THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - December 16, 2019

MEETING NO. 2019-38: 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, Loren Jones, Maria Gladziszewski, Carole Triem, Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, Rob Edwardson, 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, Finance Director Jeff Rogers, CDD Director Jill Maclean, Interim Engineering/Public Works Director Robert Barr, Port Director Carl Uchytil, Bartlett Hospital Administrator Chuck Bill, Lands Manager Greg Chaney

III. SPECIAL ORDER OF BUSINESS

Mayor Weldon honored outgoing Planning Commission Chair Ben Haight. She said that she met Mr. Haight when he was serving on the CBJ Fire Department and after retiring from the fire service, he volunteered and served on the Planning Commission for the past ten years. He was initially appointed to a one year term and subsequently was reappointed for three more consecutive terms. Mr. Haight served in a variety of ways on the Planning Commission, including as Chair for the last four years. The Assembly and his fellow Planning Commissioners thanked him for his service and wished him well.

Mr. Haight thanked the Assembly for the opportunity to serve and shared some of the highlights from his time on the commission.

IV. APPROVAL OF MINUTES

<u>MOTION</u> by Ms. Hale to approve the minutes of the August 19, September 5, and September 16 with minor corrections. *Hearing no objection, the minutes were approved.*

A. August 19, 2019 Regular Assembly Meeting #2019-29 DRAFT Minutes

B. September 5, 2019, Special Assembly Meeting #2019-30 DRAFT Minutes

C. September 16, 2019 Regular Assembly Meeting #2019-31 DRAFT Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Vikki Jo Kennedy said she was frustrated that she, as a citizen, could not call in to participate in Assembly meetings telephonically. She also expressed her concerns that the police scanners are presently open to anyone wishing to listen in on radio calls so that when a call is made to JPD and police are sent out, the people they are trying to catch are hearing the radio communications and fleeing from the scene before the police arrive. She suggested that JPD switch to secure channels for their communications.

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

<u>MOTION</u> by Ms. Gladziszewski to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the motion passed with unanimous consent.*

1. Ordinances for Introduction

   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.

      The Alaska Mental Health Trust Authority approved a $110,000 Housing and Homelessness Services Coordinator Grant to better coordinate local housing and homelessness services that assist persons experiencing homelessness in the Capital City, including the chronically homeless, youth, veterans, families, and victims of domestic violence.

      The original award was for $100,000 a year for up to three years, beginning in FY18. In FY20 the Trust included $10,000 in travel and training dollars for the Housing and Homelessness Services Coordinator and the Chief Housing Officer to participate in homelessness-related training and conferences. Rather than approve requests individually, the Trust requested they be submitted as a plan.

CBJ's FY20 budget was set at $100,000. This ordinance is for the remaining $10,000. The FY21 renewal grant is estimated to be $110,000, and will be included in next year's budget request.

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

b. 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 350 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 junkyard 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

c. 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 bikes or use of micromobility devices on private property.
The Assembly Committee of the Whole discussed the underlying policies at its meeting on December 2, 2019.

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

d. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

2. Resolutions

   a. Resolution 2876 A Resolution Adopting an Alternative Allocation Method for the FY20 Shared 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 FY2020 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2018 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 $2,133.

   The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

   a. Bid Award - Bid No. 20-114 - Term Contract for CBJ Paratransit Services Contractor

   The intent of this bid is to enter into a five year term contract with a qualified contractor who, under the direction of CBJ Capital Transit, will operate the CBJ CAPITAL AKcess services program (formerly known as Care-A-Van).

   Four bids were received on December 10, 2019 and the results are as follows:

Bidder	**Total Bid**

Catholic Community Services, Inc.	$912,010.00
Juneau Taxi	$919,500.00
First Student, Inc.	$1,203,060.00
Juneau Limousine Services, LLC	$5,200,000.00

The protest period ended December 12, 2019. The estimate for this project is $925,000. The City Manager recommends award of Bid No. 20-114 to Catholic Community Services, Inc. in the amount of $912,010.00 per year (five year term contract).

4. Liquor License

a. Package Store Renewals for Liquor Licence #271 & Liquor License #2976

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 #271
Alaska Cache Liquor, Inc. d/b/a Alaska Cache Liquor
Location: 156 S Franklin St., Juneau

License Type: Package Store, License #2976
No Creek Jack, Inc. d/b/a Duck Creek Market
Location: 9951 Stephen Richards Dr., 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.

VIIIPUBLIC HEARING

A. Ordinance 2019-06(L) An Ordinance Appropriating to the Manager the Sum of $175,000 as Funding for Snow Removal Equipment for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate $175,000 for the purchase of snow removal equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of $140,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of $35,000 funded from Equipment Replacement Reserve Fund Balance.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2019-06(L) and asked for unanimous consent.

Objection by Mr. Jones for purposes of asking questions.

Mr. Jones said that his question has to do with this ordinance and the next one [2019-06(M)]. He asked why $395,000 was needed for snow removal equipment to keep the bus stops open. He said he would think that two people and a shovel should do the trick.

Mr. Watt explained that most of our bus stops are on DOT roads. When we get the bus stops permitted, DOT makes it a condition that CBJ maintains them and we do the snow removal. When DOT plows the highways, they generally do it without regard for driveways, mailboxes, bus stops, and leave that to the adjacent property owners to deal with. In this case, if it is a light snow, Mr. Jones would be correct that a person and hand equipment would be appropriate. He said that is often not the case.

Ms. Hale said that as a bus rider, there are a lot of bus stops all over town, when it is plowed and there is a berm, the berm is bermmed into the entry into the bus stop and if it freezes, there are little mountains that the riders need to climb. There are persons with disabilities who rely on the bus and many of those bus stops are completely inaccessible when there are heavy snows, especially with freeze/thaw cycles.

Mr. Edwardson asked if we have the FTEs for this. Mr. Watt said that they do have service technicians who go out and clean bus stops, empty trash, fix vandalism and hand-plow snow. As Ms. Hale noted, there are many stops and during a heavy snow fall, the better equipment they have, the faster they are able to do their jobs.

Mr. Jones said his follow-up question is that this is now December 2019 and this issue was referred to the Public Works and Facilities Committee a year ago and he asked what caused the delay and why the equipment wasn't ordered in the summer.

Mr. Watt explained that the typical practice on grants from DOT or pass through grants from FDA is to advise the Assembly when we are notified of the grant award. They then wait for the actual grant documents before moving forward with the appropriation. In this case, we received notification that we would be receiving the funds last fall but DOT had some staffing issues and it took them a long time to get the grant documents to CBJ. Mr. Watt said they had hoped to be able to purchase the equipment for use this winter but it is likely that when this equipment comes, it would be for next winter.

Mr. Bryson asked what the equipment is that is being purchased.

Mr. Watt said he doesn't know exactly but that staff can follow-up with additional information to the Assembly. He said he doesn't consider this a time critical issue as they won't be using the equipment until next winter. If the Assembly wished, it could wait on the appropriation if they want to have additional information. Otherwise, they can pass the appropriation and staff can provide follow-up information as requested.

Mr. Edwardson asked what the life cycle is on the equipment and who pays for replacement of the equipment. Mr. Watt said that it would be handled the same as all of our grants from DOT for Transit equipment. We get Transit grants that allow us to purchase buses, cars, and paratransit vehicles. CBJ is required to maintain all that equipment and at end of life, if we have an avenue to get more grants to replace it, that is generally what we do.

Mr. Jones removed his objections.

Hearing no other objections, the motion passed with unanimous consent.

B. Ordinance 2019-06(M) An Ordinance Appropriating to the Manager the Sum of $220,000 as Funding for Snow Removal Equipment for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

   This ordinance would appropriate $220,000 for the purchase of snow removal equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of $176,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of $44,000 funded from Equipment Replacement Reserve Fund Balance.

   This ordinance is nearly identical to the ordinance above; the only differences are the dollar amounts and the fact that two different grants were received from ADOT for this purpose.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:

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

C. Ordinance 2019-06(N) An Ordinance Appropriating to the Manager the Sum of $270,000 as Funding for the Replacement of Three Paratransit Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate $270,000 for the purchase of three paratransit buses for Capital Transit. Grant funding in the amount of $216,000 is provided by federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of $54,000 funded from Equipment Replacement Reserve Fund Balance. This funding will replace three paratransit buses that have exceeded their useful life and are scheduled for replacement. The funds are from the Federal Transit Administration and come through the State of Alaska Department of Transportation and Public Facilities.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:
Ms. Vikki Jo Kennedy expressed her frustration with the fact that there have been 10 new vans sitting on a lot rusting in the rain for a year. She said the contract went out and Juneau Taxi won the contract but then they backed out of the contract. Then it was rebid and it went to Catholic Community Services. Instead of the bid being awarded to the second highest bidder, they had to go through the bid process all over again. She said the vans are sitting there and they need to get on the road before Christmas. She said they are unsafe at times and they have had to be benched at times due to the lifts rusting away. She said the new vans just need to get on the roads. She thanked the drivers, dispatch, and the Assembly for all their work and service.

Assembly Action:

<u>MOTION</u> by Ms. Hughes-Skandijs to adopt Ordinance 2019-06(N) and asked for unanimous consent.

Mr. Smith noted that if anyone was looking in the budget for the equipment replacement reserve fund, it was listed under the category "equipment acquisition fund."

Mr. Jones said that there was work done a few years ago to retrofit the paratransit buses to retrofit the electric chair lifts as some of the scooters/electric wheelchairs were too heavy for the lifts. He asked to make sure the new vehicles are equipped to sufficiently handle the weight. Mr. Watt said he believes the new vehicles are up to meeting the current standards and community's needs.

Hearing no objection, the motion passed with unanimous consent.

D. Ordinance 2019-40 An Ordinance Repealing the Waste Management Utility Code.

This ordinance would repeal the CBJ Code provisions that impose a $4 monthly charge for household hazardous waste and $100 annual fee for businesses that recycle at the landfill. The costs to administer the fee exceeded the revenue collected, the fee was challenging to equitably enforce, and the fee discouraged businesses from recycling. The CBJ will continue to provide recycling and household hazardous waste collection services to extend the life of the landfill and protect the environment.
This ordinance was discussed at the Assembly Finance Committee on September 25 and November 6, 2019.

The City Manager recommends the Assembly adopt this ordinance.

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

<u>Assembly Action:</u>

<u>MOTION</u> by Ms. Triem to adopt Ordinance 2019-40 and asked for unanimous consent. *Hearing no objection, the motion passed with unanimous consent.*

E. Ordinance 2019-41(b) An Ordinance Increasing the Motor Vehicle Registration Tax.

State law authorizes municipalities to impose a motor vehicle registration tax by ordinance. This ordinance would increase the biennial motor vehicle registration tax in the CBJ from $44 to $70 for non-commercial vehicles and from $4 to $10 for motorcycles and non-commercial trailers commencing on January 1, 2021. Commercial vehicles remain exempt because some commercial vehicles may be taxable through the business personal property tax and state law prohibits a municipality from imposing a motor vehicle registration tax and assessing a business personal property tax. The increase in revenue created by this ordinance is intended to support the costs to maintain CBJ streets.

Version (b) of the ordinance adds the automatic $1 and $5 fee escalators after the initial five year term.

This ordinance was discussed at the Assembly Finance Committee on September 25, November 6, and December 4, 2019.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

Public Comment:
None.

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2019-41(b) and asked for unanimous consent.

Ms. Triem asked Mr. Palmer about the language related to "commercial vehicles" and asked if "commercial vehicles" was defined in statute and if the ordinance is following the state statute definition since the definition was not included in the ordinance. Mr. Palmer said that yes, the ordinance does follow state statute and the state definition if followed in the ordinance by reference. Ms. Triem said that was good enough for her.

Hearing no objection, the motion passed with unanimous consent.

F. Ordinance 2019-47 An Ordinance Authorizing Vacation of Right-of-Way at Lot 10, Evergreen Heights Subdivision, Located at 1706 Willow Drive.

This ordinance would authorize the vacation of 444 square feet of a right-of-way. The right-of-way was created by a plat in 1958, does not benefit the public, and is not anticipated to benefit the public. Because this right-of-way was created by a dedication in a subdivision process, the municipality cannot charge for vacating it.

On October 29, 2019, the Planning Commission and on December 9, 2019, the Lands Committee recommended the Assembly approve the vacation of this right-of-way.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:
None.

Assembly Action:

MOTION by Mr. Edwardson to adopt Ordinance 2019-47 and asked for unanimous consent.

Hearing no objection, the motion passed with unanimous consent.

G. Ordinance 2019-48(b) An Ordinance Authorizing the Manager to Convey Lot 3, Bonnie Subdivision, Located at 11031 Mendenhall Loop Road, to Margaret Tharp and David Lendrum for Fair Market Value.

Margaret Tharp and David Lendrum applied to purchase CBJ property adjacent to their property. On September 17, 2018, the Assembly authorized the Manager to negotiate the sale of property with the original applicants. During the negotiations, the applicants agreed to grant the CBJ an access and utility easement, which will provide a 60-foot corridor for a future right-of-way to access hundreds of acres of CBJ property in the Goat Hill and Pederson Hill regions. The applicants recently requested CBJ financing of ten percent down for ten years at a ten percent interest rate, which has been an option for other similar CBJ land sales. Version (b) of the ordinance adds the requested CBJ financing provision.

The Planning Commission reviewed this proposal at its November 13, 2018 meeting and recommended the Assembly sell the property. The Lands Committee reviewed the proposal and passed a motion of support for the Assembly to complete the sale at its meeting on August 6, 2018.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

Public Comment:
None.

Assembly Action:

MOTION by Mr. Jones to adopt Ordinance 2019-48(b) and recommended a "No" vote.

Ms. Hughes-Skandijs asked the Manager asked what has been happening during the length of time between now and the dates that the Lands Committee and Planning Commission reviewed this ordinance.

Mr. Watt explained that there was information in the packet starting at page 90 and that Mr. Chaney was present and could speak in more detail to those questions. Mr. Watt said that basically, it took a while to get an appraisal, negotiate the new right-of-way easement that parallels an old property line, and get the survey done. He said that Mr. Chaney could provide additional information.

Mr. Chaney said that land transactions take time and they are changing an easement so they had to replat the existing easement. He explained that CBJ owns 30 feet of frontage now and will get a 60 foot easement as a result of this transaction. He said they had to work with a surveyor and then an appraiser and they worked closely with the Law Department throughout the process. He said they wanted to ensure everything was done correctly as this was a contentious issue initially in the neighborhood.

Ms. Gladziszewski asked what was done to make it no longer contentious. Mr. Chaney deferred to the City Attorney to answer that question.

Mr. Palmer explained that there was a contentious dispute that arose approximately five years ago when Landscape Alaska relocated their business to the property next to where this land is located. He then gave the history of the Landscape Alaska conditional use permit process before the Planning Commission that was appealed by some of the neighbors to the Assembly which ended up going all the way to the Alaska Supreme Court at which point the case was resolved. However, this was one of the remaining components of that initial transaction for Landscape Alaska and it has taken awhile to get to the Assembly, in part due to the appeal to the AK Supreme Court. What is currently in front of the Assembly was never subject to that appeal and depending on what the Assembly chooses to do at this time, it may be a non-issue or it may cause contention with the neighbors. Mr. Palmer said he doesn't have any sense on where the neighbors stand on this.

Mr. Jones said that he was the presiding officer on the Assembly for that case and what had prompted some of his questions.

Additional discussion took place related to the differences between the Planning Commission's review and action on the conditional use permit vs. the land acquisition ordinance before the Assembly at this time.

Mr. Chaney drew a rough map/diagram on the board to illustrate the proposed right-of-way if this ordinance is adopted and answered a series of questions from Assemblymembers.

ROLL CALL VOTE on the motion to adopt Ordinance 2019-48(b).
AYES: Bryson, Edwardson, Gladziszewski, Hale, Hughes-Skandijs, Smith, Triem, Mayor Weldon
NAYS: Jones
MOTION passed 8:1

IX. UNFINISHED BUSINESS

A. Alaska Department of Transportation & Public Facilities' Request to Purchase CBJ Property for the Mendenhall Loop Road Improvement Project

The Alaska Department of Transportation and Public Facilities submitted a request to acquire two fractions of CBJ property and associated easements to improve

Mendenhall Loop Road:

A. 0.18 acres of Block A, Field Acres Subdivision (Stephen Richards and Loop Road intersection)

B. 0.39 acres of Lot 1A, USS 2084 (Floyd Dryden and Loop Road intersection)

CBJ code empowers the Assembly to decide if the land disposal request should be considered and, if so, whether by direct negotiation with the original proposer or by competition with other proposals. (CBJC 53.09.260).

At the Assembly meeting on November 25, 2019, there was confusion about whether the Planning Commission had reviewed this land disposal, which resulted in the Assembly not authorizing the Manager to negotiate the requested land disposals.

On June 13, 2019, the Planning Commission reviewed this project and recommended the Assembly approve it. The School District, Capital City Fire and Rescue, CBJ Streets, and CBJ Engineering all provided comments prior to the Planning Commission meeting and support the project. If the Assembly authorizes the Manager to negotiate the land disposals, the Assembly Lands Committee would review the results of the negotiations.

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

With that new information, the Manager recommends the Assembly adopt the following motions:

1. **Rescind the previously adopted motion related to the land disposal of 0.18 acres of Block A, Field Acres Subdivision that was adopted on November 25, 2019. (Requires 6 votes to rescind)**
2. **Authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.**

MOTION by Ms. Gladziszewski for the Assembly to rescind the previously adopted motion related to the land disposal in Block A, Field Acres Subdivision that happened on November 25, 2019 and asked for unanimous consent.

Mr. Jones asked the City Attorney to explain the difference between rescinding the previously adopted motion vs. a reconsideration since notice of reconsideration was not given at the last Assembly meeting.

Mr. Palmer explained that Mr. Jones is correct that no one gave notice of reconsideration at the November 25 meeting so reconsideration is not available for the Assembly to act upon at this time. However, he said there is another legislative tool, the motion to rescind, which does require public notice which has been satisfied and like the motion to reconsider, it does require a super majority, in this case six votes, to pass.

Mr. Bryson objected. He said the most troubling part about this is that this matter never came to the Assembly. He said they should have seen it sometime over the summer and had an opportunity to discuss this. He said that while the Planning Commission made sure that it technically satisfied the conditions, anyone who drives Mendenhall Loop Road and has a good understanding of what two roundabouts and all the other plans will mean, that should have been discussed as an Assembly. It will change the transportation corridor of the valley and he said he doesn't feel it will be a positive addition to our transportation and he thinks it will hamper traffic flow.

Mr. Edwardson said the last time Mr. Bryson brought this up, he supported Mr. Bryson but won't be this time but for very different reasons. He said he does agree with him on process. He said he was unaware of the 90-day window but that he did understand the issue and thought the Assembly should have talked about this and his objection is with the characterization that the Assembly was confused and it makes it look as though they didn't do their homework. He said he feels they have and that they should have heard it within the 90-day window and what he is worried about is that if that isn't in any of the documentation that it will happen again.

Mayor Weldon said she believes they have closed that loophole and asked the City Manager to speak to that process. Mr. Watt explained that at the last Lands Committee meeting, they provided a process flow chart that is designed to ensure we don't have that lack of transfer of decision by the Planning Commission to the Assembly. He said there is a new business practice being implemented in which all Planning Commission Notices of Decision and Notices of Recommendation will be on the Assembly's Consent Agenda. That is a much better process than the ad hoc process which was previously in place.

Mr. Edwardson suggested that it be done early enough to ponder it at one meeting and then talk about it again at the next meeting based on public comment and not have it towards the end of the 90-days.

ROLL CALL VOTE on the motion to rescind the motion previously adopted on November 25, 2019.
AYES: Gladziszewski, Edwardson, Hale, Hughes-Skandijs, Smith, Triem, Mayor Weldon
NAYS: Bryson
MOTION passed 8:1

Mayor Weldon noted they would continue with the remainder of this agenda item. Mr. Palmer asked that she ask for any public testimony on this matter before moving forward. Mayor Weldon asked if anyone from the public wished to testify on this matter. Hearing none, public comment was closed.

MOTION 2 by Ms. Gladziszewski to authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.

Mr. Bryson asked if it would be possible to request that when the Manager is negotiating the sale of these two requested parcels that he negotiate in right hand turns onto Stephen Richards to satisfy not only the residents of that neighborhood but the business that had extreme hardships during the last remodel. He said the understanding is that there will be no access into their business from Mendenhall Loop Road. He asked if the manager could negotiate right turn access in and out of that business during the road construction period.

Ms. Hale asked if that needed to be considered an amendment to the motion to be voted upon. Mayor Weldon asked the City Attorney or City Manager if that is even something that could be done.

Mr. Watt said he thought they were two separate issues - 1) the land sale and 2) put a municipal effort into working on the management of the construction of the project. He said the second matter is a separate issue from the sale of the land and it doesn't belong as a permanent piece of the land sale.

Ms. Gladziszewski said we talked about that at the Committee of the Whole meeting and to let it be known that they were concerned about it to be managed in a way that would be more helpful to the property owners affected by the construction. Mr. Watt said that was correct and that the Planning Commission had made a non-specific recommendation that construction access be maintained as much as possible. He said there are property owners on Stephen Richards Drive that are concerned about DOT's stated traffic management approach that they believe they will not be able to maintain multiple traffic movements in and out of Stephen Richards Drive during construction.

Mr. Edwardson said he didn't feel that Mr. Bryson's comments should be an amendment, nor did he think it was separate from the land sale. It is leverage in the land sale to ensure that CBJ looks out for businesses and citizens who live on a certain drive that will be cut off for a project that, if it were federally funded, probably wouldn't meet federal requirements just because of that. He said he supports allowing the Manager to negotiate a land sale using the land sale as leverage to make sure the construction project allow access to the people in that area and to include that in the delegation to the Manager.

Ms. Hale said she feels that would be an amendment and she doesn't agree that they should use the sale of the land to essentially redesign a project that has gone through years of public process.

Mayor Weldon informed Mr. Bryson that it would be up to him to decide whether he wanted to make his request an amendment or not.

AMENDMENT 1 by Mr. Bryson for the Manager to include language that allowed for better access for the business and the citizens, not to change the design of the project, but to allow access to the business and citizens during the project.

Ms. Hale objected. She said she agrees with Mr. Bryson that they wish to include as much access as we can. However, this project has gone through a year's long public process and has had designers working on it and after much work, this is the option that has been arrived at. She said we don't have that benefit at the Assembly level and she agrees with the Manager that the sale of the land is the sale of the land and that doing a modification of how the project is conducted is a separate thing.

Ms. Hughes-Skandijs said this project has had extensive public process and she supports the manager doing what he can to mitigate the concerns of the citizens affected but the Assemblymembers are not traffic planners and not construction project managers and she objected to the amendment.

Mr. Bryson said that during the public comment period and during the testimony during the Planning Commission, the business owner did state quite clearly the negative impacts that the previous project four years ago had on their business. When they found out there would not be access to their business for extended periods of time, they made it clear the negative impact that would have on their business and that comment was ignored. That is why he feels it is the job of the Assembly to look out for one of our business owners and why he feels this amendment needs to pass.

Mr. Edwardson said the Assembly is not transportation planners but they are Assemblymembers and they are charged with looking out for its citizens. He said he would like there to be access to the properties during the project.

Mr. Smith said he reviewed the Planning Commission minutes and his sense is that they did hear the concerns of the business owners. He went on to state that when they are constructing a roundabout in an already heavily populated area, there are some things that just cannot be avoided. He asked the Manager how this amendment might affect the land sale negotiations with DOT.

Mr. Watt explained that this is a motion to authorize the Manager to negotiate and it would come back to the Assembly as an ordinance and the Assembly would see the fruits of that labor. Whatever direction the Assembly gives, he will do the best that he can.

Additional discussion took place regarding the pros and cons of the project and public comments received on both sides.

ROLL CALL VOTE on the Amendment 1 by Mr. Bryson.
AYES: Bryson, Edwardson
NAYS: Gladziszewski, Hale, Hughes-Skandijs, Jones, Smith, Triem, Mayor Weldon

AMENDMENT 1 failed 2:7

ROLL CALL VOTE on the MOTION 2 by Ms. Gladziszewski to authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.
AYES: Gladziszewski, Edwardson, Hale, Hughes-Skandijs, Jones, Smith, Triem, Mayor Weldon
NAYS: Bryson
MOTION passed 8:1

X. NEW BUSINESS

A. BRH Provider Network Development Analysis Solicitation

Mr. Watt explained that the packet contained the draft scope of work that the BRH staff and board has been working through as they seek to analyse potential options for their future. BRH CEO Chuck Bill was present to answer questions and provide information to the Assembly. Mr. Watt said it is likely the Assembly will want to track this issue and possibly discuss it at the joint board meeting with the BRH Board. Mr. Watt said that no action is needed at this time but they may choose to refer this to committee for additional work.

Mr. Jones suggested that the wording in the draft scope of work under item "f." should include language that compares other hospitals that are also owned by government entities. He then said that he didn't understand what the language under item "i" meant when it said "all relevant transactions forms."

Ms. Hale, as BRH liaison, noted that she has brought this up at previous meetings. She said this is a sketch of an RFP and the intent is to perform a S.W.O.T. analysis, especially since across the nation and even in Alaska, hospital mergers are occurring. She said that is leading to some hospitals closing and that is a very dynamic and pretty scary landscape out there right now so the BRH Board and Mr. Bill have taken this up to help them understand the landscape to ensure that BRH remains competitive. Ms. Hale said she did call Mr. Bill and asked what the language in item "i" meant and he explained that it means all types of business transactions.

Mr. Edwardson said he appreciates this but doesn't know why the Assembly is looking at this since the Hospital Board is empowered to hire an analyst or contractor to look at the things they are tasked to look at. He asked if they were required to bring this to the Assembly or just giving them a heads up on what they are considering. He said if BRH just wants to give the Assembly a heads up, he doesn't think it would be appropriate to send it to an Assembly committee.

Ms. Gladziszewski said there are sections that aren't clear to her in the draft scope of work and she would hope they might provide more clarity in the final language.

Mr. Bill came forward and said that the draft RFP is a lot longer than the pages in the packet. He said their intent is to do due diligence as a board and look at what the alternatives are as they look at strategic planning. There is a lot going on in the industry as evidenced by the Sitka Hospital merging with SEARHC. He said they already have a number of affiliations such as Virginia Mason for medical oncology, with Presbyterian that they do their electronic ICU services with. The question is if they can leverage those relationships and improve the value to Juneau by strengthening those relationships. He said that earlier in the document, there is language included that references the contingency of maintaining local control. Beyond that, there are wide range of arrangements that could fit under that scenario. He said they don't want to limit that as they want to hear what the best options are as they work through their strategic planning process. He said he agrees with Mr. Edwardson that this is unusual to have an RFP before the Assembly. It is the first one since he's been with the city during the last five and half years.

Mayor Weldon asked for any further questions. Hearing none, she said they will check in again with the board when they have their joint meeting in January with the Assembly.

Mr. Jones said that while it may be unprecedented for this Assembly and Hospital Board, it is not entirely unprecedented as there were instances in which the Assembly ordered the BRH Board to do a review of its purchasing agreement, which ended up costing $100,000. When that report was provided to the Assembly, the Assembly then ordered another audit on how it might reduce staffing and that audit cost the hospital another $100,000.

Mr. Smith asked Mr. Bill if they anticipate asking the Assembly to fund this analysis.

Mr. Bill said that it would be fully funded out of the Hospital's operations budget.

XI. STAFF REPORTS

None.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon thanked everyone for showing up to the Assembly retreat. She appreciated everyone's time and effort and she noted that Ms. Cosgrove sent the updated draft of the goals electronically early in the day and they will be taking those up again for action on the January 6, 2020 Assembly Committee of the Whole meeting.

Mayor Weldon reported on attending the following events that she enjoyed very much:

- Capital City Fire/Rescue Fireman's Ball

- U.S.Coast Guard Chief Petty Officer's holiday dinner
- She is in the process of touring schools and has been to seven so far. She invited any other Assemblymembers who wanted to join her to let her know.
- Juneau-Douglas City Museum to see the new Rie Munoz collection donation

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

Human Resources Committee - Chair Bryson reported that the full Assembly sitting as the HRC met on December 5 to interview applicants for the Bartlett Regional Hospital Board. The Assembly reappointed two incumbents and a new member of the board. Mr. Bryson said the regular HRC meeting was held just prior to this Assembly meeting. During that meeting, they discussed the Juneau board survey recruitment efforts and CBJ's 50th anniversary coming up on July 1, 2020 and they will be working on planning for that.

Mr. Bryson reminded Assemblymembers that the full Assembly sitting as the HRC will meet on Wednesday, December 18 at 5:30p.m. in the City Hall Conference Room #224 to interview Planning Commission and Docks & Harbors applicants.

Lands Committee - Chair Edwardson said they took up most of the Lands Committee work earlier in the meeting. He thanked Lands Division staff Greg Chaney, Dan Bleidorn, and Roxie Duckworth who went over a Lands 101 session to educate the new and continuing members on process. He said they covered the flow chart about the Planning Commission process that Mr. Watt referenced and he found that very helpful.

Public Works and Facilities Committee - Chair Hale reported that the committee met on December 9 and they had a public participation on non-agenda item that was a taxi rate increase request that was a petition signed by taxi drivers asking for a 20% increase. The last time they had an increase was 11 years ago. She said the City Manager will be working on bringing that back before the Assembly. She reported that the PWFC forwarded a proposal relative to Centennial Hall on the first four items. The PWFC forwarded that to the Assembly Finance Committee to make sure the Assembly agrees with that proposal and then determine the financing and timing. Timing is critical if they want to get moving on this, they need to actually get moving on it.

Ms. Hale reported that the committee discussed an airport request for a supplemental agreement on a contract that exists to demolish the sand building. The committee voted against moving it on. It turns out that the Manager needs to make a recommendation. Mr. Jones dug into the code and determined that and the Manager did not agree with that and was not intending to make a recommendation. Ms. Hale noted that they received an update on electric buses from Ed Foster. It keeps being pushed out but they are shooting to get one by next summer. They also received a quick dock electrification update from Mr. Uchytil. They have been short staffed since Gary Gillette retired but hope to pick that up again when staffing is back up.

Ms. Hale said the next meeting of the PWFC is on Wednesday, January 15 due to travel schedules rather than the usual Monday meeting schedule.

Committee of the Whole - Chair Gladziszewski reported that since the last Assembly meeting they have held two COW meetings. They discussed the Mendenhall Loop Road project which was acted upon earlier in the meeting. They heard about Child Care follow-up, Dockless Transportation which as introduced at this meeting and a brief update about Blueprint Downtown. She noted that on December 9, they talked about the public nuisance property ordinance and took public testimony on that. They talked about the non-conforming ordinance, they heard about the senior assisted living sealed competitive bid results. They also heard from the Manager on the waterfront museum concept downtown waterfront improvements phase I and asked the Manager to continue to work on that. The next COW meeting is scheduled for January 6.

Assembly Finance Committee - Chair Jones reported that the last AFC meeting was on December 4 and he appreciated everyone's hard work. The next AFC meeting will be held on January 8, 2020.

Assembly/School Facilities, CIP, Maintenance Committee - Chair Jones reported that they held their first meeting on December 10 and reviewed their Charter requirements as well as reviewed the current projects under the 1% sales tax. They also reviewed the long-term large scale projects that they submitted to the Department of Education. They tried to get consensus so they all understood what projects were being funded, which ones were being done in which years, etc... They are going to be going back and reviewing parts of that to clarify which year they are planning on spending which funds. The next meeting of the committee will be sometime in February. He said that related to this, the School Board has its own Facilities Committee that met on December 13. They reviewed the projects mainly for priority ranking and they will be meeting again on January 24.

Mayor Weldon said she was skipping the Eaglecrest Summer Operations Task Force because they haven't yet met and their first meeting is scheduled for Thursday, December 19 at noon.

Visitor Industry Task Force - Chair Triem reported that the VITF met on December 3 and discussed historical efforts to address tourism. They also set dates for meetings at which to take public comment. Those meetings will be Saturday, January 10 at 10a.m. and Thursday, January 16 at 5:30p.m. and both those meetings will be held in the Assembly Chambers. Speakers should come prepared with their bullet points and have two minutes to speak. The next meeting is December 17 at Noon in the Assembly Chambers and they will be discussing current management efforts.

Assembly Liaison Reports, Comments and Questions:

Mr. Bryson reported that he met with the Parks & Recreation Advisory Committee

(PRAC) on December 3. There was a suggestion of a new hiking trail through Basin Road which might alleviate some congestion. Kollin Monahan reported that they had 80,000 visits to the pools last year. PRAC has simplified the permitting process for events at which someone is applying for an alcohol permit at a CBJ Parks & Recreation facility.

Mr. Bryson reported that Juneau Economic Development Council (JEDC) met on December 6 and had their new board members and some new employees and they appointed officers.

Mr. Bryson said that he also met with the DOT Commissioner on December 6 and received some education on ferries, roads, and they discussed the roundabout project somewhat. He also went to the Governor's Open House on December 10.

Mr. Bryson reported that the Eaglecrest Board met on December 12 and they received a request from someone wanting to do a snowmachine event after Eaglecrest closed. They were going to try to find a way to ask the Assembly because they know that is currently against the park rules but they wanted to explore if that would even be a possibility. He said Eaglecrest also gave a CIP list. They have traditionally received $225,000 and they are upping their request over the next few years to $500,000/year for their CIPs. They are about to expire the contract for the Dimond Park Field House management.

Mr. Jones asked Mr. Bryson where Eaglecrest was at with their alcohol sales.

Mr. Bryson said they had some very insignificant sales to start with that were put on by outside vendors. Ms. Gladziszewski said she was told by folks who had gone up to Eaglecrest that there is a bar there now and they were selling beer and wine. Mr. Bryson said he didn't have numbers but they were only open for one or two days and the sales were pretty insignificant. Mr. Jones said that he knew that the ABC board had turned down the liquor license application for a recreational license last year. He said that he had not heard that they had reapplied, under what license or how, and he hadn't heard that they were actually open. He said that was an issue that was near and dear to people on North Douglas, especially as it related to people driving and he was curious to know if the alcohol sales was actually open or not. He asked if we had the liability issues settled with Law and if it was under contract.

Mr. Watt said they would do some research and get back to the Assembly on that topic.

Mr. Smith reported that he attended his first Sister Cities Committee meeting on November 26. They are working on a Sister Cities Hockey event but the ferry schedule could be a hindrance. He said they would be interested if the Assembly or others hear of any other potential sister cities connections to let them know. He said there may be some interesting sister cities connections related to electric vehicles with Whitehorse.

Mr. Smith reported that the Planning Committee Committee of the Whole met on November 26 working on a letter about CIP recommendations which the Planning Commission passed at its December 10 meeting. He said they are trying to work on their process and to be more effective and include more of a public process. They have sent letters in the past, they wanted to highlight the re-pavement of Capital Avenue, and design implementation of projects from Lemon Creek and Auke Bay area plans. At the November 26 COW meeting, they recommended adoption of the Historic and Cultural Preservation Plan.

Mr. Smith said the Planning Commission, at its December 10 meeting, also approved a Marijuana Cultivation Conditional Use Permit in a warehouse by the Airport, and a new Heritage Coffee stand by ACS and a record of decision regarding a residential variance out in North Douglas.

Mr. Smith said he attended many of the same events the Mayor did and spoke with JDHS students during their monthly recognition ceremony.

Ms. Hughes-Skandijs reported that she was not able to attend the last Juneau Commission on Sustainability meeting but she met with the Chair to get up to date on JCOS prior to the Assembly's retreat. They are currently working on a water bottle refilling station for use by cruise ship passengers. They have reviewed the CIP list. She said she has not yet been able to attend a meeting of the University Campus Council but looks forward to attending that group's meeting as her schedule permits. She attended a Docks & Harbors meeting. She thanked the Mayor for letting her and Mr. Smith light the Douglas Community Christmas Tree on behalf of the Mayor and Assembly.

Ms. Triem reported that the Aquatics Board, Chamber of Commerce, and Travel Juneau boards have not met since the last Assembly meeting. She said that the Aquatics Board does have an Outreach and Programs Committee meeting December 17 and will be discussing items related to the Augustus Brown Pool renovation and their next regular board meeting is January 21.

Ms. Hale reported that she attended meetings of the Bartlett Regional Hospital Board, Downtown Business Association (DBA), and Juneau Commission on Aging (JCOA). The highlights of the DBA meeting were that JPD Chief Mercer and Deputy Chief and other officers came and talked to the DBA about homelessness. It was an in depth conversation and had tips and ideas. The comment that the Chief said that struck her was that we aren't going to arrest our way out of this. She said the focus is to address homelessness as a community issue.

Ms. Hale said that some of the discussion at the JCOA was about the property being purchased out by Smith Hall by the Glory Hall. She also noted discussion of a group of agencies who will be co-locating social services next to the Glory Hall out there.

Ms. Hale said she will be on vacation December 31 - January 11 and will not be calling in to any meetings during that time.

Mr. Edwardson reported that he did a bunch of cool stuff, spoke to a bunch of people, went to a bunch of things, and one of those was an Airport Board meeting. He touched on the Coastal Helicopter flight fundraiser which is their 29th annual Christmas lights fundraiser on December 20 from 4:30-7:30 and all proceeds and benefits are to the Children's Tumor Foundation and Lions Sight Projects. Flights will depart from the north wing of the airport terminal and the airport will provide free parking in the parking lot for this event. This is weather permitting as always. He reported that the next Airport Board meeting is December 14. He missed the LEPC meeting due to a conflicting meeting and their next meeting is January 15.

Mr. Jones reported that the School Board meets December 17 and they have a brief agenda which includes the letter to the Assembly regarding funding to the cap, their legislative priorities, and the first reading on the 2020-2021 school calendar. They will also hold an executive session for a mid-session evaluation of the superintendent.

Mr. Jones reported that he also attended many of the same events as other members. Other events that he attended where no other Assemblymembers were present included the Historic Resources Advisory Committee second meeting reviewing the Archipelago project and whether or not it met historic guidelines. He said it was an interesting discussion since half of the building is in the Historic District and the other half faces the waterfront. He also attended the Chamber of Commerce lunch with Norweigian Cruise lines. He spent all day on Saturday at the First Lego League judging. This is his fourth year judging elementary and middle school kids who do lego robots. They have project core values with robots designs and this year's theme was "City Shaper" and there were some very interesting projects. Several of them dealt with homelessness in Juneau. Several dealt with transportation to get tourists off the sidewalks on an elevated tram up and down S. Franklin. One of the groups had old school and tour buses being converted to mobile shower and water facilities to allow homeless persons to take showers. He suggested talking with their leaders to bring a summary back to the Assembly for a presentation. He encouraged any Assemblymembers interested in volunteering next year that it is a great opportunity.

Mr. Jones said he also attended the Downtown Blueprint meeting and while they may not have enough time to come to a group consensus on the VITF work, they are watching the VITF progress intently and many of them are likely to bring their individual comments forward as well.

Ms. Gladziszewski reported that she also attended the NCL presentation at the Chamber of Commerce. She also went to the tourism neighborhood meeting at which there were approximately 40 people there. She didn't stay the whole three hours but they had a facilitator and good discussions.

Ms. Gladziszewski asked if staff could provide an update on the Care-A-Vans as related to Ms. Kennedy's comments earlier in the meeting.

C. Presiding Officer Reports

None.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:27 p.m.

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