs spoke against the motion. She said that she understands that often with the work of the Assembly moving so quickly that the public may feel that they did not have sufficient time to comment and provide input on legislation but she noted that this ordinance had received robust discussion, similar to many other ordinances, at the committee level prior to the vote at the previous Assembly meeting. She said that she did not feel the need to reconsider the previous motion on this ordinance.

Mayor Weldon said that these are unusual circumstances and it seems that many members of the public seemed to have been caught off guard for whatever reason. She spoke in support of the motion and acknowledged the concerns expressed by the public mentioned by Ms. Hale.

Mr. Bryson asked for clarification on the motion. Ms. Hale restated her motion as follows:

MOTION by Ms. Hale for the Assembly to reconsider the action taken on Ordinance 2020-47 at the October 26 Assembly meeting.

Roll Call Vote on Reconsidering Action Taken on Ordinance 2020-47
Ayes: Bryson, Hale, Smith, Mayor Weldon.
Nays: Woll, Gladziszewski, Hughes-Skandijs, Jones, Triem.
Motion failed. Four (4) Ayes, Five (5) Nays.

XVI. GOOD OF THE ORDER

Mayor Weldon acknowledged the passing of Senator Kerttula and Judge Pegues. She wished everyone Happy Thanksgiving, and encouraged everyone to celebrate safely.

XVII. ADJOURNMENT

There being no further business to be brought to the Assembly, the meeting was adjourned at 9:50 p.m.

Signed: ________________________________ Signed: ___________________________
Elizabeth J. McEwen, Municipal Clerk Beth A. Weldon, Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
DRAFT Meeting Minutes – December 14, 2020

MEETING NO. 2020-47: The Regular Meeting of the City and Borough of Juneau Assembly held virtually via Zoom webinar, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE

II. ROLL CALL

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

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager/Incident Commander Mila Cosgrove, City Attorney Robert Palmer, Assistant Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Library Director and EOC/PC Robert Barr, Finance Director Jeff Rogers, Engineering/Public Works Director Katie Koester, Community Development Director Jill Maclean, Parks and Recreation Director George Schaaf, Port Director Carl Uchytil, Lands Manager Dan Bleidorn, CDD Planner Irene Gallion

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

B. EOC Update

EOC Incident Commander Mila Cosgrove provided an EOC COVID-19 Community Update. Juneau currently has 72 active cases of COVID-19, sixteen of those cases were reported today.

The community risk level remains at Level 3/High, due to cases being attributed to community transmission. The hospital case load is stable, and on average has one or two COVID-19 patients at a time. Ms. Cosgrove shared that contract tracing is improving at the local level, 90% of people are contacted within 24 hours. However, the volume of cases throughout the state strains the resources in Juneau.

The Roche Machine has arrived at Bartlett Regional Hospital, and is in the process of being installed. After its installation, staff will be trained on how to operate the machine. The EOC anticipated the Roche Machine to become operational in mid-January. The Roche Machine is expected to eliminate the travel time it takes to receive test results.

The first doses of vaccines have arrived in Alaska and were going through the distribution process. The first shipment of 975 Pfizer vaccines were expected to arrive in Juneau by tomorrow. According to vaccine protocols, the vaccines will first be administered to healthcare workers, emergency medical personnel, and the staff and residents of long-term care facilities such as Pioneer Home or Wildflower Court. The second delivery of vaccines for the second dose is expected to arrive shortly after the first shipment arrives. She explained that the second phase of vaccine distribution will encompass a lot more people and will happen over a much longer period of time. There is not a set date planned for Phase 2 of the vaccine.

Ms. Cosgrove said that there has not been a large spike in cases as a result of the Thanksgiving holiday, and asked the community to continue to use the same safe practices throughout the upcoming holiday season. The disease is primarily spreading through community transmission, secondary transmission, and travel.

The EOC has found 61 positive COVID-19 tests that came through the Airport testing center since June with 25 of those positive cases were found in mid-November. Ms. Cosgrove encouraged the community to follow Public Health guidelines, and to adhere to strict social distancing until they receive a negative test result or after five days have passed.

Ms. Gladziszewski asked for an update on wastewater testing and the status of antigen testing. Mr. Watt said that they have continued to conduct testing at three wastewater facilities, however, he said that the results have not been indicative of climbing case load. There is funding for the project to continue throughout the end of the year, yet they are unsure what the recommendation would be moving forward. Mr. Watt said that this may be something to pick up when they approach cruise ship season. Overall, the results of wastewater testing have been inconclusive to date, but he believes that there has been some value with the experience.

Ms. Cosgrove explained antigen testing is available in the community, although it is not widely available since it is not as sensitive as PCR testing. She said that it could evolve to become more of a testing strategy, but at this time antigen testing is not all that reliable here in town.

Ms. Hale asked Ms. Cosgrove how they could balance the messaging that Juneau is doing not as bad as other places, but continue to encourage the public to be cautious. Ms. Cosgrove said that Juneau can be motivated by its ability to do well – by wearing masks, limiting our social bubbles, and maintaining a heightened sense of Covid consciousness. She believes that Juneau deserves a huge round of applause for the great job everyone has done to protect our community.

Mr. Smith asked Ms. Cosgrove if she could clarify how and where the positive COVID-19 cases were found at the Airport screening center. Ms. Cosgrove clarified that positive COVID-19 cases are being detected in both in-state and out-of-state travelers through the Airport screening center.

Mayor Weldon asked Ms. Cosgrove to clarify how many of the 16 cases reported today were from the asymptomatic testing site. Ms. Cosgrove said that she was not sure but there were quite a few from the airport testing center.

Mr. Jones expressed concern about the delayed shipment of the second dosage of vaccines, and compared it to press releases in other cities that are receiving regular shipments of the vaccine. Ms. Cosgrove explained that the EOC does not know when the next round of vaccines will arrive in Juneau. They currently have 975 vaccines available, plus 120 vaccines specifically for Pioneer Home. The second dosage of vaccines will go to those same people who received the first dosage whenever they arrive.

Ms. Gladziszewski mentioned that the EOC is still reported recovered cases, and asked for Ms. Cosgrove to explain the value of reporting that data. Ms. Cosgrove explained that reporting recovered cases helps inform the EOC of how many people in the community have active COVID at any given time. The state stopped reporting that because they could not keep up with that information.

Ms. Cosgrove reminded the listening public about the EOC COVID Community Update every Tuesday at 4:00p.m. There are approximately one thousand people who tune in to watch that meeting each week. She also informed listeners to submit any questions they may have to covidquestions@juneau.org.

IV. APPROVAL OF MINUTES

A. March 22, 2020 Special Assembly Meeting #2020-10 Draft Minutes
B. June 17, 2020 Special Assembly Meeting #2020-32 Draft Minutes
C. August 3, 2020 Regular Assembly Meeting #2020-39 Draft Minutes

MOTION by Ms. Hale to approve the minutes of the March 22, June 17, and August 3, 2020 meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

V. MANANGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested removal of Ordinance 2020-60 from the Consent Agenda. He noted that he would also like to give a report under "Unfinished Business" on the status of the Individual Grants and the Housing Grants. *Hearing no objections, those changes were made to the agenda.*

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Emily Ferry, a Downtown resident spoke on the upcoming construction and rebuild of Calhoun Avenue. She shared that she decided to buy a home Downtown because she appreciated the walkability of the community. However, she described the street outside of her home as being dangerous, and recalled a time when a JPD officer informed her and her daughter that it was dangerous to walk on that road. Ms. Ferry said that the danger lies within a design problem inherent in the road, and she was excited to hear that the city is considering rebuilding that road. She shared that she is a point of contact for the Downtown Neighborhood Association, and they have not received notice of the public hearing on this issue that is scheduled to take place on December 22. She encouraged the Assembly and the City to ensure that community members are involved in planning projects in a meaningful way.

Mr. Jones recalled hearing that information regarding the upcoming public hearing meeting was sent out to neighborhood associations earlier today.

Philip Moser, a Valley resident, requested the Assembly to revisit Ordinance 2020-32(c)(am): *An Ordinance Establishing a Systemic Racism Review Committee.* He referenced the ordinance being introduced in June, and recalled the last action taken on it being a resolution that occurred in September. Mr. Moser shared that he does not know how long it takes to establish a committee, but said it has been very disheartening to see the committee has not yet come to fruition. He stated that this is a very important issue, and believes it is up to Juneau to ensure that our smaller committees have a fighting chance. He implored the Assembly to revisit this issue and work on creating this committee.

Greg Roth, a Twin Lakes Resident, thanked Mayor Weldon for showing up to help the Twin Lakes community after the storm and subsequent landslide on December 1. He also expressed appreciation for the Public Works and Streets departments for rebuilding creek beds and saving the homes and property in the Twin Lakes area. Mr. Roth recommended the City conduct an assessment of the damage resulting from the storm and landslide. He also thanked Mila Cosgrove for establishing a Disaster Declaration in response to the storm.

Ms. Triem asked Mr. Watt if residents affected by the storm could be eligible for FEMA relief programs. Mr. Watt said that he could provide an update at a future meeting. He mentioned that CBJ has requested for affected residents to provide damage information and staff is in the process of collecting that feedback.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

Mr. Bryson requested for the Assembly pull Ordinance 2020-09(AB) for discussion.
Mr. Palmer said that they cannot pull that ordinance out of public hearing, it can only be referred to a committee. Mr. Bryson decided to leave the ordinance for public hearing, and chose to have a discussion when it is up for testimony.

Mr. Jones requested that Transfer Request T-1031 be taken up under “New Business” connected with Item B.

Objection by Ms. Hale for purposes of a question. She asked Mr. Palmer how this motion is different than Mr. Bryson’s recommendation.

Mr. Palmer explained that an ordinance set for introduction can only be referred to a committee instead of staying on the Consent Agenda as scheduled. A transfer does not require the ordinance process and is a one-meeting item, so it can be moved to where the Assembly sees fit.
Hearing no objections, T-1031 was moved to New Business.

C. Assembly Action

MOTION by Mr. Jones for the Assembly to adopt the Consent Agenda as amended and asked for unanimous consent. *Hearing no objection the Consent Agenda was adopted as amended.*

1. Ordinances for Introduction

a. Ordinance 2020-09(AA) An Ordinance Appropriating $45,000 to the Manager for Parks and Recreation's Fiscal Year 2021 Dimond Park Field House Operating Costs; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate $45,000 for Parks and Recreation’s FY21 Dimond Park Field House (DPFH) operating costs, estimated to be allocated for the following purposes:

Facilities Maintenance	$20,000
Immediate Repairs to Fire System/Building	$25,000
TOTAL	**$45,000**

This supplemental appropriation is needed as a result of the transference of management of DPFH from Eaglecrest to Parks and Recreation beginning January 1, 2021. Funding for this request would be provided by the General Fund's fund balance.

The Assembly Finance Committee reviewed this request at the December 9, 2020 meeting. The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

b. Ordinance 2020-09(AB) An Ordinance Appropriating $376,000 to the Manager for the Planning and Design of Bond-Funded Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.

This ordinance would appropriate $376,000 for the planning and design of bond-funded capital improvement projects, estimated to be allocated to the full design phase of the following projects:

Crest Avenue Reconstruction (R72-155)	$175,000
Eagle Valley Center Improvements (P46-115)	$ 51,000
Downtown & Glacier Fire Stations - Mechanical/Electrical Upgrades (F21-041)	$150,000
Total	**$ 376,000**

This appropriation of project funding is consistent with the intent of the $15 million general obligation bond package approved by voters in the October 6, 2020 municipal election.

Funding for this request would be provided by General Obligation Bond Proceeds.

The Public Works and Facilities Committee reviewed this request at the December 7, 2020 meeting. The Assembly Finance Committee reviewed this request at the December 9, 2020 meeting.

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

c. Ordinance 2020-60 An Ordinance Authorizing the Manager to Convey Approximately 22,000 Square Feet of Property Located at Lot 2, USS 3559 to the Owners of the Adjacent Property Located at 11259 North Douglas Highway.

Dwight Scott Williams and Carol Colp have submitted an application to purchase City property on USS 3559 LT 2, which is adjacent to their property located at 11259 N. Douglas Highway. At the November 9, 2020 meeting, the Lands Committee provided a motion of support for this land disposal. The Planning Commission provided a positive recommendation with the condition that the new lot created by this sale meet the dimensional requirements of the Rural Reserve zoning district.

The purchase price of the property shall be the fair market value, which has been determined to be $34,600.00.

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

d. Ordinance 2020-38(b) An Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Goldbelt, Inc. for Seadrome Dock and the Merchant's Wharf Float.

This ordinance would allow Docks and Harbors to manage the reservations on behalf of Goldbelt, Inc. at the Seadrome Dock for the 2021 season. Title 85 only allows Docks and Harbors "the development and marketing of municipality owned facilities", which includes the

Intermediate Vessel Float, the Port Field Office Float and Statter Harbor Breakwater.

This authorization would allow Docks and Harbors to evaluate, alongside with Goldbelt, whether a moorage reservation call center operated by Docks and Harbors would provide efficiencies and cost savings for the two entities.

The Docks and Harbors Board favorably recommended this matter at its meeting on February 27 and again on November 19, 2020. The Assembly Human Resources Committee favorably recommended this matter at its meeting on July 1, 2020. The original intent was to execute this authorization in calendar year 2020. However because of the pandemic, both parties agreed to wait until 2021 to evaluate opportunities.

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

2. Resolutions

a. Resolution 2928 A Resolution Adopting an Alternative Allocation Method for the FY2021Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

This resolution would facilitate the CBJ's participation in the State's FY2021 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2019 from fisheries business activities within the CBJ's qualifying area.

Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area. It is anticipated that the CBJ's share will be approximately $2,750.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2929 A Resolution of the City and Borough of Juneau Declaring a Local Emergency in Response to the 2020 Complex Weather System and a Request for State and Federal Assistance.

This resolution would declare a disaster emergency, like the one by the Governor, due to the complex storm system that started on November 30, 2020. People were evacuated from their homes, trees damaged houses, roads were damaged, mass wasting events damaged public and private property, a power generation facility was damaged, and a hatchery lost a water supply forcing the loss of fish for the region. This disaster declaration may be able to open up additional state and federal funding sources to recover from this complex storm system.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License
a. Liquor License Renewals
These liquor license actions are before the Assembly to either protest or waive its right to protest the license action.

Liquor License Renewal
License Type: Brewery, License #5729 Licensee: Forbidden Peak Brewery LLC
Location: 11798 Glacier Hwy, Juneau

License Type: Package Store, License #3352
Licensee: Costco Wholesale Corporation d/b/a Costco Wholesale #107
Location: 5225 Commercial Way, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend 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 renewal of these liquor licenses.

4. Other Items for Consent
a. Marijuana License Renewals
CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

MARIJUANA LICENSE RENEWALS
Retail Marijuana Store, License #10050
Licensee: Rainforest Farms LLC d/b/a Rainforest Farms LLC
Location: 216 2nd Street, Juneau
(60-day comment period ends Monday, December 21, 2020)

Retail Marijuana Store, License #13217
Licensee: ForgetMeNot Enterprises, Inc. d/b/a Glacier Valley Shop
Location: 8505 Old Dairy Rd, Suite 1, Juneau
(60-day comment period ends Saturday, December 20, 2020)

Standard Marijuana Cultivation Facility, License #13221
Licensee: ForgetMeNot Enterprises, Inc. d/b/a Green Valley Enterprises
Location: 8505 Old Dairy Rd, Suite 2, Juneau
(60-day comment period ends Saturday, December 20, 2020)

Marijuana Product Manufacturing Facility, License #13222
Licensee: ForgetMeNot Enterprises, Inc. d/b/a Southeast Essentials
Location: 8505 Old Dairy Rd, Suite 3, Juneau
(60-day comment period ends Saturday, December 20, 2020)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses. In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana licenses: #10050, #13217, #13221 and #13222.

5. Transfers
a. Transfer Request T-1031 A Transfer of $500,000 from Various Capital Improvement Projects to CIP P47-073 Centennial Hall Renovation Phase II.
This transfer of $500,000 to the Centennial Hall Renovation Phase II CIP will provide for the schematic design phase of renovations to Centennial Hall. The transfer consists of sales tax funding and comes from the following projects:

Project	**Sales Tax**
Mt. Jumbo Gym Roof	$250,000
ZGYC & AB Pool	$55,000
Improvements	
AB Pool Covers	$100,177
Deferred Bldg. Maintenance	$94,823
Transfer Total	**$500,000**

The Aquatics Board received information regarding this transfer request and chose not to make a recommendation.

The Public Works and Facilities Committee reviewed this request at the November 9, 2020 meeting and forwarded it to the full Assembly for approval.

The City Manager recommends approval of this transfer.

b. Transfer T-1033 A Transfer of $20,000 from CIP R72-147 Goodwin Road Reconstruction to CIP R72-142 Savikko Road Improvement.
This transfer of $20,000 from the Goodwin Road Reconstruction CIP to the Savikko Road Improvement CIP will fund the completion of the Savikko Road Improvement project. The project has been a success, but encountered unforeseen work that requires an additional $20,000 of funding to complete and close out the project.

The Goodwin Road Reconstruction project is estimated to come in slightly under budget, and therefore has funding available to provide the required $20,000 for the Savikko Road shortfall. This transfer consists of sales tax funding.

The Public Works and Facilities Committee reviewed this request at the December 7, 2020 meeting.
The City Manager recommends approval of this transfer.

VIII. PUBLIC HEARING

A. Ordinance 2020-57 An Ordinance Authorizing the Manager to Accept the Reconveyance of a Fraction of U.S. Survey 381, Located at 9290 Hurlock Avenue, from Alaska Legacy Partners.
This ordinance would enable the CBJ to regain title of the Hurlock property at no cost to the CBJ. Upon the CBJ receiving title to the Hurlock property three notable things occur:

(1) The CBJ would retain the $35,000 down payment paid by Alaska Legacy Partners;
(2) The debt owed to the CBJ by Alaska Legacy Partners would be extinguished; and
(3) The senior assisted living facility condition on Ordinance 2018-42 would terminate.

The Committee of the Whole reviewed this topic on November 9, 2020, and also took public testimony during the Committee of the Whole meeting of December 7.

The City Manager recommends the Assembly adopt this ordinance.

Mr. Jones asked if the Manager could also explain the process what these two ordinances (2020-57 & 2020-58) do in the progression of this project, to allow for the listening public to be aware of the process. Mr. Watt explained the first ordinance, Ord. 2020-57, authorizes the City Manager to receive the property back. He clarified that this is not a requirement, it allows the City to reclaim ownership over the property.

The second ordinance, Ord. 2020-58, authorizes the City Manager to lease the property to Tlingit Haida Regional Housing Authority (THRHA), again clarifying that this is not a requirement.

These ordinances would require the Assembly to appropriate funds and provide direction to the City Manager on what they wish to do regarding the property.

Ms. Hale asked Mr. Watt to describe what would happen if the Assembly passed these ordinance, but there were not any funds to appropriate towards the project. Mr. Watt answered that there are multiple parties involved in this project that could make a variety of decisions based on the actions of the Assembly. If both ordinances were to pass, that would authorize the Manager to decide whether or not to lease the property to the Housing Authority for a potential program in which the City might participate in.

Mr. Smith suggested the Assembly could go forward with these ordinances, and have an entity other than CBJ operate the property as a youth shelter. He said that the ordinance does not bind whoever chooses to operate a facility there. Mr. Watt said that these ordinances do not bind anyone with the operation of any program, however the CBJ wrote grants specifically for the operation of this shelter. This calls into question whether CBJ would appropriate those funds, or amend those grants to find a willing operational partner.

Ms. Gladziszewski asked Mr. Watt if he was rescinding his recommendations on both ordinances. Mr. Watt said that he would not rescind his recommendations, as there does not seem to be a scenario in which CBJ does not take the property back.

Public Comment

Justine Bishop, a Valley resident, claimed that CBJ is showing favoritism to a for-profit corporation by extinguishing their debt. She questioned the relationship between ALP and THRHA and expressed concern about the planning process. Ms. Bishop said that the Planning Commission filed a notice of decision approving the CUP for a youth emergency housing shelter without giving the public an opportunity for public comment. She said that the CBJ is moving forward with a process she described as unethical, and believes shows favoritism to a for-profit corporation with no public service to her neighborhood.

Mr. Smith had a question for Ms. Bishop, referencing in her testimony where she mentioned the property would service unsheltered adults. He said that he had not heard that at all during this process, and asked her where that information came from. Ms. Bishop said that the CUP contains two factors, one being the emergency youth shelter, and the second being defined as a rapid rehousing. She felt that the rapid rehousing portion of the CUP sounds like they are planning to expand upon that in ways that have yet to be defined. She said that rapid rehousing would service those who are over the age of 18, and described that as an undefined population.

Garrett Shoenberger, a Juneau resident and one of the partners at Alaska Legacy Partners. He provided a brief timeline that led them to where they are today. ALP purchased this property in 2018 at $350,000. They received a CUP in March 2019 with MRV Architects. They developed a full set of construction-ready documents in August 2019. CBJ purchased land in Vintage Park in

September 2019, and went through the RFP process to solicit a developer to build a larger facility in Vintage Park. Mr. Schoenberger said that ALP partnered with a developer in Anchorage in order to stay competitive, and submitted a proposal that was not selected in that RFP process. ALP then reached out to several groups including childcare providers, and established a partnership with Tlingit & Haida. He shared that ALP is not making any profit off of this project, they are just trying to be reimbursed for some of their out of pocket costs above their down payment. He concluded by saying he hoped this explanation brought some clarify to the actions of ALP, and that he was happy to answer any questions.

Ms. Hale asked Mr. Schoenberger if ALP intended to give the property back to CBJ and not to sell the property to a different entity. Mr. Schoenberger confirmed that ALP would essentially give the keys back to the city for the property. He also added that ALP felt it would be a win/win situation with the THRHA, Zach Gordon, and the needs of the community.

Mr. Bryson asked Mr. Schoenberger to share how many different types of groups ALP approached to decide which were able to operate a facility. He also asked Mr. Shoenberger to clarify if THRHA would reimburse ALP for some of their development costs. Mr. Shoenberger said that ALP reached out to several childcare operators and that one group in particular was involved the original proposal process when ALP initially obtained the facility. He recalled many groups telling them that the building needed some additional work before it could be financially feasible as a childcare facility.

Mr. Schoenberger stated that ALP never intended to recoup costs, they just wanted to pivot due to the competing facility in Vintage Park. Developmental design costs with MRV Architects totaled to around $125,000, in addition to operational expenses such as utility costs and general building maintenance. They had a discussion with THRHA if they would be willing to help cover those costs if they gave the property back so they may lease it from the city.

Assembly Action

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2020-57 and asked for unanimous consent. *Hearing no objection, Ordinance 2020-57 was adopted by unanimous consent.*

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

Upon regaining title to the Hurlock property, this ordinance would enable the CBJ to lease the property to Tlingit Haida Regional Housing Authority for less than fair market value for youth services. While this ordinance would authorize a lease for $100 per year, this ordinance does not require or suggest that the CBJ would provide other financial support; Tlingit Haida Regional

Housing Authority would be required to improve, operate, and maintain the property at its own expense.

The Committee of the Whole reviewed this topic on November 9, 2020, and also took public testimony during the Committee of the Whole meeting of December 7.

The City Manager recommends the Assembly adopt this ordinance. With the caveat that he pointed out earlier and that the manager can do certain things but is not required to. If the Assembly wants to proceed with the homeless services, the Assembly would need to appropriate funds with which to do so before he would be able to proceed with implementing the youth services.

Public Comment

Justine Bishop, a Valley resident, said she wished to clarify that those who testified in favor of the CUP and the outgoing JYS are separate entities. She said that the Assembly has received testimony from a disproportionate amount of people who do not reside in the Tongass Park neighborhood, who spoke in favor of this CUP. She also said that no consideration was given to the petition with 59 signatures of those who live in Tongass Park neighborhood in opposition to this proposal.

Emily Ferry, a Downtown Resident, spoke in support of the proposal. She said that Jorden Nigro, the Zach Gordon Youth Center Manager, gave her confidence that this would be much-needed project run by an experienced person.

Assembly Action

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-58 and asked for Unanimous Consent. *Hearing no objections, Ordinance 2020-58 was adopted by unanimous consent.*

C. Emergency Appropriation Resolution 2926 An Emergency Appropriation Resolution Appropriating up to $85,738 to the Manager as a Grant to Perseverance Theatre to Offset Economic Hardship Experienced as a Result of the COVID-19 Pandemic; Funding Provided by the CARES Act Special Revenue Fund.

This emergency appropriation resolution would authorize an $85,738 grant to Perseverance Theatre to offset economic hardship experienced as a result of the COVID-19 pandemic. The purpose of the grant extends to offsetting losses in ticket sales and donations in support of sustained personnel and overhead expenses, with the intention of stabilizing the organization at this phase of the pandemic. Support to Perseverance Theatre would help preserve Alaskan artists and plays celebrating Alaskan culture by Alaska's only professional theater.

This request would be funded by the CARES Act Special Revenue Fund.

Funding for this request is needed as soon as possible to ensure payment can be issued prior to the December 30, 2020 deadline for eligible CARES Act expenditures. For this reason, this is an emergency resolution.

This request was reviewed by the Assembly Finance Committee at the December 9, 2020 meeting.
The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment
None.

Assembly Action
MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Emergency Resolution 2926 and asked for unanimous consent. *Hearing no objections, Resolution 2926 was adopted by unanimous consent.*

D. Emergency Ordinance 2020-61 An Emergency Ordinance Extending Use of a Masks or Face Coverings in Certain Indoor Settings, on Capital Transit, and in Close Proximity to Others, and Providing a Penalty.

The CBJ has two mask mandate ordinances that expire on December 20. Ordinance 2020-45 specifically requires a face mask when using Capital Transit or when in CBJ-owned facilities. Ordinance 2020-49 requires face masks more broadly like in publicly accessible indoor locations and businesses. This ordinance would consolidate the different mask mandates into one ordinance to eliminate confusion. There are exemptions for people with disabilities and young children. This ordinance would also extend the mask mandate for six months unless terminated earlier by the Assembly.

Although the community is on the verge of providing the first batch of COVID-19 vaccines, we still need to be vigilant and protect each other until the vaccines are widely available.

The City Manager recommends the Assembly adopt this emergency ordinance.

Public Comment
Aaron Spratt, a Valley resident, said that this ordinance assumes that universal mask wearing would be substantially more valuable than the cost. He claimed that widespread mask use does not result in reduced cases of COVID-19. He also said that universal mask wearing has disrupted social cues and interactions. Mr. Spratt claimed that wearing masks has damaged the human psyche, and has somehow taught children to live in fear. He asked the Assembly to move away from universal mandates, and shift towards targeted intervention efforts specifically for those who are elderly or at-risk. Mr. Spratt described mask mandates and lockdowns as unprecedented measures, and demanded the Assembly use scientific evidence for their continued implementation.

Assembly Action

MOTION by Mr. Bryson to adopt Emergency Ordinance 2020-61 and asked for unanimous consent. *Hearing no objection, Emergency Ordinance 2020-61 was adopted by unanimous consent.*

E. Emergency Appropriation Resolution 2927 An Emergency Appropriation Resolution Appropriating up to $3,000,000 to the Manager for COVID-19 Pandemic Emergency Response Management; Funding Provided by the General Fund's Fund Balance.

This emergency appropriation resolution would provide $3,000,000 of funding for COVID-19 pandemic emergency response management for the remainder of FY21 after CBJ's CARES Act funding expires on December 30, 2020. These funds are required for the CBJ Emergency Operations Center to continue responding to the pandemic including COVID-19 testing, public communications, personal protective equipment, sheltering of vulnerable populations, and quarantine and isolation.

This request would be funded by the General Fund's fund balance. CBJ will also seek FEMA reimbursement of eligible costs.

This request was reviewed by the Assembly Finance Committee at the December 9, 2020 meeting.
The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale for the Assembly to adopt Emergency Appropriation Resolution 2927 and asked for unanimous consent.

Mr. Jones objected for purposes of question and a request. He referenced the last time they discussed this item at the last AFC meeting, and mentioned that the Governor is going to extend a mandate until just before the Legislature comes to town in January. He recalled the City Manager providing the Assembly with a detailed cost analysis for the next six months. He asked if the Finance Department could create a graph similar to the one they made for the CARES Act funds. He believed it behooves the Assembly to have similar updates to CARES funding so they know if it has been reimbursed or used for a public purpose. He is concerned that this is $3M for work that was not in their budget. Mr. Jones also asked that the Manager provide monthly updates at AFC as to what has been spent, what has been reimbursed, and how much is outstanding. He reminded the Assembly that this is tax money. With that, Mr. Jones removed his objection.

Hearing no objections, Emergency Resolution 2927 was adopted by unanimous consent.

F. Ordinance 2020-54 An Ordinance Amending Title 53 Regarding Easement Valuation.

This ordinance would increase the easement application fee from $15 to $100 and adjust the easement valuation standard to fair market value as determined by the Manager. If the Manager, or designee, is unable to determine the fair market value, the applicant would still be required to pay for an appraisal. These amendments were proposed because the existing appraisal requirements discourage easements when the cost of the appraisal exceeds the cost of the easement.

The Lands Committee reviewed this ordinance on November 9 and recommended forwarding it to the Assembly.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment
None.

Assembly Action
MOTION by Ms. Triem for the Assembly to adopt Ordinance 2020-54 and asked for unanimous consent.

AMENDMENT #1 by Mr. Smith to change the language on Line 24 to replace the word "base" with the word "application". The sentence would then read: "From time to time, the Manager shall adjust the **application** fee to reflect changes in the cost of municipal services." Mr. Smith explained that this change was to align this with Line 22, which also replaced the word "base" with "application". *Hearing no objections, Amendment #1 was adopted.*

Hearing no objections, Ordinance 2020-54 was adopted as amended by unanimous consent.

G. Ordinance 2020-09(Z) An Ordinance Appropriating $5,900,000 to the Manager as Partial Funding for the City and Borough of Juneau's Fiscal Year 2021 Required Debt Service; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate $5,900,000 as partial funding for CBJ's required debt service in FY21. This subsidy is necessary as a result of the State of Alaska reimbursing 0% of the current fiscal year's school construction bond debt, as the current debt service mill rate does not generate sufficient revenue to cover CBJ's FY21 debt obligations.

Funding for this request is provided by the General Fund's fund balance.

This request was reviewed by the Assembly Finance Committee at the December 9, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment
None.

Assembly Action
MOTION by Ms. Gladziszewski to adopt Ordinance 2020-09(Z) and asked for unanimous consent. *Hearing no objection, Ordinance 2020-09(Z) was adopted by unanimous consent.*

IX. UNFINISHED BUSINESS

Housing Assistance Grant and Individual Assistance Grants

Mr. Watt shared an update regarding the Housing Assistance and Individual Assistance Grants. To date, both programs have attracted a much larger number of applicants than anticipated, and both programs appear to be greatly over-subscribed. Mr. Watt and CCS Director Erin Walker-Tolles directed the closure of the Individual Assistance Grant program to new applicants. There are around 3,000 applications for the Housing Assistance Grant program, and 1,800 applications for the Individual Assistance Grant program.

Mr. Watt wanted to bring this to the Assembly because he believes that they need to make modifications to these programs. He felt it was the intent of the Assembly for these programs to result in the broadest distribution of equitable amounts. He said that if that was the will of the Assembly, they can draft emergency ordinances to amend the authorization of the programs. He provided an example of an amendment that would make the Individual Assistance Program only available to people that did not receive the Housing Grant.

Mr. Watt advised the Assembly that they have a limited amount of time to work out the details of these programs. They would need to schedule a Committee of the Whole meeting either late this week or Monday afternoon at the earliest.

The City Manager recommends that he will communicate via email to the Full Assembly a proposed solution and timeline for the Assembly to adopt changes via Emergency Ordinances. After having seen those ordinances, if the Assembly wishes to work on them in Committee, then they can schedule a COW meeting.

Ms. Triem said that she did not object to the principle of the notion. She wished to clarify that she would not agree with the Assembly deciding to award $5 assistance grants to individuals. In general, Ms. Triem said the principle of it is a good idea.

Ms. Gladziszewski also agreed with the principle, and agreed with what the Manager said about not being eligible for both programs. She said that she be available for any meeting they scheduled for this week.

Objection by Ms. Hale. She said that they heard Mr. Rogers say that there is available money from other programs that have not fully exhausted their funds. Ms. Hale suggested they could move money from those programs into the Individual Assistance Grant, as this program will put funding towards those in the community who need it most.

X. NEW BUSINESS

A. Finance Department Protest of Marijuana License Renewal ISG Inc. d/b/a Juneau's Green Market

The State of Alaska Alcohol & Marijuana Control Office (AMCO) allows municipalities a 60 day comment period on all liquor and marijuana licenses throughout the borough. CBJ's comment period to recommend protest or waive protest ends December 20, 2020.

On December 4, 2020, ISG, Inc. d/b/a Juneau's Green Market was notified by the Municipal Clerk's Office via certified mail and email that the Finance Department was recommending protest of its marijuana retail license renewal. The recommended protest is based on the following: a balance due of $74,763.82 for 2019 2nd, 3rd and 4th Quarter and 2020 1st Quarter Sales Tax, unfiled 2020 2nd and 3rd Quarter returns and unremitted sales tax, marijuana tax, late fees, penalties and interest.

Upon receipt of the email notification, the licensee contacted the Clerk's Office via phone Friday afternoon December 4, 2020 and was directed by the Clerk's Office to work directly with Finance/Sales Tax Office to rectify the situation and transferred them to the Sales Tax Office.

As of publication of the agenda packet, Friday, December 11, 2020, the Sales Tax Office has yet to be contacted by licensee.

The City Manager recommends protest until the licensee's tax accounts are brought into full compliance.

Mr. Jones declared a conflict of interest. He turned off his video and continued to listen to know when he should rejoin the meeting.

Dave Rohlfing, the attorney representing Elizabeth Romanoski, licensee and current owner of ISG Inc. d/b/a Juneau's Green Market, joined the Assembly meeting.

Mr. Rohlfing shared that they received a Sales Tax notice from the Finance Department in January 2020. They filed a request for a hearing, he said that it was difficult for him to get information from the managers of the store.

He said they were told by Finance that a new notice was sent to what they had as the last known address, which alleged large debt from 2019. Mr. Rohlfing stated that notice was not received by the client nor himself, and then they received the notice via email that a protest was being recommended on this license.

He then spoke to the amount estimated by CBJ vs. the actual sales in 2019. He did not believe that the required due process was met to provide notice to his client, but in order to rectify that it would go beyond the deadline for the AMCO meeting.

Mr. Rogers said they may be able to resolve the issue through negotiation. They would ask that no protest was made for the 2019 portion of the taxes. For the 2020 taxes, that would be fine with him as the filings and that debt would be paid by the end of this week.

Ms. Hughes-Skandijs asked if the second address was related to Ms. Romanoski or her business in any way.

Mr. Rohlfing said that it was an address that she had rented at one time. He also mentioned that the Municipal Code does say that these notices are required to be sent to the "last known address." Ms. Hughes-Skandijs asked if it was an address that was associated with the business. Rohlfing confirmed that it was, but the lease was no longer in effect at the time.

Ms. Hale asked if Ms. Romanoski was aware that she was supposed to file a quarterly sales tax filling and remit her sales tax quarterly. Mr. Rohlfing said that she was not aware, as she had enlisted a management company that had not been doing that.

Mayor Weldon asked if Mr. Rohlfing could confirm that Ms. Romanoski was owner in 2019. Mr. Rohlfing confirmed that Ms. Romanoski was the owner of the business in 2019.

Ms. Gladziszewski asked Mr. Palmer if CBJ has done anything insufficient in anything here regarding the notices issue. Mr. Palmer said that every business that has sales has a duty to remit their sales tax. They get information about that when they register with the sales tax office. He said they did not receive anything by Mr. Rohlfing that proved the business was persuaded that they did not have to pay sales tax. He granted the basis for the protest to be due to unpaid sales tax. The question for the Assembly is whether or not to protest. That does not mean it is the end, but it does provide some time for the Finance Department and the business to prepare for the Marijuana Control Board's decision.

Mr. Smith declared a possible small conflict of interest as having worked with a different marijuana license and not this one. He said he does not feel he is actually conflicted out after consultation with the City Attorney.

Mr. Bryson said they were discussing months where the business may not have had any sales but the city was estimated approximate sales. He asked Mr. Watt if there was enough of a procedure that they could adequately separate 2019 from 2020. Mr. Watt said that there are thousands of businesses in operation, and it is the responsibility of the business owner to be in compliance with properly paying sales tax in the borough.

Ms. Triem had a question about the 2019 amount becoming the permanent amount for the business, rather than the 2020 amount.

Mr. Rogers explained the process by which an estimate of the sales tax for new businesses based on comparable other similar businesses. In July, the Sales Tax Office estimated unfiled/ unremitted sales tax for this business, which was in the range of $72,000. That notice estimated tax was sent, per Mr. Rohlfing's testimony, to what they believed to be the correct address. After 30 days of no response, that notice of estimated tax, by law, becomes the tax that is due, irrespective of what sales had happened. However, the law authorizes the City Manager to waive that estimated tax if the business owner can produce substantial verifiable documentation that proves a different amount of sales had occurred than the estimate.

Ms. Triem asked Mr. Rogers if this business remitted any sales tax in 2019, and if so, how close is that number to the actual amount due. Mr. Rogers shared that to date, the licensee has neither filed nor remitted any sales taxes since they came into operation in 2019.

Mayor Weldon asked how that could have happened. Mr. Rogers explained that there had been a series of conversations that happened between Mr. Singletary and the licensee earlier this year. He added that the Finance Department has encountered situations in which they notify a new business of their duty to collect remitted sales taxes, and the business does not follow through with it.

Ms. Gladziszewski said that they might be getting into the weeds about the amounts owed, and they should decide on the motion to protest this license.

<u>Assembly Action</u>

<u>MOTION</u> by Ms. Gladziszewski to protest this license until their tax accounts are brought in to full compliance. *Hearing no objections, the motion passed by unanimous consent.*

B. Centennial Hall Expansion/Joint Facility

Transfer Request T-1031 A Transfer of $500,000 from Various Capital Improvement Projects to CIP P47-073 Centennial Hall Renovation Phase II.

This transfer of $500,000 to the Centennial Hall Renovation Phase II CIP will provide for the schematic design phase of renovations to Centennial Hall. The transfer consists of sales tax funding and comes from the following projects:

Project	**Sales Tax**
Mt. Jumbo Gym Roof	$250,000
ZGYC & AB Pool **Improvements**	$ 55,000
AB Pool Covers	$100,177
Deferred Bldg. Maintenance	$ 94,823
Transfer Total	**$500,000**

The Aquatics Board received information regarding this transfer request and chose not to make a recommendation.

The Public Works and Facilities Committee reviewed this request at the November 9, 2020 meeting and forwarded it to the full Assembly for approval.
The City Manager recommends approval of this transfer.

Mr. Watt provided background information and the information in the packet that was provided to the PWFC.

<u>Public Comment:</u>
None.

<u>Assembly Action</u>
Mr. Jones had requested the transfer be moved to this portion of the agenda. He noted that at the PWFC meeting that there was a 3:1 vote, meaning that four members have already weighed in on this issue.

Mr. Watt explained that the improvements to Centennial Hall will be a multi-million dollar project; this proposed transfer would provide $500,000 to provide the design and if the Assembly is in agreement with the $75,000, could proceed with this.

MOTION by Mr. Jones for the Assembly to approve Transfer Request T-1031.

Objection by Ms. Triem. Ms. Triem said that this transfer is pulling from three different Parks and Recreation CIP programs to put towards Centennial Hall. The Augustus Brown improvements and Zach Gordon Youth Center funds are coming from 1% sales tax funds that were approved by voters. Mr. Triem said there are other things needed at the pools that needs attention, such as the Dimond Park decking which needs to be redone.

Ms. Gladziszewski mentioned that usually money is transferred when projects are done and over. She asked Mr. Watt to explain why money is being taken from these particular projects.
Mr. Watt explained that Public Works and Engineering staff identified CIP projects that have completed or have stalled into inactive status to find funding for different projects such as Centennial Hall. He agreed with Ms. Triem, and said that the Augustus Brown pool could use more funds when it is time to renovate it. He added that all CBJ facilities that fall under the Building Maintenance are coded to similar projects, and Parks & Rec have many projects fall under them. Mr. Watt advised against looking at approval of this transfer as any indication of the Assembly that they are or are not moving forward with the August Brown pool large renovation project. He said that this is simply a mechanical need to move money to inactive projects to an active need.

Ms. Gladziszewski spoke in favor of this motion, and mentioned that the Chair of the Aquatics Board sent an email saying that they also do not object to the motion, either.

Mr. Smith asked what would happen if the Assembly chose not to proceed with the transfer. Mr. Watt said that Engineering and Public Works would look at the status of other various projects and would bring back other options to the Assembly. He added that transfers from finished projects ultimately help move other projects forward.

Ms. Hale commented that there are a number of financing options and procedures available to any of the projects operated by city staff. She does not feel the Assembly needs to get into the details at this level.

Mayor Weldon agreed with Ms. Triem’s concern, and shared that she will also object to this motion.

Roll Call Vote on Transfer Request T-1031:
Ayes: Woll, Gladziszewski, Hale, Smith.
Nays: Jones, Bryson, Hughes-Skandijs, Triem, Mayor Weldon.
Motion failed. Four (4) Ayes, Five (5) Nays.

Centennial Hall Expansion/Joint Facility
Mr. Watt explained that it is exciting for the JAHC, Chamber, and Travel Juneau to all collaboratively work together on this project. He said that this project is good for tourism and the economy, and it is good to work on something future-oriented that is not COVID-related. Mr. Watt said that he will not push the Assembly on this, saying it will take time to formulate a plan.

Mr. Jones shared that he had a hard time with this one, partly because the voters resoundingly voted against this plan. With the transfer not being approved, he said the City Manager should come back to the Assembly with a plan that would use some of the Sales Tax money that might be moved around in terms of years. He would reluctantly support looking at it but he may not support the eventual proposal.

Mr. Watt asked for Assembly members interested in this topic to attend the PWFC meeting in January when it comes through the committees.

Ms. Gladziszewski supported this concept. She said that this specific concept is not what people voted against. She would direct some of the sales tax that was identified for this to be used. Ms. Gladziszewski said that the pipeline for this project is long and will not happen this year. She believes this motion should be moved forward and get work started on it.

Ms. Hale pointed out that this is not the new JACC project, it is an expanded Centennial Hall project. She agreed with the notion of the Assembly directing the City Manager to take the $75,000 and put it towards the project. She also added that we should applaud the fact that these groups are coming together to work collaboratively after being initially divided.

Mr. Smith agreed with Ms. Hale and Ms. Gladziszewski. He noted that voters last year voted against the grant to a private entity, and that this is a different proposal.

Mr. Smith gave a notice of reconsideration on his vote for the Transfer T-1031.

Mayor Weldon asked Mr. Palmer to clarify if the Assembly must move an ordinance in order to move this forward.

Mr. Palmer explained that the only thing in front of the Assembly at this moment is the need to give direction to the City Manager on the $75,000 related to Centennial Hall. He suggested the Assembly move the motion, and then send it to Public Works, then for it to be brought back to the Assembly after consideration.

MOTION by Ms. Gladziszewski to move the Centennial Hall project forward and have the City Manager identify where the funds would come from, and forward it to PWFC.

Objection by Ms. Hale. She asked for the motion not to be referred to PWFC as it already came through PWFC.

AMENDED MOTION by Ms. Gladziszewski for the Assembly to move the Centennial Hall project concept forward and refer it to the Assembly Finance Committee.

Mr. Bryson said that the voters did object to this project, and this concept is a double down project that voters will once again vote against. He recommend that the Assembly give the group design limits or budget restrictions. Mr. Bryson said if the Assembly does not make appropriate adjustments to the cost and size of the project, then they will be setting themselves up for failure – as the bond will have to be approved by the voters, which he believes they will again vote against.

Ms. Triem shared that she felt like the Assembly are parents who are being asked to say yes to something that the voters have already said no to. She is ready to say no right now in light of the state budget and school projects. Ms. Triem said she was not in favor of spending $75,000 on this when that is not going to change her decision. She added that this is a substantial amount of money that could be put towards the Hurlock property project.

Ms. Hughes-Skandijs said that the timing and the optics for this proposal does not work for her, especially in light of the budget constraints. She agreed with Mr. Watt that it is good thing for groups to come together to work on a project. She said that there are a lot of good things in this project, but she was not in favor of sending this back out to the voters and not respecting what they have already decided upon.

Ms. Gladziszewski spoke in favor of moving this to AFC. She said she thinks the Assembly should move it forward and see what the groups come up with. She believes that this is a project that has been talked about for a long time, and would be beneficial for the community.

Mr. Smith said there is a lot more to be learned on this particular project, as there is a lot they do not know. He believes that we need to diversify, and one day the virus will be behind us and we should plan for that future.

Ms. Woll appreciated hearing all the perspectives from Assemblymembers. She did not agree with comparing this to the Hurlock property, as this is a one-time expense vs. an ongoing annual expense like the Hurlock property.

Mayor Weldon agreed that it was good that three separate entities came together for this project. She said an argument could go either way on whether this project is what voters had voted against last year. Mayor Weldon spoke in favor of sending this to AFC for further discussion and consideration on whether the Assembly should move forward on this. She reminded the listening public to keep in mind that this will be a slow project, and will ultimately be voted on by the community if the Assembly decides to move it forward.

Roll Call vote to forward the Centennial Hall project to AFC:
Ayes: Gladziszewski, Woll, Hughes-Skandijs, Hale, Jones, Smith, Mayor Weldon.
Nays: Bryson, Triem.
Motion passed. Seven (7) Ayes, Two (2) Nays.

C. Assembly Discussion on State COVID Mandates Expiring December 15, 2020
Mr. Watt explained that this item had been added to the agenda in anticipation that the Governor may not have extended his emergency declaration. However, since the Governor did extend the emergency declaration, it is not necessary to take this item up tonight.

XI. ASSEMBLY REPORTS
A. Mayor's Report
Mayor Weldon celebrated Alaska State Council on the Arts' selection of the City and Borough of Juneau for the Governor's Arts & Humanities Award for Arts Government Leadership.

Mayor Weldon acknowledged that this was her last Mayor's Report of 2020, and applauded the community for sticking together during this hard time. She looked forward to getting back to normal municipal business and normal life.

B. Presiding Officer Reports
1. Sealaska Heritage Institute v. Planning Commission
On May 13, 2020, the CBJ Planning Commission granted a conditional use permit to the Sealaska Heritage Institute for an arts campus building and plaza. The parties are trying to resolve this case and have until March 15, 2021, to provide an update to the Assembly.
Mr. Palmer said that there was no action needed on this item.

2. Wille and Weldon v. Planning Commission and CCTHITA
This appeal relates to a Planning Commission decision granting a conditional use permit for transitional housing at 6205 Alaway Avenue (Lemon Creek/Midtown) for the Central Council of

the Tlingit and Haida Indian Tribes of Alaska. The Assembly accepted this appeal and appointed Mr. Bryson as the Presiding Officer. Since the last Assembly meeting, Ms. Keri Weldon has been added as an intervener. The hearing date is currently set for 5:30 p.m. via Zoom on March 8, 2021.

No action is needed at this time.

Mayor Weldon declared conflict of interest since the new intervener is her sister-in-law. She stepped away from the meeting and handed the gavel to Deputy Mayor Jones.

Mr. Palmer said that he and Mr. Bryson have been somewhat busy on this appeal. Ms. Keri Weldon filed as intervener. Mr. Palmer explained that there may be an Executive Session on January 4, 2021 to rule on a disqualification issue, but that issue is not needed at this time. There is no action needed tonight.

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

Committee of the Whole Chair Jones reported that the next COW meeting is scheduled for January 11, 2021.

Assembly Finance Committee Chair Triem shared that many of the agenda topics introduced tonight were discussed at the last AFC meeting. They also discussed the planning and design phase of bond-funded projects. She does not know when the next scheduled AFC meeting is, but expected it to be sometime next week.

Lands Housing and Economic Development Committee Chair Gladziszewski shared that the LHEDC have unofficially renamed the committee and would like to update its charge. They discussed downtown tax abatement. She mentioned that there is a Christmas tree map on CBJ website that highlights area on municipal land that are authorized for cutting Christmas trees.

Public Works and Facilities Committee Chair Hale reported that PWFC last met on December 7 and spoke on many items that were included in tonight’s agenda. They also discussed a work session in January. They received a thorough update on the wastewater COVID-19 testing, and Ms. Koester gave a detailed update on the flooding response from the December 2 storm.

Human Resources Committee Chair Bryson reported that the HRC met right before tonight’s Assembly meeting, and forwarded to Assembly nominations to the Local Emergency Planning Committee as written in the memo and asked for unanimous consent. *Hearing no objections, those nominations were approved by unanimous consent.*

Mr. Bryson reminded the Assembly that the Full Assembly will meet as HRC on December 15 for BRH Board interviews, and then again on December 17 to interview Planning Commission applicants.

Comments/Questions/Liaison Reports

Ms. Woll shared that the Downtown Business Association met last week, where they approved new board roster and continued working on holiday lights. She said that she will meet with JCOA tomorrow, which will be their first meeting since February 2020.

Mr. Smith shared that his first LEPC meeting received updates on vaccine distribution. Juneau community received special thanks from Haines for their help in responding to the disaster in December. He encouraged private property owners to report damage as a result of the storm to the city. Mr. Smith also attended an Airport Board meeting, where they went over their financial model. He wished everyone a Happy 5th night of Hanukkah. He also mentioned that Santa Claus is coming to town on a firetruck. Mr. Smith wished everyone Happy Holidays and a Merry Christmas.

Ms. Hughes-Skandijs said that she missed the UAS Campus Council as she was in PWFC meeting at that time. The Docks & Harbors Board met in November, and she informed the public that there is a vacancy on the D&H board and applications are due January 10, 2021. They will meet again on December 17, but she will be meeting with Assembly that night. JCOS met the first week of December with Ms. Koester where they discussed sustainability indicators. There is a vacancy on JCOS and they are recruiting for that as well. She thanked Juneau for all they have done for the community this year, and wished everyone Happy Holidays.

Mr. Bryson shared that PRAC met on December 1, they drafted a CIP list and are creating a subcommittee to fine-tune that list. He also reported that the Eaglecrest Board met on December 3, they almost earned $1,000,000 in revenue this year and sold more season passes this year than ever before. He said that for the Hilary Lindh Scholarship, which usually only allows for four applicants, this year eleven people applied and all eleven were awarded scholarships. He gifted the Assemblymembers with fireworks, and wished them all a Merry Christmas.

Ms. Hale reported that the testing committee was talking about setting up infusion centers for monoclonal antibodies. She said it will take a long time until it can make a difference. A nurse was added to the BRH CEO Selection committee, and as of five days ago there were 11 applicants for the CEO position. She said that she met with Juneau Coalition on Housing and Homelessness and talked about the role of staff. She will provide updates on homelessness each month in the Assembly packet.

Ms. Triem shared that the Aquatics Board has been working with staff on the budget and the CIP transfer. She suggested reading Mr. Muldoon’s letter that came in today. The next scheduled Aquatics Board meeting is January 5, 2021. She also acknowledged that tonight is Adelyn Baxter’s last meeting. She is moving to Anchorage, and Ms. Triem wished her good luck.

Ms. Gladziszewski shared that the School Board met on December 8 and primarily discussed returning to school in January, which depends on the health status in Juneau. She urged the community to continue masking and social distancing, and to do it so that your neighbors, your kids, and your neighbors’ kids can all get back into the classroom. She added that families will still have a choice to maintain distance learning and the plans could change based on staffing. Ms. Gladziszewski acknowledged that the sunlight will start to return in seven days’ time after the Winter Solstice, and wished everyone Happy Holidays.

Mr. Jones shared that the Planning Commission met on December 8 and will meet again tomorrow as the PC COW will be taking public testimony on Auke Bay zoning. The next regular meeting is scheduled for January 12. He also shared that the JEDC Visitor cluster group will meet to discuss winter and summer tourism tomorrow at 2:00p.m.

XII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. McEwen noted that the Clerk’s office was taking applications and advertising for the seats on the System Racism Review Committee with an application due date of January 10, 2021.

XIII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:52p.m.

Signed: ___________________________

Elizabeth J. McEwen
Municipal Clerk

Signed: _________________________

Beth A. Weldon
Mayor

DRAFT

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - December 15, 2020

MEETING NO. 2020-48: The Special Meeting of the City and Borough of Juneau Assembly was held via Zoom Webinar and called to order at 7:40p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assemblymembers Absent: None

Staff Present: Deputy Municipal Clerk, Diane Cathcart; Municipal Clerk, Beth McEwen; and BRH Executive Assistant, Anita Moffitt

II. APPROVAL OF AGENDA

The agenda was approved as presented.

III. AGENDA TOPICS

A. Bartlett Regional Hospital Board Applicant Appointments

Human Resources Committee Chair Wade Bryson reported that the Full Assembly sitting as the HRC held a meeting immediately prior to this Special Assembly meeting and interviewed applicants for the Bartlett Regional Hospital Board. The HRC forwarded the following recommendations for appointment:

MOTION: by Mr. Bryson for the Assembly to reappoint Kenneth Solomon-Gross, Rosemary Hagevig and Brenda Knapp to full terms to the Bartlett Regional Hospital Board beginning January 1, 2021 and ending December 31, 2023. ***Hearing no objection, motion passed by unanimous consent.***

Mr. Bryson noted that the next meeting of the Full Assembly sitting as the Human Resources Committee will be held on Thursday, December 17, 2020 to interview applicants for the Planning Commission. Ms. Cathcart noted that those meeting packets were in Assembly inboxes.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:45 p.m.

Signed: ____________________________ Signed: ________________________________
Elizabeth J. McEwen, Municipal Clerk Beth A. Weldon, Mayor

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AH)

An Ordinance Appropriating $75,000 to the Manager for Consulting Services to Explore the Joint Facility and Expansion Concept at Centennial Hall; Funding Provided by the General Fund's Fund Balance.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $75,000 for consulting services to explore the joint facility and expansion concept at Centennial Hall.

Section 3. Source of Funds

General Fund's Fund Balance $75,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this ________ day of ____________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AI)

An Ordinance Appropriating $75,000 to the Manager for a Homeless Youth Navigator Position; Grant Funding Provided by the Alaska Department of Labor and Workforce Development.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $75,000 for a homeless youth navigator position.

Section 3. Source of Funds

Alaska Department of Labor and Workforce Development	$75,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this ________ day of ____________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AJ)

An Ordinance Appropriating $325,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the U.S. Department of Health and Human Services, Juneau Community Foundation, and Friends of Zach Gordon Youth Center.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $325,000 to operate a youth shelter and rapid rehousing facility.

Section 3. Source of Funds

U.S. Department of Health and Human Services	$200,000
Juneau Community Foundation	$100,000
Friends of Zach Gordon Youth Center	$ 25,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this ________ day of ____________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AK)

An Ordinance Amending Ordinance 2019-06(AI) Related to the Appropriation Fund Source for COVID-19 Testing Equipment.

WHEREAS, the Assembly appropriated $700,000 for COVID-19 testing equipment to be operated by Bartlett Regional Hospital with Ordinance 2019-06(AI) (June 29, 2020);

WHEREAS, during 2020, Bartlett Regional Hospital received approximately $13,200,000 of federal funds due to the COVID pandemic.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Amendment of Ordinance 2019-06(AI). Section 3 of Ord. 2019-06(AI), Source of Funds, is amended by inserting “Bartlett Regional Hospital Fund Balance” and deleting “CARES Special Revenue Fund.”

Section 3. Effective Date. This ordinance shall be effective immediately after adoption.

Adopted this ____ day of ____________, 2021.

Attest:

____
Beth A. Weldon, Mayor

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AL)

An Ordinance Appropriating $700,000 to the Manager as Supplemental Funding for the COVID-19 Emergency Individual Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19, which was extended with Resolution 2921; and

WHEREAS, Ordinance 2020-09(Y)(b) appropriated $2,000,000 and created the COVID-19 Emergency Individual Assistance Grant Program; and

WHEREAS, there is substantial demand for the Emergency Individual Assistance Program, which is best met with this appropriation; and

WHEREAS, the COVID-19 Emergency Individual Assistance Grant Program costs are necessary due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the COVID-19 Emergency Individual Assistance Grant Program costs were not accounted for in the FY20 budget.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. In addition to the $2,000,000 appropriated by Ordinance 2020-09(Y)(b), there is appropriated to the Manager the sum of seven hundred thousand dollars ($700,000) for the COVID-19 Emergency Individual Assistance Grant Program.

Section 3. Source of Funds:
CARES Act Special Revenue Fund $ 700,000

Section 4. Effective Date. This ordinance shall become effective immediately after adoption.

Adopted this ____ day of ____________, 2021.

Attest:

____
Beth A. Weldon, Mayor

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 01/25/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-01

An Ordinance Providing for a Property Tax Abatement Program to Incentivize the Development of Housing in Downtown Juneau.

WHEREAS, Alaska S.B. 100 (2017) gave municipalities the option to provide tax exemption or deferral for economic development property; and

WHEREAS, the Housing Action Plan and Juneau Economic Development Plan identify tax abatement incentives to encourage development of workforce, senior, and downtown housing; and

WHEREAS, a 2020 Assembly Goal is to develop downtown housing incentives including tax abatement.

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

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

Section 2. Amendment of Section. CBJC 69.10.023 Property tax incentives for economic development property, is amended to read:

69.10.023 Property tax incentives for economic development property.

(a) *Purpose*. This section authorizes property tax exemptions for the following on a property that meets the definition of economic development property in A.S. 29.45.050(m):

(1) At least 15 new residential units of assisted living for senior citizens. The term residential units includes the assisted living residential units for senior citizens and only those building spaces that are necessary and incidental to the assisted living of senior citizens that qualify for inclusion in the exemption like common space, support space, and shared facilities. A residential unit qualifies for the exemption even if a non-senior citizen resides in the unit with a senior citizen. The property is located entirely within the urban service area as defined by Title 49.

(2) At least four new residential units in the Downtown Juneau Residential Tax Abatement Map, dated January 20, 2021.

(b) Reserved. ~~*Location*. The property is located entirely within the urban service area as defined by Title 49.~~

(c) *Exclusions*. Repair and rehabilitation property as defined in CBJC 69.10.025 for which an exemption application has been filed or granted is not eligible for this housing tax incentive. Submission of an application for exemption pursuant to this section shall automatically terminate any existing CBJC 69.10.025 application or designation for the property.

(d) *Application*. An application for an exemption under this section shall be made in writing to the assessor's office prior to issuance of a building permit for the residential units. Applications made after issuance of a building permit for the residential units shall not be accepted, or rejected if accepted. The application shall at a minimum contain the following:

(1) *Name*. The name of the applicant;

(2) *Address*. The legal description and street address of the property for which the application is made;

(3) *New residential units*. Drawings of the residential units that the applicant will construct, including a floor plan that includes approximate square footages;

(4) *Existing structures*. Drawings showing the square footage of all existing structures and structures to be constructed on the property;

(5) *Increase in residential units*. Plans showing the construction will increase the total number of residential units on the property;

(6) *Acknowledgement of liability*. Applicant acknowledges that the residential units will be taxable if and when the residential units are no longer eligible for tax exemption under this section;

(7) *Economic development property justification*. A narrative describing how the application qualifies as economic development property consistent with A.S. 29.45.050(m); and

(8) *Other information*. Other information as may be required by the assessor.

(e) *Provisional approval*. The assessor shall provisionally approve an application for tax exemption if:

(1) The applicant submitted a complete application; and

(2) The applicant acknowledges it must

(i) Construct not less than the required residential units in accordance with the plans and drawings submitted with its application; and

(ii) Increase the total number of residential units on the property in order to receive final approval under this section.

(f) *Final approval of exemption.* The assessor shall finally approve an application for tax exemption if:

(1) The applicant has completed construction of residential units in accordance with the plans and drawings submitted with its application and a Certificate of Occupancy has been issued pursuant to Title 19 for each structure that contains a residential unit described in the application; and

(2) The total number of residential units on the property has increased.

(g) *Magnitude of exemption.* Consistent with this subsection, the total potential exemption shall not reduce the amount of taxes below the amount levied on other property for the school district's required local contribution under A.S. 14.17.410(b)(2). The taxes eligible for exemption under this section are those attributable only to the newly constructed residential units exclusive of previously existing residential units (whether remodeled or not), all non-residential improvements, and land. Except as provided by subsection (m), the magnitude of exemption shall be determined on a spatial basis as follows: the square footage of the newly constructed residential units shall be divided by the square footage of all structures on the property, then multiplied by the assessed value of all improvements on the property and by the mill rate applicable to the property.

(h) *Duration of tax exemption.* Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.

(i) *Recording of exemption.* The assessor shall memorialize the terms of an exemption granted under this section in a memorandum recorded in the Juneau Recording District and kept on file in the assessor's office.

(j) *Termination of exemption upon reduction in number of residential units.* An exemption granted under this section shall terminate immediately if and when the number of residential units on the property is less than the number existing at the time of final approval of the application under this section. An exemption granted under this section does not terminate if the property or residential unit is sold and the new owner continues to comply with this section.

(k) *Appeal.* Any decision of the assessor under this section may be appealed to the assembly in accordance with CBJC 01.50.

(l) *Annual compliance and status report.* Not later than March 31 of each year, the owner of the property for which an exemption has been granted, shall file with the assessor a report with the following information:

(1) *Occupancy.* A statement of occupancy and vacancy of the residential units for the prior 12 months;

(2) *Residential units remain as described.* A certification that the newly constructed residential units described in the application continue to exist and have not been converted to a non-residential use;

(3) *Further changes.* A description of physical changes or other improvements constructed since the last report or, on first report, since the filing of the application; and

(4) *Additional information.* Any additional information requested by the assessor.

(m) *Late-file penalty*. The failure for the owner to file the annual compliance and status report by March 31 shall result in ten percent reduction of the taxes exempted in the prior year.

(n) *Definitions*. In this section, the following definitions apply:

<u>*New residential unit* means new construction and a condemned or uninhabitable existing dwelling unit that is renovated to current code for a residential dwelling unit according to CBJC Title 19.</u>

Previously exempt property means real or personal property exempt under CBJC Title 69 in the prior calendar year but taxable in the next calendar year.

Residential unit means a dwelling unit as defined by CBJC 49.80.120 and is either owner-occupied or only leased for periods of at least one month.

Senior citizen means a person who is:

(1) Sixty-five years or older; or

(2) At least 60 years of age and the widow or widower of a senior citizen who qualified for an exemption under AS 29.45.030(e) and CBJC 69.10.020(1)(A)(i) and (ii).

Widow or widower means a person whose spouse has died and who has not remarried.

Assisted living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services.

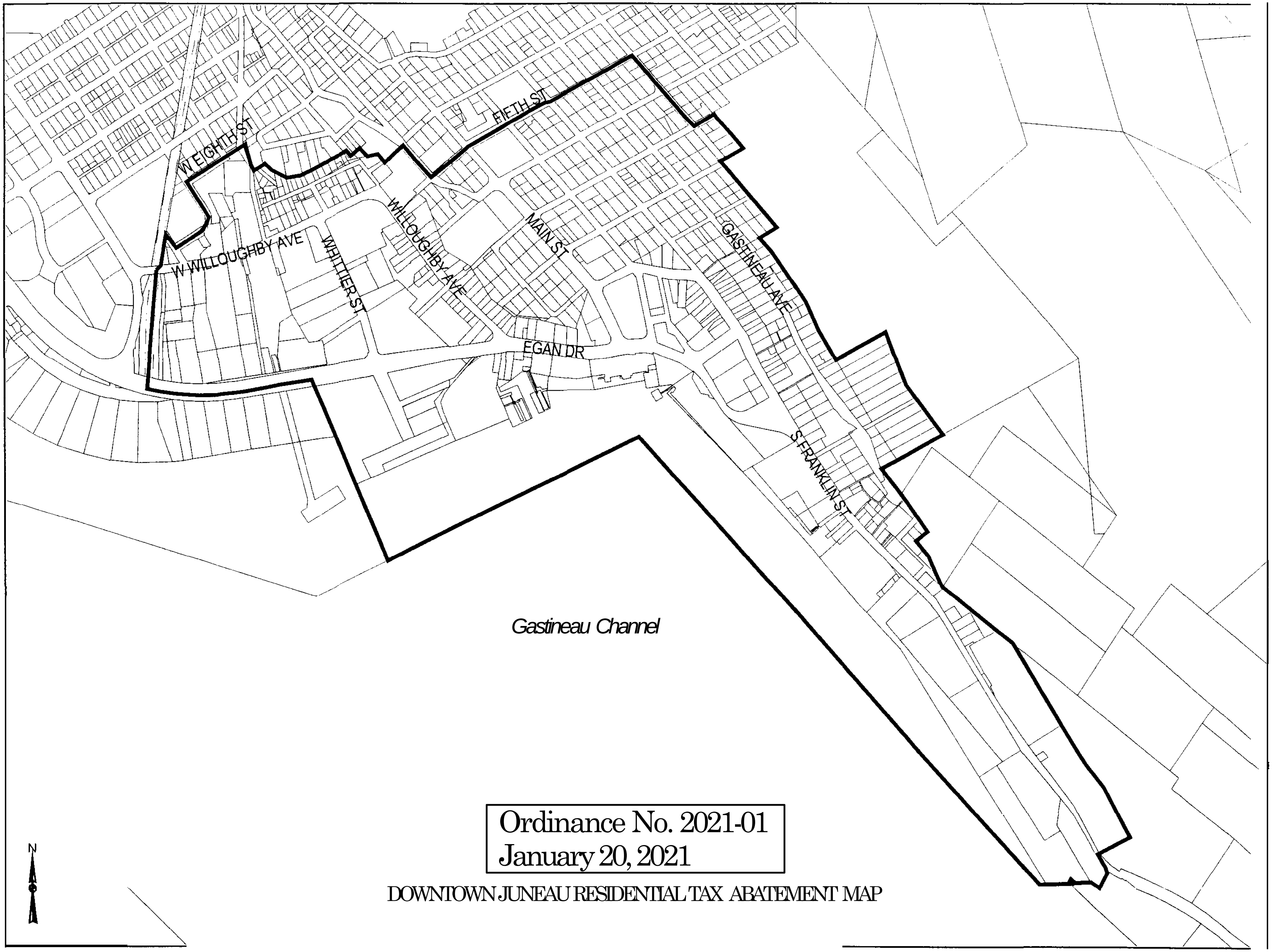
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this ________ day of ________________________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk



Ordinance No. 2021-01
January 20, 2021

DOWNTOWN JUNEAU RESIDENTIAL TAX ABATEMENT MAP

Presented by: The Manager
Presented: 01/25/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2938

A Resolution Authorizing the Manager to Convey a Utility Easement across Chicken Yard Park in Lots 5 and 6, Block 113, Juneau Townsite.

WHEREAS, the City and Borough of Juneau (CBJ) owns Lots 5 and 6, Block 113, Juneau Townsite, also known as Chicken Yard Park; and

WHEREAS, Michael Bucy is the owner of certain property located on Lot 3 and Lot 4, Block 113, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska (the "Property"); and

WHEREAS, the CBJ received an application from Michael Bucy requesting a utility easement in order to provide electricity from their home on 626 Fifth Street to an electric vehicle charger located on an easement the City granted to the prior owner for parking; and

WHEREAS, in 2019 the Assembly granted an easement to the benefit of 626 Fifth Street for two parking spaces within the park and pedestrian access from the parking spaces to the property; and

WHEREAS, on November 9, 2020, the Lands Committee passed a motion of support to grant this easement at fair market value.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Authorization to Convey. The Manager is authorized to negotiate and execute an easement across a fraction of Lots 5 and 6, Block 113, Juneau Townsite in Juneau, Alaska, as shown in Exhibit A, subject to the terms and conditions established herein.

Section 3. Terms and Conditions.

(a) Term. The easement shall be perpetual.

(b) Use. Use of the easement shall be for the sole purpose of providing electricity to serve an electric car charging station located on the parking easement granted by the CBJ in 2019.

(c) Non-Exclusivity. The easement shall be non-exclusive. The CBJ may grant other overlapping easements.

(d) Construction and Maintenance. The grantee is responsible for construction and maintenance of any improvements.

(e) Purchase Price. Purchase price of the easement shall be fair market value, which has been determined by the Manager to be $800.00.

Section 4. Rights Retained by the City and Borough of Juneau.

(a) Right-of-Entry. The CBJ reserves the right of public access along the easement.

(b) Public Pedestrian Use. The CBJ reserves the right of public pedestrian access along the easement.

(c) Relocation. The grantee may be required to relocate the driveway to a new location upon direction of the Assembly in accordance with CBJ 53.09.300(i).

(d) As-Built Survey. Grantee shall provide CBJ with an as-built survey of the driveway and any improvements, once constructed.

(e) Other Terms and Conditions. The CBJ Manager may include other terms and conditions deemed to be in the public interest.

Section 5. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _______ day of _______________________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

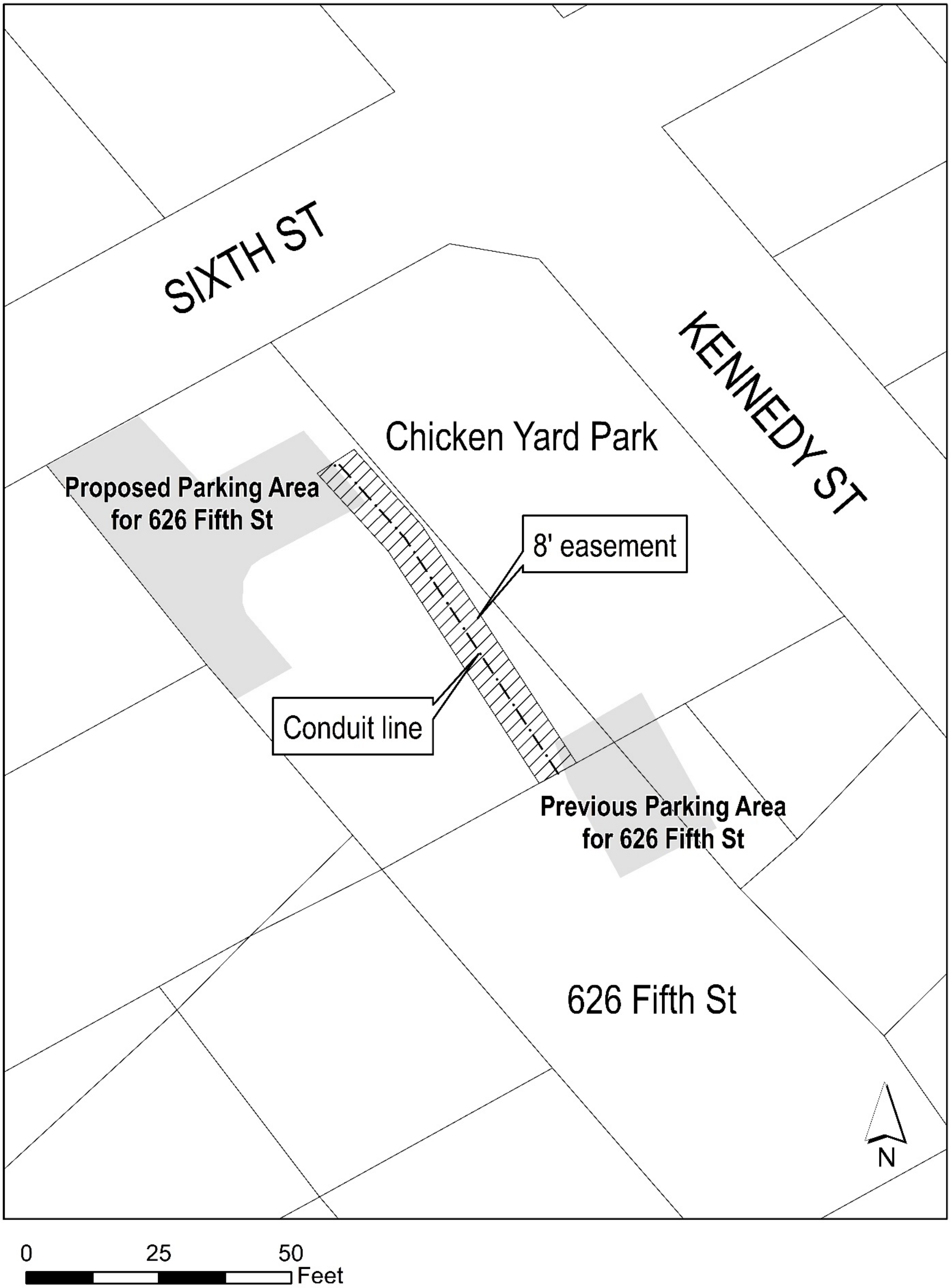


Exhibit A - Resolution No. 2938

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 11, 2020

City and Borough of Juneau
Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Numb	DBA	Type	City	Borough	Community Council
188	Bullwinkle's Pizza	Restaurant/Eating Place	Juneau	Juneau	NONE
1690	Bullwinkle's Pizza	Restaurant/Eating Place	Juneau	Juneau	NONE
828	Thibodeaus Douglas Depot	Package Store	Juneau	Juneau	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 7, 2020

City & Borough of Juneau
Attn: City Clerk
Via Email: mcb_notice@juneau.org

License Number:	16213
License Type:	Retail Marijuana Store
Physical Address:	159 S Franklin Street Juneau, AK 99801

Transferor:	Alaskan Kush Company LLC
Doing Business As:	Alaskan Kush Company
Designated Licensee:	Casey Wilkins
Phone Number:	907-957-3877
Email Address:	alaskankushco@gmail.com

Transferee:	Alaskan Kush Company LLC
Doing Business As:	Alaskan Kush Company
Designated Licensee:	Casey Wilkins
Phone Number:	907-957-3877
Email Address:	alaskankushco@gmail.com

☐ **Transfer of Ownership Application** ☒ **Transfer of Controlling Interest**

AMCO has received a complete application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.045(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the transfer, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a marijuana establishment license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local

government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our January 6-7, 2021 meeting.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov

Planning Commission
(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: January 15, 2021
File No.: CSP2020 0009

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding complete street and underground utility maintenance (and replacements as necessary) for Delta Drive, Tongass Boulevard, and Douglas 4th Street.

Property Address: Delta Drive, Tongass Boulevard, Douglas 4th Street

ROW name: Delta Drive, Tongass Boulevard, Douglas 4th Street

Parcel Code No.: Not applicable

Hearing Date: January 12, 2021

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 4, 2021, and recommended that the Assembly direct the City Manager to direct CBJ staff to design and build the project in accordance with the following recommendations:

1. CBJ Engineering and Public Works must submit a hydrologic or hydraulic analysis to the Flood Plain Manager indicating that reconstruction of Tongass Boulevard would not result in increase in flood levels during the occurrence of a base flood discharge. The analysis will be conducted by an engineer licensed in the State of Alaska, in accordance with standard engineering practices acceptable to the Federal Emergency Management Agency.

City and Borough of Juneau
CBJ Assembly
File No.: CSP2020 0009
January 15, 2021
Page 2 of 2

Attachments: January 4, 2021 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2020 0009.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

Michael LeVine, Chair
Planning Commission

January 20, 2021
Date

Chelsea Wallace

Filed With Municipal Clerk

January 21, 2021
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

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PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: January 19, 2021
File No.: CSP2020 0010

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal:	Planning Commission Recommendation of Approval to the City and Borough Assembly regarding resurfacing Vanderbilt Hill Road from Glacier Highway/Lemon Road to Egan Drive
Property Address:	Vanderbilt Hill Road
ROW Name:	Vanderbilt Hill Road
Parcel Code No.:	0
Hearing Date:	January 12, 2021

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated December 24, 2020. The Planning Commission recommended that the City and Borough Assembly approve the project.

Attachments: December 24, 2020 memorandum from Laurel Christian, Community Development, to the CBJ Planning Commission regarding CSP2020 0010.

Assembly action must be taken by March 4, 2021. Under AS 35.30.010. The Assembly has 90 days from the delivery of the project. If comments are not received within this time frame, the Alaska Department of Transportation and Public Facilities is authorized to proceed with the project.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020(b).

Michael LeVine, Chair Planning Commission	January 20, 2021 Date
Chelsea Wallace Filed With Municipal Clerk	January 21, 2021 Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The State Government and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

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PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: January 15, 2021
File No.: CSP2020 0011

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding complete street and underground utility maintenance (and replacements as necessary) for Calhoun Avenue
Property Address:	Calhoun Avenue
ROW name:	Calhoun Avenue
Parcel Code No.:	Not Applicable
Hearing Date:	January 12, 2021

The Planning Commission, at its regular public meeting, recommended that the Assembly DENY CBJ staff to design and build the project as described in the project description and drawings submitted with the application.

The Planning Commission recommended to the Assembly that a full traffic study of Calhoun Avenue traffic operations should be conducted prior to reconstruction.

Attachments: January 5, 2021 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2020 0011.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

January 20, 2021

______________________________ ___________________________

Michael LeVine, Chair
Planning Commission

Date

January 21, 2021

______________________________ ___________________________

Filed With Municipal Clerk

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU

Engineering and Public Works Department
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-0800 Facsimile: 463-2606

DATE: January 22, 2021

TO: Rorie Watt, CBJ City Manager

THROUGH: Katie Koester, Director CBJ Engineering and Public Works

FROM: John Bohan, Chief CIP Engineer

SUBJECT: Calhoun Avenue Reconstruction

The design for Calhoun Avenue reconstruction is in progress. The segment between Cope Park and the Governor's mansion are the focus of this project. CBJ hired proHNS, a local engineering firm, in August 2020, to design the roadway infrastructure replacements.

On January 12, 2021 at their regular meeting, the Planning Commission voted to recommend the Assembly deny the project.

> "The Planning Commission, at its regular public meeting, recommended that the Assembly DENY CBJ staff to design and build the project as described in the project description and drawings submitted with the application.
>
> The Planning Commission recommended to the Assembly that a full traffic study of Calhoun Avenue traffic operations should be conducted prior to reconstruction."

The purpose of this memo is to provide you with the history of the project and the steps taken.

<u>Background</u>

Calhoun Avenue is a historic, narrow roadway. The Calhoun right of way was platted around 1914 or earlier. Homes constructed along this segment of Calhoun date back to 1893. The right of way is of limited width with immovable obstacles (homes, retaining walls, stairways, permanent private property features, etc.) on both sides confining the roadway, leaving limited space for traffic lanes and sidewalks.

It is not known when this segment of Calhoun was last reconstructed. It is speculated to have occurred prior to the early 1970's. The roadway has been resurfaced a few times since then as evidenced by the pavement levels at and near the height of the existing sidewalk on the downhill side of the roadway. The water system and combined storm drainage and sewer system have not been reconstructed since unknown construction date prior to the early 1970's and are in dire need of upgrade. The water system between the Governor's house and Goldbelt Avenue is in imminent danger of failure. The sewer and storm drainage need to be separated to reduce the unnecessary load on the sewer treatment system and to meet EPA regulations.

A summary of the failing / outdated infrastructure replacements and improvements that are proposed are listed below:

- Curb and gutter – currently mostly non-existent or paved over
- Sidewalk
  - widening in areas possible – improved safety. All sidewalk meets ADA minimum width standard of three feet.

  - raising to 6" above roadway and protected with 6" high curb and gutter (currently near road grade) – improved safety and traffic calming
  - ADA accessible curb ramps and cross slopes – improved safety
  - improving crossing / crosswalk locations for safety improvement
  - unable to maintain standard 5' width due to narrowness of existing right of way and proximity of existing structures (homes, retaining walls, permanent private property features)
- Replacing Pavement
- Improving signage – improved safety
- Sewer system replacement
  - replacing of existing outdated sewer system with new materials – improve flow and reduce back ups
  - Separation of combined sewer and storm drainage
- Storm drainage
  - replacing existing storm system, separate from sanitary sewer and provide additional drain inlets to improve surface drainage collection
- Water system improvements
  - replacing of outdated / routinely breaking waterline between Governor's Mansion and Goldbelt Avenue
  - creating a looped water system from Cope Park to 8th Street –improve water quality, pressure and reduce freezing potential.
- Cleaning and resealing CBJ concrete retaining walls and repoint and reseal rockery walls

The preliminary design was presented to the neighborhood residents for input, comments and considerations at a ZOOM neighborhood public meeting on December 22, 2020. The neighborhood provided valuable input and comment on the proposed design features. Concerns were apparent traffic speed issues, and pedestrian and bicycle safety within the corridor.

The proposed sidewalk width, while less than the CBJ standard 5' width, meets ADA Standards. At the narrowest point, the sidewalk is 3.8' wide and the roadway is just over 16.8' wide. The pedestrian safety will improved by the installation of the 6" high barrier curb and gutter, raised elevation of the sidewalk, and widening where possible. A benefit of the narrow traffic lanes and addition of the 6" high barrier curb and gutter is traffic calming. Road narrowing (even visually) is a proven traffic calming measure. It is a commonly used when rebuilding CBJ roadways.

A request by some of the neighborhood was made to convert this segment of Calhoun Avenue into a one way road to allow a single wider traffic lane, a bicycle lane and wider sidewalks. This request was investigated until CCFR stated they could not support the one-way alternative because it limited their second access to and town, creating a life-safety concern for their responses.

<u>Public Engagement Process</u>

Engineering and proHNS reached out to the neighborhood early on in the design process. proHNS reached out to each individual within the project limits by going door to door and delivering "door knockers" providing contact information for the design team and requesting input from the residents regarding the project. Over half of the residents reached out to proHNS to discuss the project - via email, telephonically, in person and site- to share their concerns, provide input and discuss the project. Traffic speed, pedestrian and bicycle safety, elimination of the uphill sidewalk to promote a wider downhill sidewalk and more roadway width and conversion to one way to create bike lanes were evaluated by the design team. Some residents on the downhill side of the roadway have made the offer to widen the sidewalk onto their property. While thankful of these offers (and we may still utilize the added space), the locations offered are not the narrow locations or 'choke point' of the roadway, which is closer to the W 8th intersection adjacent to the corner of the mortar and rock wall at 230 8th Street. Elimination of the uphill sidewalk was determined to not be an option as the uphill property owners were concerned for their safety when exiting their property if they did not have the refuge of a sidewalk to get to a safe place to cross Calhoun. A proposed crosswalk adjacent to the Goldbelt

Avenue intersection has been included to provide this safe crossing and a safe crossing for pedestrians using Goldbelt.

One Way Consideration

- Initial investigation into one way conversion would require a return route to provide "round trip" in alternate direction from Calhoun. W 9th, Indian St, W 7th or W 8th streets only route to provide reverse traffic flow.
- Fire Chief Etheridge was queried regarding converting Calhoun to one way. He said CCFR could not support the conversion of Calhoun to one-way:
  - CCFR needs Calhoun as primary access to and from Gastineau Avenue and other areas on Starr Hill and uptown downtown
  - Calhoun is the secondary access to and from Downtown during any emergency event should access to Egan be blocked either by fire apparatus (equipment or hoses) or by the emergency itself. Calhoun is the quickest route from downtown to the Hospital for ambulances, or if engaged equipment needs to divert from downtown to another emergency.
- Upon further investigation, any traffic flow changes would require significant study and public process. A downtown traffic flow study would be required to evaluate the needs and the feasibility / impacts to changing traffic patterns, if changed. Changes could potentially impact not only Calhoun Avenue, but the strategic use of many downtown streets. This study should be completed during the height of downtowns tourist season, when downtown is at full capacity with ships and tourists, to accurately reflect all the potential impacts.

CCFR Emergency Access to/from Downtown

- Chief Etheridge requested CCFR Engineers try to maneuver an engine (main response apparatus with an ambulance) down the W 7th, Indian St and W 9th corridor. It was difficult and required CCFR to move very slowly. Fire Engineers walked along with the engine to ensure obstructions were not hit while maneuvering the sharp corner.
- Maneuverability along this corridor would require displacement of on-street parking. Depending upon the direction, multiple parking spaces would be displaced due to the narrow nature of the streets (approx. 5 to 15 spaces depending upon direction)
- W 9th and Indian Streets are steep and narrow –the engine can maneuver by using both lanes of narrow roadway. A longer ladder truck cannot physically make the corner. The tanker could potentially travel up hill, however very dependent on roadway conditions (unable to with ice or snow)
- The slope of hill at the W 9th and Indian St. corner is in excess of 17% and makes a 90 degree corner. Roadway is confined by a concrete stairway with a retaining wall on one side and either guardrail (W 9th) or retaining wall (Indian St.) preventing driving /off tracking onto adjacent ROW/property to make the tight turns.

Looking downhill at the corner of W 9th and Indian St (Google Street View)

Looking uphill at the corner of W 9th and Indian St (Google Street View)

Planning Studies, Plans and Codes

Community Plans, such as **Safe Routes to School**, **Blueprint Downtown**, **Juneau Non-Motorized Transportation Plan**, serve an important purpose to both guide and prioritize projects. These plans have all addressed pedestrian safety or walkability on Calhoun, directly or indirectly, and recognize the limitations within the Calhoun right-of-way. The plans recommend improving pedestrian safety/walkability through traffic calming and speed enforcement. The proposed Calhoun design incorporates the safety elements by raising the sidewalk height from near the roadway to the standard 6" above roadway height with a 6" high curb(and gutter), protecting the sidewalk except where private driveways enter the road. The 6" high curb will protect the sidewalk and provide a traffic calming visual stimulus that the roadway appears narrower. Existing plans and studies also recognize the constraints of Juneau's narrow, historic streets and include language promoting both public safety (emergency access) and walkability.

Roadway Lane Width Waiver. At the narrowest point, Calhoun Avenue is currently 17.8' wide (each lane is 8.9' wide - less than the 9' wide American Association of State Highway and Transportation Officials (AASHTO) minimum recommended standards) and has about 3.8' of sidewalk width to the edge of pavement with no curb – **Figure 1**. The proposed roadway section presented to the Planning Commission for the CSP review at this location represented two 8' wide travel lanes (16' full width)- **Figure 2**. The proposed section implemented typical CBJ construction standards of a full width curb and gutter along the face of sidewalk, a

6” high barrier curb protects the retaining wall and stairway entrance structure on the side opposite the sidewalk, and maintains a minimum ADA required sidewalk width of 36”. The curbs and gutter reduced the roadway width to two 8’ wide lanes. The technicality is the addition of an 18” (1.5’) gutter that is not considered driving lane; however is part of the drivable roadway surface. Technically, the proposed driving surface is actually 17.5’ (8.75’ lanes) wide instead the existing 17.8’. A 6” barrier curb provides vertical separation from the paved driving lane. The 18” gutter pan provides separation of vehicles from the edge of sidewalk. A 6” barrier curb protects the retaining wall, stair entrance and users of the private stairway from the Calhoun motoring traffic. Narrow travel lanes are not uncommon in narrow, historic rights of way and allowable under AASHTO:

> AASHTO recognizes that practical considerations of the built environment and terrain constrain old roads in urban areas. This often limits available right-of-way [AASHTO Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, page 5-13]. Where available right-of-way imposes severe limitations, nine foot lanes can be used in residential areas.

The Planning Commission waiver process is identified in Title 49 [CBJ 49.35.2240(i)(4)(B), Roadway construction standards waivers]. The waiver requested would allow the proposed lane reduction of less than 2” in each lane from the existing substandard roadway configuration (8.9’ lanes – less than AASHTO 9’ minimum lane width). The request was made as an attempt to balance the pedestrian and motorist safety, using the curbs and gutter as a barrier from the roadway that doesn’t currently exist, while visually narrowing the roadway and calming the traffic speed on the street. Signage and possibly a reduced speed zone would be added to identify and additionally protect the narrow point in the roadway.

The Planning Commission did not rule on this waiver request at the January 12, 2021 meeting.

Figure 1 - Existing roadway section at narrowest point

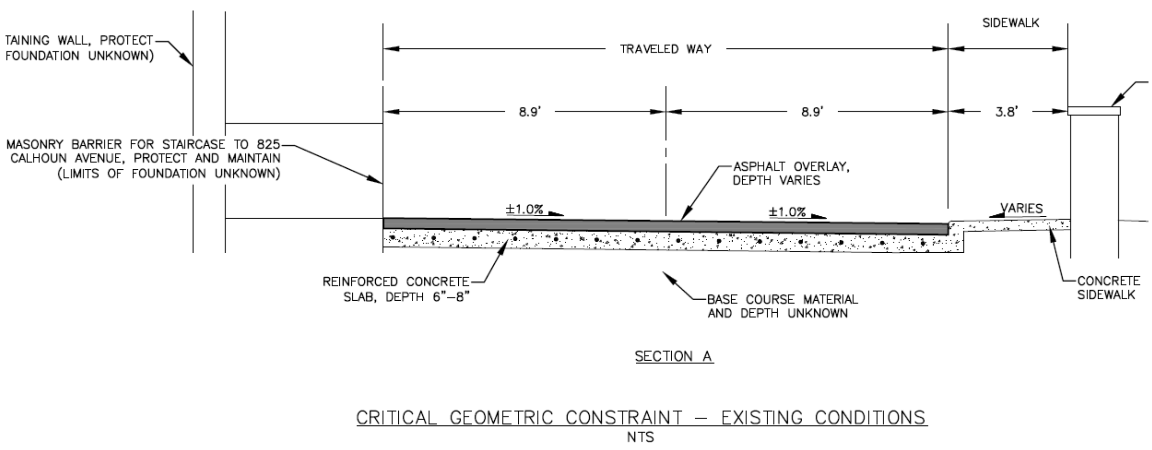
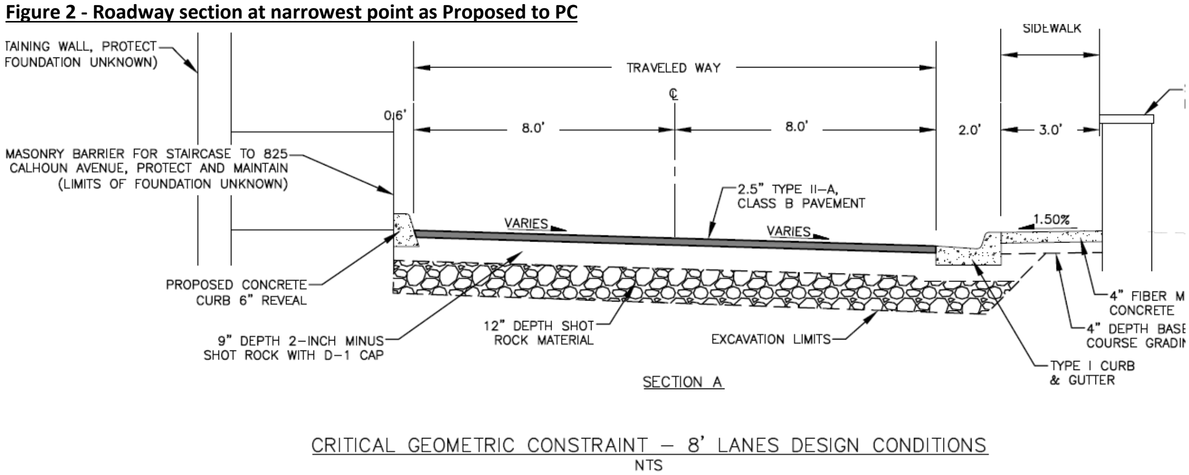


Figure 2 - Roadway section at narrowest point as Proposed to PC



Traffic Calming

Traffic calming is an important aspect of controlling vehicle speeds, particularly on a freshly paved roadway. The existing Calhoun corridor currently has one sidewalk that is almost flush with the roadway pavement without a curb and gutter to separate the sidewalk from the roadway. The rebuild of the corridor proposes to reinstate the standard 6" vertical separation between the asphalt travel lane and the sidewalk and install curb and gutter to provide a 2' horizontal offset from the sidewalk. The proposed 6" vertical height difference and the horizontal 18" (1.5') of gutter is flush with the driving lane and a drivable surface, are visual barriers that makes a road corridor feel more narrow and reduces travel speeds. The pinch point at the narrowest point described above will add to the traffic calming effects and help to reduce speeds. The challenges with roadway narrowing is it reduces the area for bicycles and requires cyclists and motorists to use the same lane, meaning motorists are supposed to yield/ stay behind cyclists in their travel lane until safe to pass. CBJ might require an education campaign to help motorists understand the need to yield to cyclists and the Traffic Laws. (Note: many motorists do not yield to cyclists in their lane, the motorist can be expect to pass them at any moment, ignoring Traffic Laws)

Bicycle Safety

Bicycle safety was presented as a significant public comment. Many concerns were raised about cycling in this section of Calhoun, particularly for children transiting through the area. There are few options to accommodate bicycle safety within this corridor beyond motorist (and cyclist) education on the Traffic Laws required for sharing the road. One of the proposed options, included in the Planning Commission presentation, includes increased signage / road painting specifically identifying that cyclists are able to use the full travel lane.


Water and Wastewater Utilities

The need to replace area water and sewer systems drove the Calhoun Reconstruction Project. When the Commission recommended that the Assembly deny the project, the Commission did not provide specific guidance on how to approach the issue of utility replacement. Public testimony centered on surface improvements. Before voting on the motion to recommend denial to the Assembly, one Commissioner clarified that voting to recommend denial was voting to not pursue the much-needed utility improvements. The Commission voted 5 to 4 to recommend denial of the project, and to encourage a planning study of transportation options.

Underground Electric Utilities

Some members of the public (not just neighborhood residents) requested the electric utilities (power, TV, phone etc.) within the project limits be relocated underground as part of this project. This is not a typical use of CBJ funds during roadway reconstruction projects. CBJ accommodates the utility companies on any project, allowing them to make the upgrades they desire at their cost during the CBJ Project. The utility companies were queried about the condition of their utilities and if they wanted to install new underground infrastructure, to which they responded they did not. The neighbors were encouraged to contact the utility companies themselves if they felt it was a neighborhood improvement they desired to pay.

Undergrounding of electrical utilities within this road corridor would be a challenge at best. Each individual property requires above ground service pedestals and transformers to serve their property. The limited ROW space and property would be further congested with these on the ground pieces of electrical infrastructure.

Each home would be required to change their aerial electrical utility service entrances to underground service entrances. Many of the homes are older and changing their utility service entrances could trigger other electrical code upgrades (potentially significant) upon permitting the work for their new service entrance. AELP provided an order of magnitude estimate (with a disclaimer of many uncertainties possibly increasing the cost) of $150,000 to $400,000 to underground AELP only infrastructure within the ROW, to the property lines. Cost information was not obtained from ACS or GCI, however ACS has a very large communication cable running through the project corridor which could be a significant cost.

Conclusion

Given the constraints of the available conditions, staff and engineering consultants have provided the best available re-construction of the street. The Assembly will have to decide whether that approach is appropriate. While a traffic study may appear to be an appealing comprise, in consultation with the Manager we have to advise that our gut instinct is that a traffic study will be time consuming, complicated and will not ultimately result in a decision to make a portion of Calhoun Avenue one-way. That would be a big change to the traveling public.

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-1035

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $500,000 be transferred:

From: CIP

P44-085	Mt. Jumbo Gym Roof	$250,000
P44-088	Deferred Building Maintenance	$250,000

To: CIP

P47-073	Centennial Hall Renovation Phase II	$500,000

The $500,000 consists of:

Sales Tax	$500,000

Moved and Approved this_____________day of ________________, 2021.

____
D. Rorie Watt, City Manager

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-1032

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $304,398 be transferred:

From: CIP

P46-108	Dimond Loop Field Repair	$149,220
P46-106	AB Pool Covers	$100,178
P46-101	ZGYC & AB Pool Improvements	$ 55,000

To: CIP

P46-114	DPAC Maintenance	$304,398

The $304,398 consists of:

Bond Proceeds	$149,220
Sales Tax	$155,178

Moved and Approved this_____________day of ________________, 2021.

____
D. Rorie Watt, City Manager

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 12/14/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-60(b)

An Ordinance Authorizing the Manager to Convey Approximately 22,000 Square Feet of Property Located at Lot 2, USS 3559 to the Owners of the Adjacent Property Located at 11259 North Douglas Highway.

WHEREAS, Dwight Scott Williams and Carol Colp ("applicants") are owners of certain real property located at 11259 North Douglas Highway and described as Tract C, Entrance Point Subdivision, Juneau Recording District, First Judicial District, State of Alaska ("Tract C"); and

WHEREAS, the applicants currently do not meet the minimal dimensional requirements of the Rural Reserve zoning district and are seeking sufficient property to develop a home on Tract C; and

WHEREAS, the City and Borough of Juneau (CBJ) owns real property adjacent to Tract C, described as Lot 2, USS 3559 Juneau Recording District, First Judicial District, State of Alaska ("Lot 2"); and

WHEREAS, the applicants have requested to purchase 22,000 square feet of Lot 2 located adjacent of the applicants' property (the "CBJ Property") in order to meet the minimum dimensional standards for the Rural Reserve zoning district and construct a home; and

WHEREAS, the Planning Commission reviewed this proposed disposal of the CBJ Property at its meeting on June 13, 2017, and recommended that the Assembly approve the sale of a portion of Lot 2 to the applicants under the condition the area of the CBJ Property recommended for disposal meet the minimum amount necessary for the dimensional requirements of the Rural Reserve zoning district, as provided for under CBJ Code of Ordinances Title 49; and

WHEREAS, the Lands Committee reviewed this proposed CBJ land disposal at its meeting on November 9, 2020, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property to the applicants; and

WHEREAS, the Manager has determined the fair market value of the CBJ Property to be \$1.57 per square foot, for a total value of \$34,600.00 more or less.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a fraction of Lot 2, USS 3559, Juneau Recording District, First Judicial District, State of Alaska, constituting 22,000 square feet more or less, as shown on the attached Exhibit A.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by the Manager to be $1.57 per square foot. Applicants will be responsible for all surveying, platting, closing costs, and recording fees. The Applicants may elect to utilize City financing with the following terms: a minimum of 10% down and 10% interest for a maximum term of 10 years.

Section 4. Other Terms and Conditions. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

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

Adopted this ________ day of ________________________, 2021.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

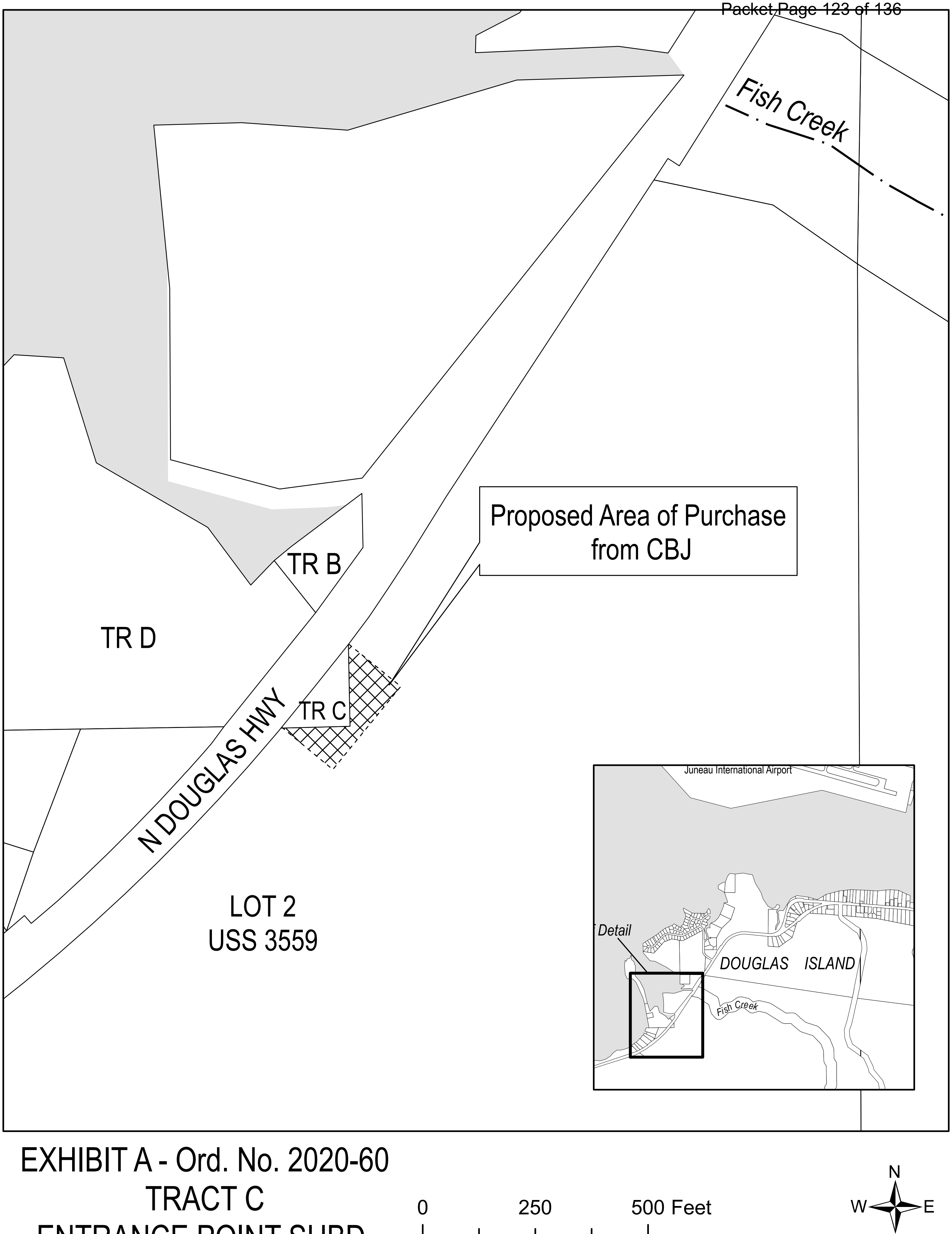


EXHIBIT A - Ord. No. 2020-60
TRACT C
ENTRANCE POINT SUBD.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FIRST JUDICIAL DISTRICT AT JUNEAU

CITY AND BOROUGH OF JUNEAU, Plaintiff, vs. DALE LOSSELYONG, Individually and on behalf of CAPITAL CITY TOWING, LLC, Defendants.	)	Case No. 1JU-19-616CI **ORDER GRANTING MOTION FOR SUMMARY JUDGMENT UNDER CIVIL RULE 56**

On August 10, 2020, the City and Borough of Juneau (CBJ) filed a *Motion for Summary Judgment Under Civil Rule 56.*[1] On October 12, 2020, Losselyong filed a *Qualified Non-Opposition to Summary Judgment.*

Summary judgment is appropriate if there is no genuine dispute of material fact and the moving party is entitled to judgment as a matter of law.[2] All factual inferences are drawn in favor of the non-moving party, and the existence of a dispute regarding any material fact precludes summary judgment.[3]

The CBJ's *Complaint* alleges that the Defendants are in violation of CBJ 49.05.130, nonconformance with CBJ ordinances, specifically §§1.700, 9.050, 9.100, and 10.300 under CBJ 49.25.300. CBJ 49.25.300 lists the various types of uses permitted in each municipal zone and whether certain procedures are

[1] Case Motion #16.

[2] *Mitchell v. Teck Cominco Alaska Inc.*, 193 P.3d 751, 757 (Alaska 2008) (citing *Miller v. Safeway, Inc.*, 170 P.3d 655, 658 (Alaska 2007)).

[3] *Meyer v. State, Dep't of Revenue, Child Support Enforcement Div., ex rel. N.G.T.*, 994 P.2d 365, 367 (Alaska 1999).

required to permit said uses. Losselyong's property is zoned D-3 residential.[4] Lots zoned D-3 residential have an outright prohibition on any "[m]otor vehicle, mobile home sale or rental,"[5] "[m]otor vehicle repair and maintenance, including body work,"[6] and the "[p]arking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot."[7] "Home occupations" on D-3 residential zoned lots require department approval pursuant to chapter 49.15, article III, in conjunction with the issuance of a building permit.[8] "Home occupation" means any activity carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit, and the occupation results in "no other visible nonilluminated evidence of the conduct of such home occupation other than one nonprojecting façade-mounted sign one square foot or less in area."[9]

In his *Answer* to the *Complaint*, Losselyong admitted to being in violation of each of the above ordinances and since then has not presented any material fact that would support a finding of compliance.[10] According to the record, CBJ has been trying to work with Losselyong to remedy the property's conditions since at least 2016.[11] Indeed, even after filing the above captioned matter, CBJ compromised with Losselyong through stipulation to remedy the issue before pressing further litigation.[12] Unfortunately, Losselyong has not

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[4] *Complaint*, April 8, 2019, at 3; *Answer*, May 3, 2019, at 1.
[5] CBJ 49.25.300, §9.050.
[6] *Id.* at §9.100.
[7] *Id.* at §10.300.
[8] *Id.* at (b)(1), §1.700.
[9] CBJ 49.80.120.
[10] *Complaint*, April 8, 2019, at 9; *Answer*, May 3, 2019, at 2.
[11] *Complaint*, April 8, 2019, at 4; *Answer*, May 3, 2019, at 1.
[12] *Order*, January 28, 2020.

achieved compliance with its provisions, eventually resulting in CBJ's filing its instant motion for summary judgment.[13]

Although Losselyong has arguably made some progress to remedy the violations, noncompliant conditions existed at the time the *Complaint* was filed,[14] and many of the noncompliant conditions still exist.[15] As such, and for the reasons stated above, including Losselyong's *Qualified Non-Opposition,* the CBJ's *Motion for Summary Judgment Under Civil Rule 56* is hereby **GRANTED.**[16]

DATED this 20th day of November 2020 at Juneau, Alaska.

SEAL OF THE TRIAL COURTS OF THE STATE OF ALASKA FIRST JUDICIAL DISTRICT

Daniel Schally
Superior Court Judge

Certification
Copies Distributed
Date 11/23/20
To Palmer, Woolford, Marx, Araujo via email
By SMM

[13] Evidentiary Hearing Testimony, June 16, 2020; *Motion for Summary Judgment Under Civil Rule 56*, August 10, 2020.
[14] *Complaint*, April 8, 2019; *Answer*, May 3, 2019; *see also* CBJ 49.10.630 (civil penalty for initial violation and for each day thereafter on which the violation continues).
[15] *See, e.g., October 13, 2020 Status Report and Affidavit of CBJ Code Compliance Officer Nate Watts*, October 20, 2020.
[16] The CBJ's motion also seeks leave to file "an abatement plan within six months" of the entry of summary judgment, which period "may be extended for good cause." Seeing no reason to not allow this, and keeping in mind that the CBJ may not actually need such leave, the CBJ's request is granted.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
PARKS & RECREATION

TO: Michelle Hale, Chair Public Works and Facilities Committee

FROM: Michele Elfers, Deputy Director Parks & Recreation Department

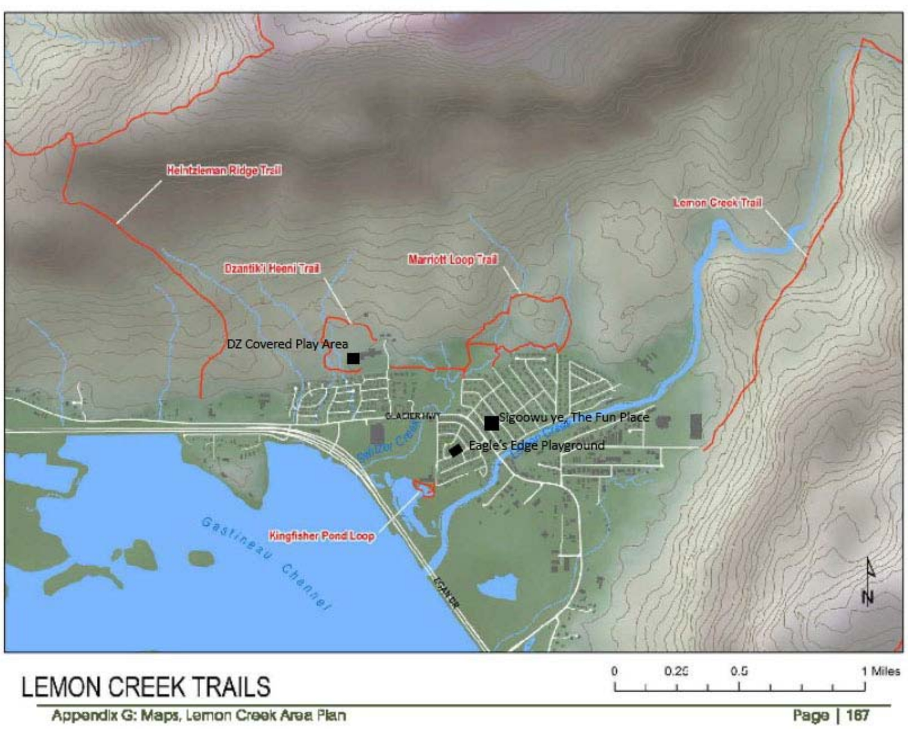
DATE: January 8, 2021

RE: Lemon Creek Parks and Trails

This memo provides information about park and recreation planning for Lemon Creek including existing parks and trails, current CBJ plans regarding park and recreation development and upcoming and proposed recreation projects.

Existing Parks and Trails

Lemon Creek has multiple existing public parks and trails within the valley area and is in close proximity to other park and recreation areas such as Twin Lakes Park and the Mendenhall State Game Refuge. The CBJ parks and trails within the valley are shown on the map and include Sigoowu ye (The Fun Place), Kingfisher Pond, Dzantik'i Heeni Middle School Covered Play Area, Trail and Ballfields, Eagle's Edge Playground, Richard Marriott Educational Trail, Heintzlemann Ridge Trail, and Lemon Creek Trail.



155 S. Seward St • Juneau, AK 99801
Phone: (907) 586-5226 • Fax: (907) 586-4589 • Email: Parks.Rec@juneau.org

Current CBJ Plans

The most relevant and recent CBJ plans adopted by the Assembly that address recreation in Lemon Creek are the Lemon Creek Area Plan 2018 and the Parks and Recreation Master Plan in 2019. Both plans recommend additional parkland in Lemon Creek and focus on improving connectivity to parkland. Both the river and Glacier Highway create strong barriers that make it more difficult and in some cases, dangerous, to cross from one area to another. The geographic distance between parks and trails is not great, but in some cases the physical obstacles are significant. The Lemon Creek Area Plan summarizes the findings and recommendations found in multiple areas in both plans in these excerpts:

"While total parkland in the Lemon Creek area conforms to national guidelines and residents enjoy easy access to the Tongass National Forest, the area is traditionally considered under-served in the Juneau community. Commonly cited reasons include lack of connectivity to other parks and recreation amenities and lack of neighborhood recreation facilities." p. 51.

"As stated in Chapter 5: Transportation and Infrastructure, as new development continues in the area, access roads should be designed to create connected street, trail, and path networks including routes to transit stops. Connectivity should be a theme at the core of all development." p. 62.

Upcoming Projects and Plans

The following projects are funded or funding is being requested through the Capital Improvement Program:

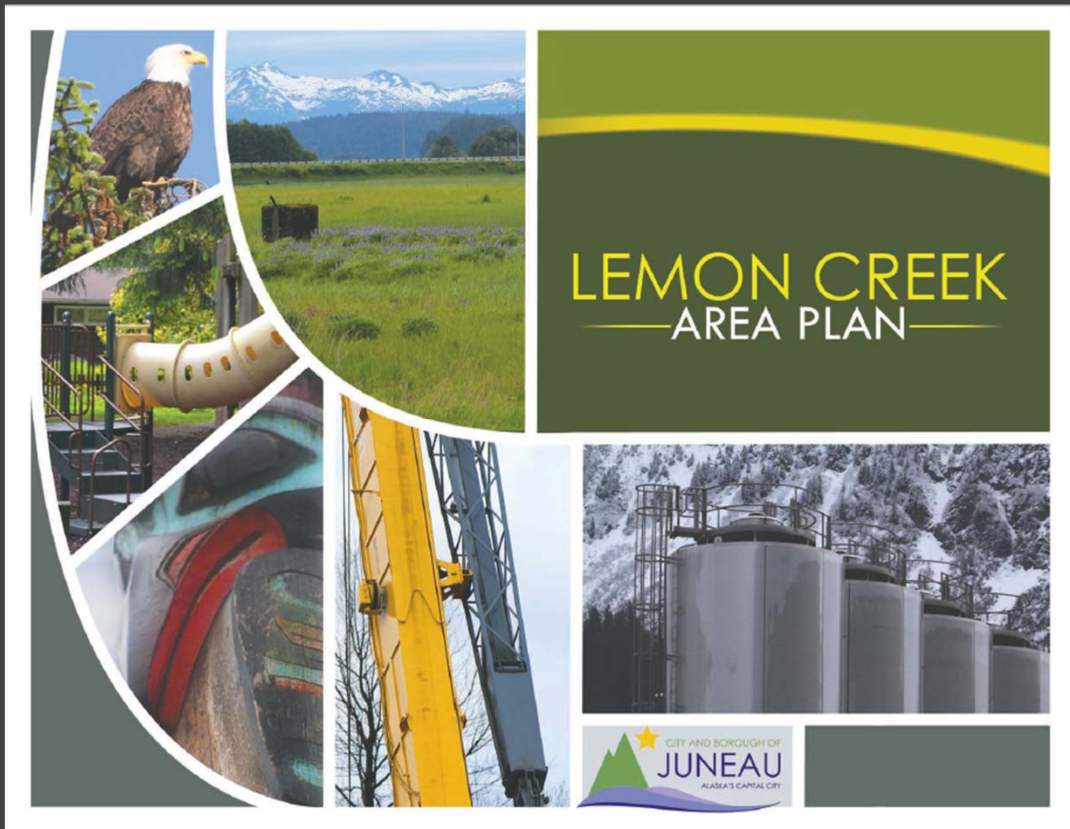
- Eagle's Edge Park acquired by CBJ in 2020, public outreach and design will begin 2021.
- Sigoowu Ye is programmed in FY23 for park improvements. Parks and Recreation staff are currently performing tree and fence maintenance in the park.
- Richard Marriott Aquatic Education Trail/Switzer Creek Trail improvements were completed last year on the section through the meadow and lower forest, work will continue on creek crossings and neighborhood connections with Trail Mix.
- Lemon Creek Bike and Pedestrian Connectivity Planning Study proposed for FY24 CIP.

With the recent acquisition of the Eagle's Edge park in Lemon Creek and the focus on trail connectivity in CBJ plans, staff has proposed work in upcoming years on planning and constructing additional trail connections and loops through the area. The Juneau Trails Plan is currently being updated and will begin to address this need as well.

At the 11/23/20 Meeting, the Assembly approved Resolution 2898 and Ordinance 2020-09(V) to accept the Eagles Edge neighborhood playground and to receive and appropriate $100,000 from the Eagles Edge Neighborhood Association to be used for improvements to the playground. It is the Manager's intent to also expend the $250,000 that has been previously appropriated to the Lemon Creek Park CIP to complete funding for the improvements to the Eagle's Edge playground. While the $250K has been appropriated, the Assembly has not formally endorsed expenditure for this specific location/improvements.

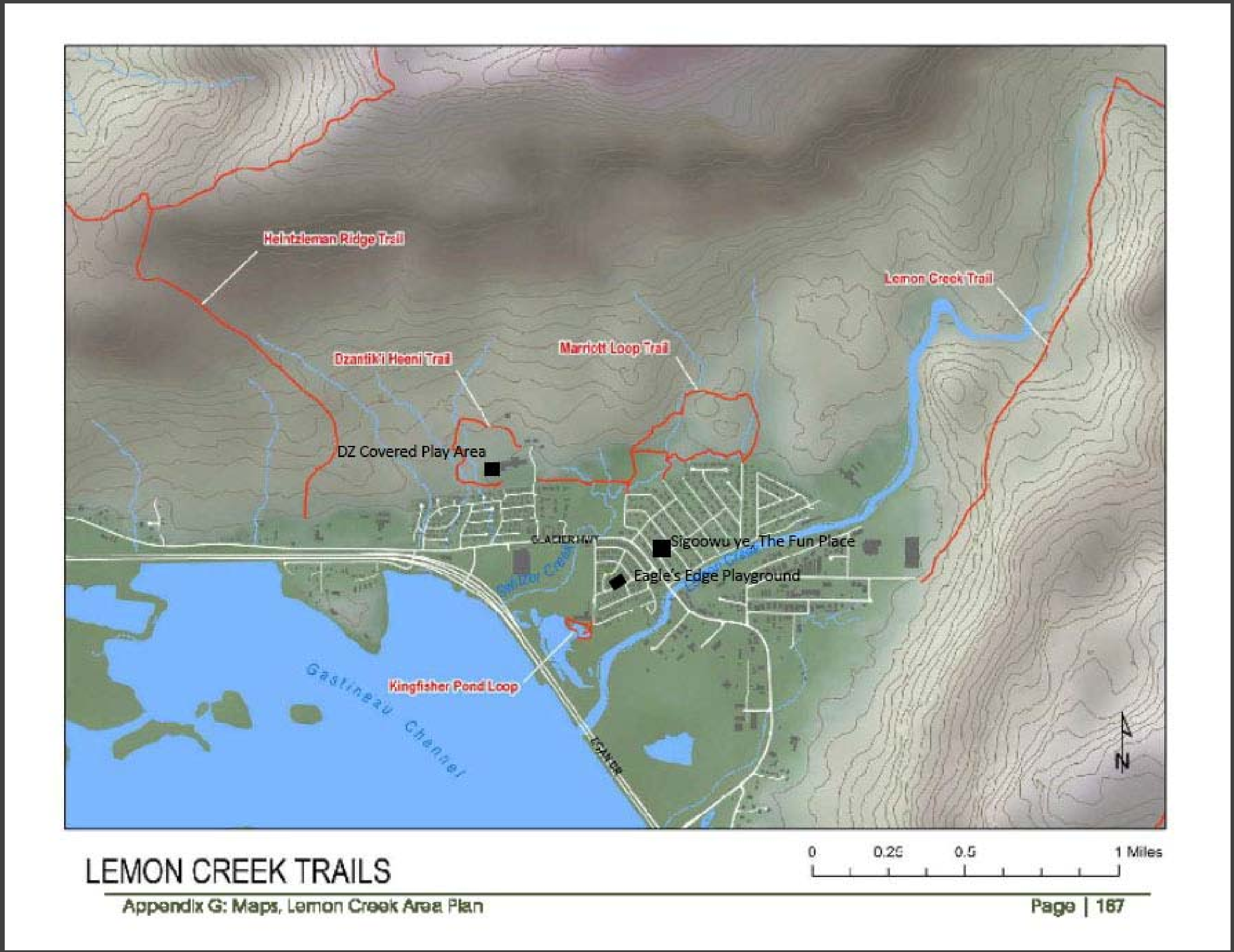
Recommendation:
To complete the Assembly process, I recommend that the PWFC, by motion, support the expenditure of the $250K for this purpose and forward this recommendation to the full Assembly, to be taken up under unfinished business at the 2/8/21 Assembly meeting.

Lemon Creek Parks and Trails



Existing Public Parks and Trails

- Sigoowu ye (The Fun Place)
- Dzantik'i Heeni Middle School Covered Play Area, Trail and Ballfields
- Kingfisher Pond
- Eagle's Edge Playground
- Richard Marriott Educational Trail
- Heintzlemann Ridge Trail
- Lemon Creek Trail



Dzantik'i Heeni Middle School Covered Play Area, Trail and Ballfields

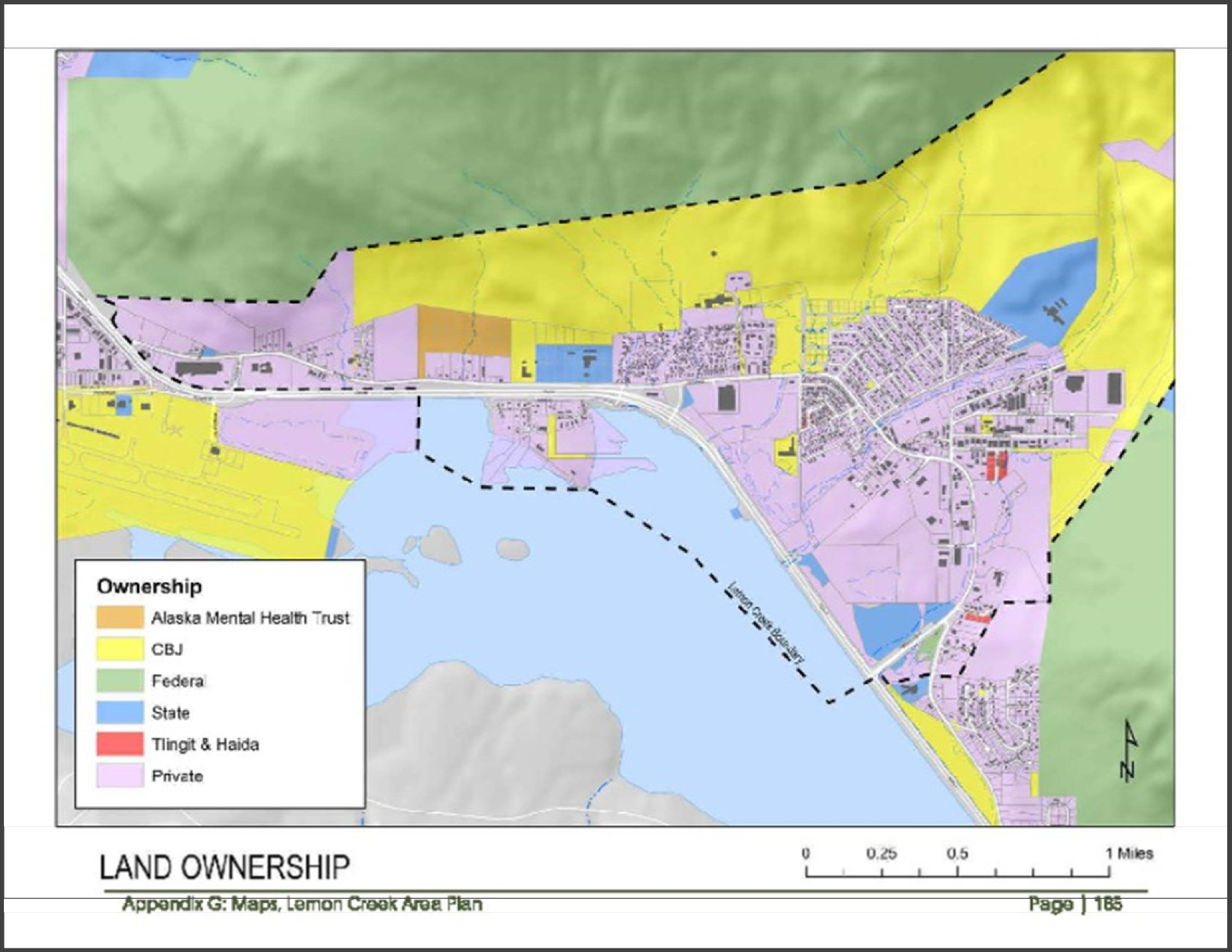
Sigoowu ye (The Fun Place!)

Eagle's Edge Playground

Kingfisher Pond

Richard Marriott Educational Trail (Switzer Trail), Lemon Creek Trail and Heintzlemann Ridge Trail

Property Ownership



Excerpts from the Lemon Creek Area Plan

"While total parkland in the Lemon Creek area conforms to national guidelines and residents enjoy easy access to the Tongass National Forest, the area is traditionally considered under-served in the Juneau community. Commonly cited reasons include lack of connectivity to other parks and recreation amenities and lack of neighborhood recreation facilities." p. 51.

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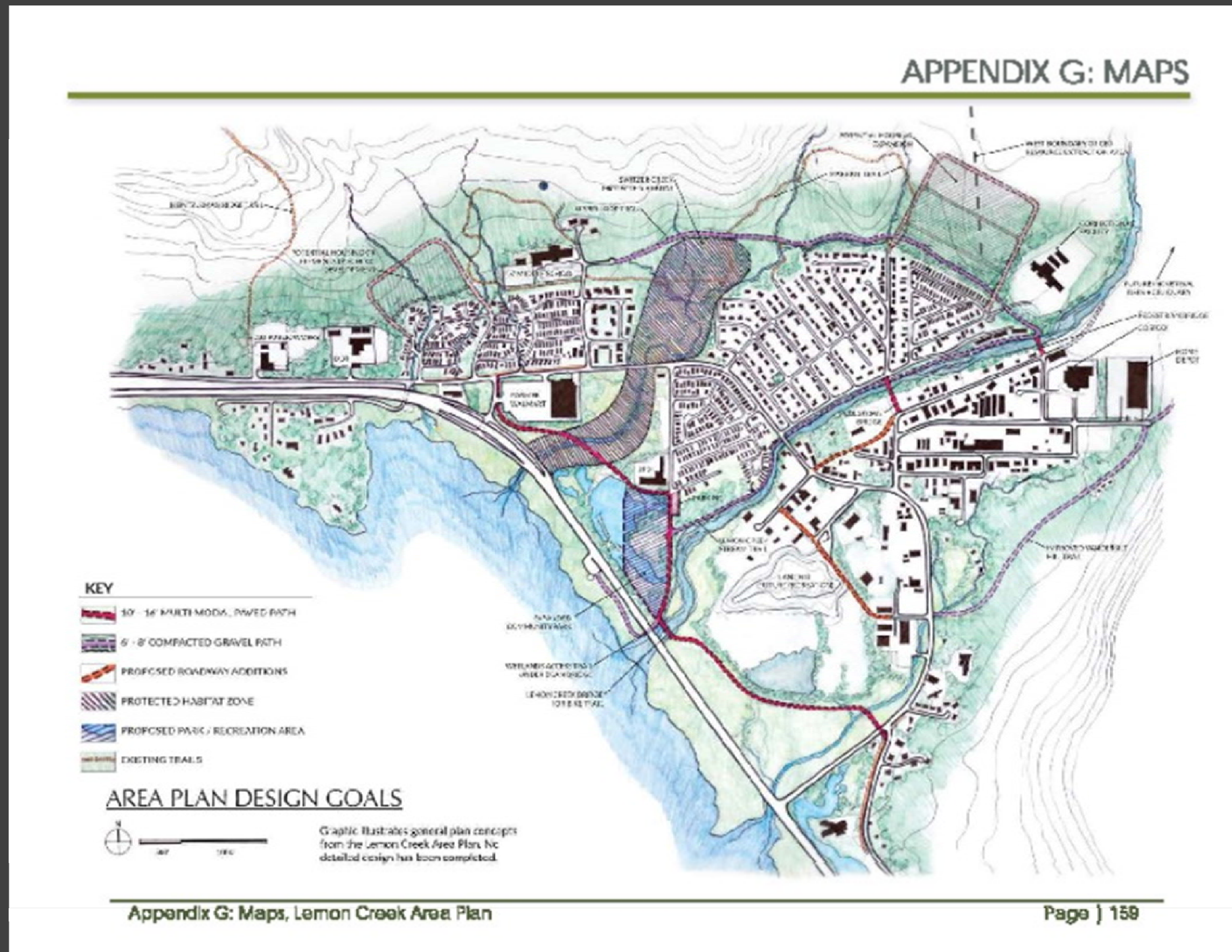

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- Lemon Creek Bike and Pedestrian Connectivity Planning Study proposed for FY24 CIP.
- Update to the Juneau Trails Plan 2021 will address Lemon Creek connectivity issues.