**THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Meeting Minutes - January 13, 2020

**MEETING NO. 2020-01:** The Regular Meeting of the City and Borough of Juneau Assembly held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Beth Weldon.

## I. FLAG SALUTE

## II. ROLL CALL

**Assemblymembers Present:** Mayor Beth Weldon, Maria Gladziszewski, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale, and Greg Smith

**Assemblymembers Absent:** Alicia Hughes-Skandijs

**Staff Present:** City Manager Rorie Watt, Acting City Attorney Teresa Bowen, Deputy City Manager Mila Cosgrove, Acting Municipal Clerk Diane Cathcart, Port Director Carl Uchytil

## III. SPECIAL ORDER OF BUSINESS

## IV. APPROVAL OF MINUTES

**MOTION** by Ms. Triem to approve the minutes of the October 28, 2019 and December 7, 2019 meetings with minor corrections and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

A. October 28, 2019, Special Assembly Meeting #2019-33 DRAFT Minutes

B. December 7, 2019, Special Assembly Meeting (Retreat) #2019-37 DRAFT Minutes

## V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested that a staff report be added at the end of the meeting. Port Director Carl Uchytil plans on being present later in the meeting and will be providing an update on the status of the tug boat *Lumberman* now that it has shifted location.

## VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Lisa Daughtery spoke about her experience trying to build an affordable home for the last two years on a lot in North Douglas and how the Community Development staff wouldn't grant a variance for a 9 inch projection into a 17 foot set back for them but they did grant a similar variance to a developer. She asked the Assembly to investigate biases of CBJ staff towards developers and against individuals. She asked that they look at

making changes to the regulatory process so people can develop their lots in practical ways.

Emily Ferry echoed Ms. Daughtery's comments about the inequality of the rules being applied differently to developers and slum lords than those applied to individuals and families. She spoke about how her property is treated differently from a neighboring property which is owned by a landlord that has many other properties and how the known problems of the neighboring property are not addressed. She said that she believes most people involved have good intentions but her main concern is that the rules are not applied equally to everyone.

## 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 Ms. Gladziszewski to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the Consent Agenda was adopted.*

1. Ordinances for Introduction

    a. Ordinance 2019-30 An Ordinance Related to the Regulation of Nuisance Properties.

    Over the last five years, the City and Borough of Juneau has dealt with multiple properties that received an inordinate amount of City resources. These properties have required years of time, attention, and resources from entities including Community Development, Engineering and Public Works, the Law Department, the City Assembly, and first responders like the Police Department and Capital City Fire/Rescue in an effort to abate the problem. Neighborhoods affected by these problem properties feel the process is inefficient and resolutions are far too slow. The Chronic Nuisance Ordinance will give the City a tool to ensure neighborhoods are not subject to problem properties for extended periods of time and to hold landlords and tenants accountable for their actions.

    The chronic nuisance concept was presented to the Assembly Committee of the Whole on May 20, June 10, and September 23, 2019. Public testimony regarding the ordinance was taken at the Committee of the Whole on December 9, 2019, and the ordinance was recommended to be

forwarded to the Assembly.

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

b. Ordinance 2020-01 An Ordinance Amending Title 69 of the City and Borough Code by Adopting the Uniform Alaska Remote Seller Sales Tax Code.

In 2018, the United States Supreme Court decided *South Dakota v. Wayfair*, allowing states to assess and collect sales tax on remote sales (i.e. internet, mail, catalogue, phone). Alaska is one of only five states that does not have a statewide broad-based sales tax; however, local municipalities in Alaska are empowered to assess sales taxes within their local boundaries. In order to create a system that would be compliant with the *Wayfair* decision, local taxing jurisdictions in Alaska banded together and have been working since June 2019 to develop a unified streamlined program to assess remote sales taxes. As part of this process, the local taxing jurisdictions created the Alaska Remote Sellers Sales Tax Commission, an intergovernmental entity of which the City and Borough of Juneau is a member. The Commission was charged with adopting and administrating the Uniform Alaska Remote Seller Sales Tax Code, which is intended to streamline the collection of remote sales tax throughout the State of Alaska as required by the *Wayfair* decision. The Commission adopted this code on January 6, 2020. Pursuant to its membership agreement with the Commission, the CBJ is required to adopt the Uniform Remote Sales Tax Code in order to retain its membership. While the CBJ's authority to assess, collect, and remit remote sales tax will be delegated to the Commission, the CBJ will retain its authority to establish and modify sales tax rates and exemptions within its jurisdiction.

**The Assembly Finance Committee recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.**

c. Ordinance 2020-05 An Ordinance Authorizing the Manager to Dispose of Eight Lots in the Vintage Business Park, Located near 3041 Clinton Drive, to Torrey Pines Development for Fair Market Value.

In August 2019, CBJ acquired eight lots located in Vintage Business Park for $1.519M, for the purpose of developing assisted living housing primarily for seniors. The CBJ solicited proposals to develop the proposed housing and Torrey Pines Development was determined to be the best and most qualified bidder. During negotiations, a proposal was

made for Torrey Pines to purchase the eight lots for fair market value for the construction and operation of 80 units of senior housing, assisted living, and memory care. The Assembly Committee of the Whole heard the proposal on January 6, 2020, and recommended that the Manager proceed with negotiations for the sale.

**The City Manager recommends the Assembly introduce this ordinance and refer it to the Lands Committee and Planning Commission for review.**

d. Ordinance 2019-06(Q) An Ordinance Appropriating to the Manager the Sum of $2,000,000 as Funding for the Assembly's Senior Assisted Living Grant; Funding Provided by the General Fund's Fund Balance, and the Juneau Affordable Housing Fund's Fund Balance.

Torrey Pines Development requests a $2 million grant to assist with overall construction costs, to help attract equity capital, and to ensure that rental rates for seniors remain low for potential residents. The grant would assist the overall viability of the project. Without the grant, it is estimated that in order to meet financial projections, room rental rates would be 20-25% higher than indicated in the proposal. If this happened, the rates would be too high for most prospective tenants and development of the project would not proceed.

Staff recommend that the source of the $2 million grant be split between General Fund dollars and the Juneau Affordable Housing Fund.

i. $1.6 million in General Fund; and
ii. $400,000 grant from the Juneau Affordable Housing Fund

covering the 8 Medicaid eligible beds at $50,000 per unit.

At its January 8, 2020 meeting, the Assembly Finance Committee approved this action.

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

e. Ordinance 2019-06(R) An Ordinance Appropriating to the Manager the Sum of $1,000,000 as Funding for the Recycleworks Consolidated Facility Capital Improvement Project; Funding Provided by the Waste Management Fund's Fund Balance.

CBJ Engineering estimates an additional $1,000,000 is necessary to complete the construction of the Recycleworks Consolidated Facility. It is anticipated that the eventual sale of the existing Household Hazardous Waste (HHW) building on Shaune Drive will more than cover this cost;

however, the sale of that building will not be complete prior to when funds are needed to award a construction contract. This ordinance would transfer the necessary amount from the Waste Management Fund's Fund Balance which will later receive the proceeds from the HHW building sale.

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

2. Liquor License

   a. 2020/2021 Liquor License Renewals

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

   **2020-2021 Renewal of Liquor Licenses**
   License Type: Package Store, License #1129
   **Thibodeau's Market Inc, d/b/a Liquor Barrel**
   Location: 5235 Glacier Hwy., Juneau

   License Type: Package Store, License #4422
   **Thibodeau's Market Inc., d/b/a Thibodeau's Valley Liquor**
   Location: 9106 Mendenhall Mall Rd., Juneau

   License Type: Package Store, License #661
   **Thibodeau's Market Inc., d/b/a Kenny's Liquor Market**
   Location: 619 Willoughby Ave., Juneau

   License Type: Beverage Dispensary, License #550
   **Imperial Bar, Inc., d/b/a Imperial Bar**
   Location: 214 Front St., Juneau

   License Type: Beverage Dispensary-Tourism, License #1378
   **Alaskan Hotel & Bar Inc., d/b/a Alaskan Hotel**
   Location: 167 S. Franklin St., Juneau

   License Type: Beverage Dispensary-Tourism, License #3824
   **Hospitality Group LLC, d/b/a Frontier Suites Hotel**
   Location: 9400 Glacier Hwy., Juneau

   License Type: Beverage Dispensary-Tourism, License #2541
   **MGO Inc., d/b/a Juneau Airport Travelodge**

Location: 9200 Glacier Hwy., Juneau

License Type: Restaurant Eating Place License #5482
**Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave's**
Location: 356 S. Franklin St., Juneau

License Type: Restaurant Eating Place License #5231
**Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave's**
Location: 127-139 S. Franklin St., 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 in the Assembly's e-packet or 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.**

3. Other Items for consent

   a. CSP2019-0011 DOT Glacier Highway Project

   On January 8, 2020, the Planning Commission approved CSP2019 0011 with one condition. The Planning Commission's decision is issued in the attached notice of decision.

   Per CBJ 49.15.580, the notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the Assembly.

   *CBJ 49.15.580, The commission shall review proposed Alaska State capital improvement projects for consistency with this title pursuant to AS 35.30.010 and may impose conditions on and modifications to such projects. If the commission approves or approves with conditions or modifications, a notice of decision shall be issued. A notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the assembly. If the commission disapproves, a notice of recommendation and draft resolution shall be forwarded to the assembly for further action.*

## VIIIPUBLIC HEARING

A. Ordinance 2019-06(P) An Ordinance Appropriating to the Manager the Sum of $10,000 as Partial Funding for the Housing and Homelessness Services Coordinator Project; Grant Funding Provided by the Alaska Mental Health Trust Authority.

CBJ's FY20 budget was set at $100,000 for the Housing and Homelessness Services Coordinator Grant. However, the Alaska Mental Health Trust Authority approved a grant award of $110,000 to better coordinate local housing and homelessness services. This ordinance is for the remaining $10,000. The FY21 renewal grant is estimated to be $110,000, and will be fully included in next year's budget request.

**The City Manager recommends the Assembly adopt this ordinance.**

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Mr. Bryson to adopt Ordinance 2019-06(P) and asked for unanimous consent. *Hearing no objection, the motion passed.*

B. Ordinance 2020-02 An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

This ordinance would prohibit commercial rental or use of micromobility devices on the docks, seawalk, streets, and sidewalks of downtown Juneau. Micromobility devices include bikes, ebikes, scooters, and e-scooters. This ordinance would not regulate private use of micromobility devices.

The Assembly Committee of the Whole discussed the underlying policies at its meeting on December 2, 2019.

**The City Manager recommends the Assembly adopt this ordinance.**

Mr. Watt explained that the Assembly COW recommendations from its meeting on December 2, 2019 resulted in the drafting of Ordinance 2020-02. He said that the subsequent ordinance on the agenda, Ordinance 2020-03, is an optional choice for the Assembly. Mr. Watt recommended that the Assembly either pass Ordinance 2020-02 or refer it to committee and extend the moratorium by adopting Ordinance 2020-03.

Mayor Weldon said that she thought they needed to adopt the sunset ordinance anyway and asked for clarification from the City Attorney.

Ms. Bowen explained that if the Assembly does not pass Ordinance 2020-02, then there is an option of extending the sunset date on a prior ordinance, Ordinance 2019-12 which has a sunset date of February 1, 2020. That is to prohibit dockless vehicles within Juneau. Ordinance 2020-03 is the extension of the moratorium sunset date to keep the

status quo to allow for more time to deliberate the Ordinance 2020-02. She said this is the first time the Assembly is discussing Ordinance 2020-02 following the December Committee of the Whole meeting.

Mayor Weldon said that if the Assembly wants to continue to work on Ordinance 2020-02 back in a Committee of the Whole meeting, they would need to approve the sunset date extension in Ordinance 2020-03. Ms. Bowen agreed that would be the action to take unless the Assembly chooses to let the moratorium expire.

**Public Comment**

Mr. Cedar Stark is a North Douglas resident and requested that the Assembly reconsider Ordinance 2020-02 and eliminate or change some of the language. He specifically referred to section 20.20.020(a) and 20.20.020(b) which says that "no person or business can offer or lead tours with micromobility devices or engage in the commercial business of renting or providing for use of a micromobility device"...within the proposed described prohibited downtown area. He said that he and his partner Nate Soboleff were both born and raised in Juneau and they understand and appreciate the concern for preventing congestion in the downtown area. He said they support a ban on docked and dockless vehicles in the downtown area.

Mr. Stark said they are however starting an e-bike tour rental business and their headquarters are going to be within the proposed prohibited area. They will be offering tours outside of the prohibited area but part of their business mission is to promote a reduction in people's carbon footprint which they feel aligns with CBJ's goals also. They want to do that by promoting the use of electric vehicles and e-bikes specifically and they want to be able to offer their visitors a way to get outside and explore the city without the use of fossil fuels. He said that by closing that whole area to rentals, e-bikes and guided e-bike tours, the Assembly is preventing access to Thane Road and other parts of town. He said they feel they can educate their clients about places to avoid in order to prevent congestion. He said their guides can help prevent groups from stopping in problem areas and they ask that the Assembly not shut the door on a green mode of transportation at a time when every little bit counts.

Mr. Stark said they appreciate all the work of the Assembly in making Juneau a progressive and sustainable place to live and asked that they allow a corridor along that area at least to be able to access certain parts of the town or take more time to consider it.

Mr. Bryson asked where their base of operations was located. Mr. Stark said that it would be located on S. Franklin just south of the tram a little ways. Mr. Bryson asked if they anticipated that would be the origination of tours from that location.

Mr. Stark said that they want to offer rentals from there for people to come and rent bikes from them and take it out Thane Road or through town. He said they would also

pick people up from the waterfront area with a van and trailer and shuttle them to other locations outside the area for their main tours but they want the option to maybe offer guided tours through town as well and they are willing to avoid certain areas of that would help.

Mayor Weldon thanked Mr. Stark for his testimony and asked if any other members of the public wished to speak to this ordinance. Seeing and hearing none, she brought it back to the Assembly for action.

**Assembly Action**

**MOTION** by Ms. Gladziszewski to refer Ordinance 2020-02 to the Assembly Committee of the Whole. She said they spent quite a bit of time talking about dockless vehicles and scooters but this is the first time they've seen this language and she said that she has numerous questions and they could spend some time in the COW to figure out what exactly some of these things mean, especially in light of the testimony that they just heard.

Mr. Bryson recused himself from further consideration of this ordinance due to a conflict of interest.

*Hearing no objection to Ms. Gladziszewski's motion, Ordinance 2020-02 was referred to the Assembly Committee of the Whole.*

C. Ordinance 2020-03 An Ordinance Extending the Sunset Date Relating to the Prohibition of Commercial Rental or Provision of Dockless Vehicles and the Imposition of a Permit Moratorium.

Ordinance 2019-12 imposed a temporary moratorium related to dockless vehicles through February 1, 2020. On December 2, 2019, the Assembly Committee of the Whole discussed regulating dockless vehicles and provided recommendations to the Assembly, which resulted in Ordinance 2020-02. Given the breadth of the draft regulations in Ordinance 2020-02 and the upcoming expiration of the moratorium imposed by Ordinance 2019-12, this ordinance would give the Assembly additional time to discuss Ordinance 2020-02. If Ordinance 2020-02 is adopted on January 13, 2020, this ordinance is not necessary.

**The City Manager recommends the Assembly adopt this ordinance.**

Mr. Watt explained that passed of this ordinance would provide the Assembly with additional time to consider Ordinance 2020-02 while maintaining the moratorium.

**Public Comment**
None.

**Assembly Action**

**MOTION** by Mr. Smith to adopt Ordinance 2020-03 and asked for unanimous consent. Ms. Hale objected for purposes of a question.

Ms. Hale asked about the effective date taking place 30 days after the adoption of the ordinance but that ordinance it is replacing has a moratorium that goes through February 1, 2020 so there is a gap there. She asked if that gap will cause a problem.

Ms. Bowen said that there is a twelve-day gap but right now, no one could apply for a permit until February 2 and then they would be able to receive a permit between then and February 12, as they would be on notice during that period. Ms. Hale removed her objection.

*Hearing no further objections, Ordinance 2020-03 was adopted.*

D. Ordinance 2019-06(O) An Ordinance Appropriating to the Manager the Sum of $250,000 as Funding for the River Road Car Cleanup; Funding Provided by the Waste Management Fund's Fund Balance.

   A property owner on River Road established an illegal junk yard with approximately 260 vehicles. The Community Development Department initiated a code enforcement action. A series of court orders authorized the CBJ to hire a contractor to clean up the junk yard with all costs paid by the property owner. This ordinance would temporarily fund the cleanup costs from the Waste Management fund. Through the court, an escrow account is intercepting $10,000 per month from the sale of the property owner's business to fully reimburse the CBJ.

   **The City Manager recommends the Assembly adopt this ordinance.**

Mr. Watt explained that later in the meeting packet, there is a staff report with more detail on the situation entitled "River Road Clean-up." Mr. Watt recommended that the Assembly take public testimony on this topic before adopting this ordinance.

**Public Comment**

Mr. Kim Titus, a resident of River Road immediately adjacent to the junk yard property which is the subject of this ordinance, commented on Ordinance 2019-06(O). He expressed his thanks to Nate Watts, Jill Maclean, and the City Manager and City Attorney's staff who have worked on this issue for the past few years. He said the property in question is the home of Capital Towing, Juneau's largest car towing company and said that this property is more than a car storage area, it contains connex trailers, buses, heavy equipment and a lot of "stuff" including what seems to be a car repair business of sorts. He said he has endured a lot of pain and suffering due to all the 24/7 traffic and other business practices on the property. He said that presently the property is mostly quite, most of the time. He said that he and their neighbors have brought this issue to CBJ a number of times over the years in the form of calls, letters, and formal complaints. He said that in April 2019, a lawsuit was filed and it continues in small steps. He has gone to a number of the court proceedings. He said that unfortunately from

his perspective, most of the legal requirements have not been met month after month. He said the CBJ Law Department and the court have been very patient.

Mr. Titus said he has some concerns regarding the appropriation. This clean-up continues to drag on. Despite a multitude of court orders, there seems to be no consequences to the slow pace of action. He said that few, if any, court requirements have been met. Having said that, he does support the 30-day extension from the defendant in this case as long as the court and CBJ impose hours of operations, etc... He just doesn't want to see more midnight heavy equipment operations.

Ms. Gladziszewski asked him to clarify his thoughts about the 30-day extension. Mr. Titus explained that he has waited for five/six years so 30 days is fine. He said he is concerned that CBJ will never recover the cost. He is also concerned that the $10,000 mentioned in the escrow account, as of last Friday, there is $0 put into the escrow account. He is concerned about the liability that CBJ will have down the road in this issue and they will never get their money back. He said that is something he and his neighbors as taxpayers have discussed.

**Assembly Action**

**MOTION** by Ms. Triem to adopt Ordinance 2019-06(O) and asked for unanimous consent.

Ms. Gladziszewski objected. She said that she is concerned about not getting this money back. She said the neighbors have been patient and if it is even possible that the responsible party can get more cars off the property and reduce that cost, she thinks it will be hard for CBJ to get its money back. She said she wants to keep pressure on the property owner. She doesn't want them to think they are going to do this again. She said that she would like the Assembly to not do one of two items - either the appropriation or the River Road clean-up bid but she wants to see if they could wait for 30 days to get more cars off the property to reduce the cost to CBJ.

Mr. Smith asked the Manager to explain if there is a way to keep the pressure up and keep things moving while also allowing the land owner to do the right thing and take action.

Mr. Watt explained that the City Attorney's and CDD staff have been appearing regularly in court and asking the judge to ask for status updates. They understand that strategy and everyone understands that the best option is that the property owner clean the property up themselves. He said he thinks they should maintain that legal strategy. He said that appropriating the $250,000 to the Manager keeps the ball moving but it doesn't expend the funds. They can always be de-appropriated later. He said that the more pivotal decision is authorizing the manager to award the contract for the contractor to enter the private property and spend the public funds to clean it up.

In depth discussions took place regarding the past history of the property, the enforcement efforts and court efforts that have been underway including the total number of cars as of July 2019 being at 470 and that number is now down to 260. Assemblymembers expressed their concerns with the potential for similar behaviors to continue from the property owner and asked what the legal recourse might be. Mr. Watt explained that the towing business is no longer owned by the property owner and so they do not anticipate any more cars being taken into the property. As for legal recourse, the Law department has been in court regarding this matter and Ms. Bowen and Ms. Emily Wright explained the variety of options available including placing a lien on the property, getting a judgment and going after accounts.

Mr. Jones expressed his concerns that if we don't address this issue now, they will be back having this same conversation six months later, one year later, or longer similar to what happened with the Assembly with respect to the Bergman and the Gastineau Apartments properties. Other members expressed their concerns about this problem potentially spreading out across the town.

Ms. Gladziszewski removed her objection.
*Hearing no further objection, the motion passed.*

## IX. UNFINISHED BUSINESS

## X. NEW BUSINESS

A. Hardship Late-Filed Real Property Tax Exemption Application: J. Miller

**Public Comment**
None.

**Assembly Action**
**MOTION** by Mr. Edwardson to accept the hardship late-filed real property tax exemption application from J. Miller. *Hearing no objection, the motion passed.*

B. Juneau Historic and Cultural Preservation Plan

This Plan is being provided for informational purposes.

**The City Manager recommends the Assembly forward the plan to the Committee of the Whole at a later date.**

Mr. Watt said this is an information item only and there is a copy of the draft plan in everyone's packet and they will be scheduling this matter for a Committee of the Whole meeting.

Mr. Edwardson said he is looking for the plan electronically and was not able to find it. Mr. Watt said he will be sure to forward a link to the electronic plan to the Assembly.

C. Bid No. 20-128 - River Road Clean-Up

CBJ Public Works' RecycleWorks program requested bids from qualified persons or firms to provide clean-up of a private property located on River Road, in Juneau, AK. Contractor will collect, process, package, transport, and dispose of approximately 260 vehicles and associated debris to a properly licensed and permitted facility located outside of the City and Borough of Juneau. Contractor will process vehicles to remove fluids, tires and batteries and dispose of them as appropriate. Bids were opened on December 10, 2019. The protest period ended on December 12, 2019.

Two bids were received and the results are as follows:

| **Bidder** | **Total Bid** |
|---|---|
| Island Contractors, Inc. | $330,000.00 |
| Tideline Contractors, LLC. | $390,060.00 |

The City Manager recommends award of Bid No. 20-128 to Island Contractors, Inc. in the amount of $330,000.00.

**Public Comment**

None.

**Assembly Action**

**MOTION** by Mr. Jones to approve Bid 20-128 to Island Contractors in the amount of $330,000 and asked for unanimous consent.

Mayor Weldon objected for purposes of a question. She said that earlier Mr. Watt stated that the number of cars on the property have been going down and she asked if the total bid amount will be negotiated lower to reflect the reduced number of vehicles. Mr. Watt said that like all public procurement, they will need to negotiate any changes to the contract depending on what happens. Mayor Weldon removed her objection.

Ms. Gladziszewski objected and said she is still worried about getting the money back and she is willing to wait a month to try to get more cars off the property in order to try to reduce the amount of public money being spent on this.

Additional discussion took place regarding the sale of the towing business and the nature of the contract and whether the contract would prevent the current property owner from removing vehicles from the property. Ms. Wright explained that the contract negotiations will take a little time and there is nothing in the contract provisions that would prevent the property owner from moving forward and removing vehicles from the property. Members expressed their concerns that the vehicles may just be moved from this

property to another property within the borough and not disposed of properly.

**ROLL CALL VOTE**
**AYES:** Jones, Edwardson, Bryson, Triem, Hale, Smith, Weldon
**NAYS:** Gladziszewski
**Motion passed 7:1**

## XI. STAFF REPORTS

A. River Road Clean-Up

Mr. Watt said he had no further staff report since this topic was addressed earlier.

Mr. Watt noted that Mr. Uchytil was here to provide a staff report on the M/V Lumberman.

Mr. Uchytil reported that the Lumberman moved on Saturday night. He said that they had received word that with the high tide and the winds, it had drug anchor and it was 100 yards off Norway Point. At that point, CBJ staff had conversations with the Coast Guard, the Marine Exchange of Alaska, Emac Towing, and he and the Harbormaster had discussions to come up with a game plan. He said that the Coast Guard opened up the Oil Spill Liability Trust Fund yesterday and took money from that fund. That is a nationally managed fund from OPA90 and they have the ability to draw from that fund. They used those funds to hire Emac Towing to bring it to the inside of the CT dock which is the cruise ship dock closest to the Twisted Fish. They are going to store it at that inside berth for small cruise ships until Docks & Harbors can dispose of it. They will begin the process to impound it legally which includes impoundment of the vessel if the responsible party does not come forward and offer it for sale. In the offer for sale, there will be stipulations placed on it requiring that it is moved out of CBJ waters and it cannot be placed on DNR waters. He said they will see where that goes. He told his staff that they will have it either scuttled, demolished or relocated by April 15 in time for that berth to be freed up for the cruise season. He said they have a plan and they have received unsolicited proposals to demolish it. It will be several hundred thousands of dollars so they need to be smart about how they will move forward with this project. He said it was on CBJ's submerged lands as of Saturday and we will take responsibility for it and deal with it.

Ms. Hale asked if it is a steel boat. Mr. Uchytil said that it is steel and there were Coast Guard and Army divers that were in town last fall who took a look at it and they think the hull is in fairly good shape. There are other stakeholders who helped Docks & Harbors along the way. DIPAC loaned them an anchor and that anchor will be returned to DIPAC. Now that it is moored at one of our facilities, Docks & Harbors will be removing all the debris. He said there is a lot of trash on it but they can use their boom truck and remove the trash on it. They will be monitoring it closely to make sure it

doesn't sink at our facility.

Ms. Gladziszewski asked if the owner just walked away. Mr. Uchytil said they know who the owner is and the last known address is the Glory Hall and has no means.

Mr. Smith asked if now that it is at the dock if it will solely be a CBJ expense or if any of the federal funds Mr. Uchytil referred to would be available. Mr. Uchytil said there is no other funding available outside of CBJ. The Coast Guard opened up the Oil Spill Liability Trust Funds on Saturday because it caused a navigational risk. They had previously used those funds approximately two years ago and spent approximately $60,000 to pump off all the hazardous waste at that time. This is an issue throughout the maritime states that there are no funds available to take care of derelict vessels so the last municipality standing has that responsibility.

Mr. Edwardson shared his experience with DNR and how this is a common problem across the coastal states and communities and estimates there are approximately 800-900 derelict vessels in Southeast Alaska.

## XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon distributed the final copy of the Assembly's 2020 goals and thanked Ms. Cosgrove for all her work on these. She asked the Assembly if anyone had any further changes to make before these goals were adopted.

**MOTION** by Ms. Gladziszewski to approve the Assembly Goals 2020 as distributed and asked for unanimous consent. Hearing no objection, the goals were approved.

Mayor Weldon noted that there is a breakfast special Assembly meeting with the Legislative Delegation on January 15 at 8:00a.m. in the Assembly Chambers. There is also a joint meeting with the Bartlett Regional Hospital Board and Special Assembly meeting at 5:30p.m.
[Clerk's Note: There was some confusion as to the location of the joint meeting and it was determined after this meeting that the location of the joint meeting would be held at the BRH Admin Boardroom.]

Mayor Weldon noted that Martin Luther King Jr. Day is on Monday, January 20 and she was invited to be a speaker at the commemoration event. She will be out of town visiting her Marine and she asked if any of the Assemblymembers wished to speak on behalf of CBJ at the MLK event.

Mayor Weldon wished a happy 50th Anniversary to Loren and LaRae Jones.

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

Human Resources Committee - Chair Bryson reported that the full Assembly met as the HRC to interview applicants for the Docks & Harbors Board and Planning Commission. The Assembly then met and made the following appointments:

- Docks & Harbors Board - James Houck to a term beginning immediately and expiring June 30, 2021.
- Planning Commission - reappointment of Dan Hickok and Ken Alper and appointment of Josh Winchell to terms beginning January 1, 2020 and expiring December 31, 2022.

Lands Committee - Chair Edwardson had no report.

Public Works & Facilities Committee - Chair Hale reported that the next PWFC meeting will be held on Wednesday, January 15 at Noon.

Committee of the Whole - Chair Gladziszewski reported that the COW met on January 6 and talked about senior housing, the Assembly's 2020 goals, and waterfront leasing process. They didn't hear from the Lego Robotics group and are hoping to hear from them at a future meeting. The next COW meeting is February 10.

Assembly Finance Committee - Chair Jones reported that the AFC met on January 8 with four members attending in person, two people on the phone and three people not in contact at all. They had a review of the Risk Fund. They moved the ordinance regarding the sales tax code to the Assembly which was introduced on this agenda. They instructed staff to develop the ordinances to pay for the school bond debt for FY20 from the fund balance. They decided that the FY21 and on would be dealt with during the budget cycle. They also discussed Centennial Hall and asked the administration to bring back what is necessary for $7,000,000 for Centennial Hall to use the $4,500,000 in sales tax and the $2,500,000 to come from the central treasury to be paid back by the hotel bed tax. The next AFC meeting is on February 5.

Assembly/JSD Facilities, CIP, Maintenance Team - Chair Jones said they have not held another meeting but he is trying to schedule one for February 16.

Eaglecrest Summer Operations Task Force - Chair Gladziszewski reported that the committee met the first Thursday of the month and that is the time it will be scheduled to meet for February as well starting at 12:05p.m. They talked about the process for deciding the next steps and the Eaglecrest Manager and the City Manager will work together to get out an RFP for a financial analysis.

Visitor Industry Task Force - Chair Triem reported that they held a regular meeting on January 7 and they heard from USCG Captain White on what kinds of things fall under the jurisdiction and authority of the Coast Guard. They continued their discussion on management approaches. They held their first public comment meeting on Saturday, January 11 and they had a packed room with 25 people testifying. They will be holding

another one of those this Thursday (January 16) at 5:30p.m. in the Assembly Chambers and the time limit for speakers will be three minutes. She said that the next regular meeting will be on January 21 at 7:00p.m. and they are moving those meetings to the evenings so they can have their conversations without time pressure.

**Liaison Reports and Assembly Comments:**

Mr. Bryson wished Mayor Weldon a belated happy birthday.

Mr. Bryson reported that the Eaglecrest Board met and they have a new videographer and they discussed ongoing negotiations as to whether Mr. Scanlan is the most appropriate person to manage the Dimond Park Field House contract. He said that staff moral is up at Eaglecrest with the exception of the lift operators who are a bit cold these days.

Mr. Bryson reported that at the Parks and Recreation Advisory Committee (PRAC), State DOT wants to purchase more land for the Mendenhall Loop roundabout project. They are buying 7800 square feet of land for conservation purposes. He said that DOT has not received all the funding it was expecting for that project so they are removing the Floyd Dryden roundabout from that project so they are only doing one roundabout on the Mendenhall Loop Road. Mr. Bryson said he spent the weekend in Anchorage were it was even colder than in Juneau.

Mr. Smith said he attended the Planning Commission meeting last week at which they elected the following new officers: Chair Mike LeVine, Vice-Chair Nathaniel Dye, Clerk Paul Voelckers, and Vice-Clerk Travis Arndt. He said they did a decision about Lemon Creek/Glacier Hwy. improvements which include a round about and that was on this Assembly meeting's consent agenda. He said they also gave an update that there is a West Juneau/Douglas plan kickoff meeting on Wednesday, January 15 at the Douglas Library meeting room starting at 5:30p.m.

Mr. Smith reported that other dates of interest coming up include the Juenau Community Welcome Reception on Wednesday, January 22 beginning at 5p.m. at Centennial Hall and that is the day after the legislature convenes again. He said another opportunity for folks to get in touch with their legislators, on Wednesday, January 15 at 5p.m., the Juneau Legislative Delegation is holding a town hall meeting at the Mendenhall Library.

Mr. Smith reported that last month, Ms. Hughes-Skandijs and he visited Haven House which is a home for women coming out of incarceration. They got to speak with the women and hear their stories and he commended them for doing the hard work it takes to come out and reenter into society.

Ms. Triem reported that both Travel Juneau and the Chamber of Commerce have board retreats this month but neither of those have yet taken place. She said the Aquatics

Board will be meeting on January 21. Ms. Triem said that she was in Fairbanks the previous week where the temperatures were -40 degrees. She was attending a conference focused on shifting Alaska's economy from a resource-based economy to a regenerative economy. It was a fabulous conference and she brought back a handout booklet to share with the Assembly on the strategic framework for just transitions.

Ms. Hale said she had a relaxing vacation. She was sick during part of it but told her friend that it was better to be sick on a lanai in Hawaii than it is to be sick at home in the cold. She reported that the Hospital Board met on December 19. The Juneau Commission on Aging meets tomorrow, January 14.

Mr. Edwardson said that he does not have anything to report on the Airport Board. He said the Local Emergency Planning Committee have a few training opportunities coming up in February. He noted upcoming events include the Women's March on January 18, AML will be sponsoring a rally for the Alaska Marine Highway system on January 22. The Friends of AMHS are planning a rally for sometime February 10-12.

Mr. Jones reported that the School Board has not met since the last Assembly meeting but will be meeting on January 14. They are still working on their strategic plan and starting into their budget process. He said he attended a lot of community meetings after the first of the year and unlike Ms. Hale, he spent his new year here in Juneau being sick but he had his family here and it was nice to enjoy their company.

Mr. Jones said that he had been working with Mr. Rogers and the attorney to look at Assembly compensation as it was one of outgoing Assemblymember Mary Becker's comments as she was stepping down. The last time the Assembly compensation was changed was in 1986 and the last change to the Mayor's compensation was 1994 and the Planning Commission change was 1998 and the Board of Education change was 1999 and then they changed it voluntarily in 2013 downwards. He said that he is asking for concurrence from the Assembly to work with the attorney and come back with a proposal for changes. He said whether or not they would move changes forward would be another question but he feels it is time that they look at that, especially in light of the new budget process coming up. If they do make any changes at all, it would not take effect until after the October 2020 election for any of those who are currently on the Assembly. Hearing no objection, Mr. Jones will work with staff to draft an ordinance to be brought back to the Assembly for assignment to a committee or consideration by the full Assembly.

Mr. Jones then reported that in addition to the Juneau Legislative Welcome Reception on Wednesday, January 22 from 5-6:30p.m. there are two meetings being held. Downtown Blueprint starts at 6:00p.m. in the Assembly Chambers and Parks and Recreation public meeting on Chicken Yard Park starts at 6:30p.m. at McPheter's Hall.

Ms. Gladziszewski said that she appreciates everyone talking about future events that she may try to attend. Ms. Gladziszewski provided a Presiding Officer's report (see

below).

Ms. Gladziszewski commented that at the beginning of the meeting they heard testimony from members of the public talking about CDD processes and she asked that the City Manager provide information to the Assembly about those concerns.

C. Presiding Officer Reports

Ms. Gladziszewski provided a report on the Mountainside Estate Neighborhood Association, et. al, vs. the Planning Commission appeal. On August 19, she issued a stay of the proceedings at the request of both parties to while the applicant went through to the Planning Commission with a negotiated project. That went to the Planning Commission in November and it was approved. They waited 60 days for the appeal window to close. On December 27, she signed an order dismissing the appeal. That appeal is over and the Assembly does not have to read any documents related to that appeal. The neighborhood and the developer worked it out.

## XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

*None.*

## XIV. EXECUTIVE SESSION

## XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 8:27 p.m.

Signed: _____ Signed:_____

Elizabeth J. McEwen
Municipal Clerk

Beth A. Weldon
Mayor