THE CITY AND BOROUGH OF JUNEAU,

ALASKA Meeting Minutes - August 19, 2019

MEETING NO. 2019-29: 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

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

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Airport Manager Patty Wahto

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

MOTION by Ms. Becker to approve the minutes of the April 22, April 24, and July 17, 2019 Assembly meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

A. April 22, 2019 Draft Regular Assembly Meeting #2019-20 Minutes

B. April 24, 2019 Draft Special Assembly Meeting #2019-21 Minutes

C. May 13, 2019 Draft Regular Assembly Meeting #2019-22 Minutes

D. July 17, 2019 Draft Special Assembly Meeting #2019-26 Minutes

E. July 22, 2019 Draft Regular Assembly Meeting #2019-27 Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Paula Terrel spoke about a meeting that they held at the downtown library regarding tourism and while she is supportive of tourism and the tourism industry, she has some long term concerns. She said they were still waiting for follow up from their testimony at the June 3

Assembly meeting and she was asking what the status was on the information requested. She said that she is very grateful to Kirby Day and the TBMP program and the short term solutions they've worked on such as the stanchions but she is also looking to have the Assembly address the long term carrying capacity issues. She asked what, if anything, the Assembly was doing on those concerns.

Assemblymembers and Ms. McEwen provided an update on the information gathering and work that has been done since the testimony was received at the June 3 meeting.

Ms. Karla Hart spoke following up on her testimony at the last Assembly meeting regarding the "leakage" concerns. She addressed the leakage of money out of Juneau due to non-local ownership. She noted that the assessment rolls show that over 63% of the businesses in the 200 block of S. Franklin are owned by entities outside of Juneau. She encouraged the Assembly to look at who is profiting from our businesses, where the money is going and where the leakages are occurring.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

Ms. Hale requested that item C. Ordinance 2019-06(c) be pulled from the Consent Agenda so that it could be discussed during the public hearing time at which the items to go on the ballot are also discussed. Mr. Palmer explained that ordinances for introduction could not be pulled from the Consent Agenda for discussion under Public Hearing at this meeting; however, if she chose to pull it from the Consent Agenda and refer it to committee, she could do that. Ms. Hale withdrew her request to remove Ordinance 2019-06(c) from the Consent Agenda.

C. Assembly Action

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

1. Ordinances for Introduction

    a. Ordinance 2019-32 An Ordinance Authorizing the Sale of City and Borough Land Located at Pederson Hill and Establishing the Terms and Conditions Related to the Sale.

    The 86 lot Pederson Hill Subdivision will be constructed in three stages. The first stage consists of 17 lots and is anticipated to be completed late this summer. The Planning Commission approved the final plat on July 9, 2019. The Lands Division desires to offer the lots for sale in advance of next year's building season. Minimum lot prices will be established by appraisal. City financing is available for all lots sold.

Three disposal methods are proposed for this land sale:

- Sealed Competitive Bid – 5 Lots
- Block Sale – One Unit Composed of 6 Lots
- Fixed Price Lottery – 6 Lots

Any remaining lots that do not sell through the initial process would be made available through over the counter sales on a first come first served basis.
The July 8, 2019 Assembly Committee of the Whole reviewed this disposal proposal and recommended approval.

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

b. Ordinance 2019-33 An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties.

The State recently adopted a suite of criminal justice reform legislation. The State legislation clarified ambiguous terms, reclassified crimes, and generally lengthened penalties. The CBJ criminal codes generally mirror the applicable State criminal laws to avoid confusion and to enable the CBJ to independently prosecute cases to protect the community.
On July 25, 2019, the Committee of the Whole directed the City Attorney to prepare an ordinance that updates the CBJ criminal justice codes. A memo from the City Attorney summarizes the changes.

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

c. Ordinance 2019-06(c) An Ordinance Appropriating to the Manager the Sum of $4,500,000 in Grant Funding for the Juneau Arts and Culture Center, Funding Provided by the Sales Tax Fund Balance.

This ordinance would appropriate $4,500,000 in grant funding for the JACC. At its June 15, 2019, meeting, the Assembly Committee of the Whole approved funding for the JACC grant. Direction from the Committee was to use funds from the 2017 voter approved 1% sales tax. Since the sales tax funds will be received during the next four years it is necessary to initially use fund balance and then reimburse the fund as revenues come in.

At its meeting on July 25, 2019, the Committee directed that version (c) of this ordinance be reintroduced to clarify the amount, conditions of the grant, and fund source.

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

d. Ordinance 2018-11(AS) An Ordinance Appropriating to the Manager the Sum of $35,000 as Funding for the Downtown Wayfinding Capital Improvement

Project; Funding Provided by the Rasmuson Foundation and the Alaska Humanities Forum.

The CBJ has received, through the Rasmuson Foundation and the Alaska Humanities Forum, grant awards to further the Downtown Wayfinding project. The Rasmuson Foundation awarded CBJ $25,000 and the Alaska Humanities Forum awarded CBJ $10,000 to create and install the Community Voices Audio Wayfinding project as part of the Downtown Wayfinding project. The installations will be linked to the wayfinding and interpretive system to be installed throughout downtown in spring of 2020. This project will illuminate the lesser-known histories of Juneau: its original and ongoing Tlingit community, gold rush era, fisheries, political histories, and geographical features, awakening Juneau residents and visitors to a deeper understanding of place and community.

At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the Committee approved staff to pursue the grants for this aspect of the Downtown Wayfinding project with matching funds identified: $15,000 from Downtown Streets project CIP R72-116 and $5,000 from the Downtown Wayfinding project CIP D12-097.

At the July 1, 2019 PWFC, the appropriations and downtown streets fund transfer were recommended to the Assembly for approval.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular meeting.

2. Resolutions

a. Resolution 2862 A Resolution Reestablishing the Assembly Rules of Procedure, and Repealing Resolution No. 2781.

This resolution would make two changes to the Assembly Rules of Procedure. First, it would amend Rule 4 regarding presentation of legislation to be consistent with Charter 5.3, which allows an Assemblymember to have an ordinance presented. Second, it would amend Rule 5 to no longer require the full Human Resources Committee to interview and recommend appointments to the Aquatics Board. A more detailed memo from the City Attorney was provided to the Human Resources Committee for its meeting on July 22, 2019, and is included in the packet. The Assembly Committee of the Whole recommended these changes at its meeting on July 29, 2019.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2863 A Resolution Amending the City and Borough Personnel Rules Regarding Step Placement on Promotion and Providing for a One Time Step Placement Adjustment for Lieutenants at the Juneau Police Department.

This resolution would approve a change to the Personnel Rules, which along with the various collective bargaining agreements, govern the rights and

responsibilities of CBJ employees, supervisors, and managers.
Recent changes to pay scales as a result of collective bargaining required the review of 10 PR 040 Placement on Promotion. The rule change corrects difficulties in coordinating step placement when an employee promotes between positions on different salary schedules or when an employee in a longevity step promotes within the same salary schedule. The language change also provides flexibility to address other promotional issues such as wage compression and assures greater oversight of promotional pay increases.
In addition, this resolution authorizes the Manager to provide an additional step to the employees who are currently employed as Police Lieutenants, the first non-represented level outside of the Public Safety Employees Association bargaining unit. The step placement is necessary to address wage compression issues created by the recent ratification of the PSEA collective bargaining agreement.

The City Manager recommends this resolution be adopted.

3. Liquor License

   a. Liquor License Renewal for License: 3409

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

      Renewal of Liquor License
      License Type: Recreational Site-Seasonal, License #3409
      Alaska Travel Adventures, Inc., d/b/a Gold Creek Salmon Bake
      Location: 1061 Salmon Creek Lane, Juneau

      Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above license and recommend the Assembly waive its right to protest the application. Copies of the documents associated with this license are in the Assembly's e-packet or available in hard-copy upon request to the Clerk's office.

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

4. Other Items for consent

   a. Marijuana License Renewals for the following licenses: #10270, #10271, #10266, #10800

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

      MARIJUANA LICENSE RENEWALS

Standard Marijuana Cultivation Facility, License #10270, Top Hat, LLC, d/b/a TOP HAT, LLC located at: 2315 Industrial Blvd Suite A, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Marijuana Product Manufacturing Facility, License #10271, Top Hat Concentrates, LLC, d/b/a TOP HAT CONCENTRATES, LLC located at: 2315 Industrial Blvd Suite B, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Standard Marijuana Cultivation Facility, License #10266, The Fireweed Factory LLC, d/b/a THE FIREWEED FACTORY LLC located at: 8415 Airport Blvd Space B, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Retail Marijuana Store, License #10800, The Fireweed Factory LLC, d/b/a THE FIREWEED FACTORY LLC located at: 237 Front Street, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses.

In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the renewal of the following AMCO marijuana licenses: License #10270, License #10271, License #10266 and License #10800.

5. Transfers

   a. Transfer T-1021 A Transfer of $200,221 from Existing Capital Improvement Projects, Including, from SREB 1A CIP, and from Gate 2 Passenger Boarding Bridge CIP; to Construction Sand/Chemical/Fuel Facility CIP.

   This request is to transfer $200,221 in previously appropriated sales tax funds from the Gate 2 Passenger Boarding Bridge project, and the Snow Removal Equipment Building & Sand/Chemical Building Design Project (SREB & Sand/Chem Design), to the Sand/Chem Construction project. The transfer will fund non-grant-funded expenditures for fueling station modifications, including a dispensing station for Diesel Exhaust Fluid (DEF), which cleans diesel

exhaust to meet emissions requirements.

From:	CIP		
	A50-086	SREB 1A	$140,000
	A50-095	Gate 2 Passenger Boarding Bridge	$60,221
To:	CIP		
	A50-097	Constr Sand/Chem/Fuel Facility	$200,221

At its August 13, 2019 meeting, the Airport Board approved this transfer.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

A. Ordinance 2019-31 An Ordinance Increasing the Rates for Water and Wastewater Utility Services.

The last utility rate increase approved by the Assembly became effective on July 1, 2018. In March 2019, the Utility Advisory Board recommended that water and wastewater utility rates increase by 4% in each of the next five years. In April 2019, the City Manager recommended an alternative: that water and wastewater utility rates increase by 2% in each of the next five years. The increased revenue from these new rates will be used for anticipated operating cost growth and allow increased investment in needed capital improvements.

This ordinance provides a balance between these two recommendations with a 4% rate increase for both water and wastewater utilities beginning in January 2020 and 2% rate increases for the 2021-2024 period effective each July 1. The first rate increase will be 18 months after the last increase in 2018 and the second rate increase will again be 18 months from the January 2020 rate increase. These rate increases provide for prudent investment in water and wastewater systems while acknowledging a desire to mitigate the impacts to the rising cost of living in Juneau.

This rate change was discussed with the Assembly Finance Committee on February 6, April 17, and June 12, 2019.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Mr. Charles Collins testified cautioning the Assembly about raising these rates as it will hit many of the lowest income tenants and homeowners hard. He said they just recently experienced rate increases and the economy is not that strong and he would ask for leniency at this time.

Ms. Triem asked Mr. Collins if he was representing any group. Mr. Collins said that he works for Wright Services which has a number of properties with tenants and that any rate increases

to the utilities are passed on to their renters.

Ms. Becker asked Mr. Collins if he had an amount that he would recommend. Mr. Collins said he would like to see it at current inflation rates only and that 4% was too high of an increase.

Ms. Hale commented that this had been discussed at a previous meeting and that the increase is for an initial 4% with subsequent increases dropping to 2%.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2019-31 and asked for unanimous consent.

Mayor Weldon noted her objection and that she felt the rate should be a straight 2% across the board.

Mr. Edwardson said that he supported the motion and that the longer they wait to raise the rates to afford the necessary utility fixes, the fixes will still need to be made and cost more in the future.

Ms. Hale said they worked long and hard on coming up with this combination increase but delayed its implementation to go into effect January 2020.

Ms. Gladziszewski said that the Utility Advisory Board spent many, many hours, days, and years trying to figure out how to pay for infrastructure that had not been capitalized. She said that while she appreciated the concerns raised by Mr. Collins, she would reluctantly be voting in favor of the ordinance.

Roll Call Vote on Ordinance 2019-31.
YEAS: Bryson, Edwardson, Hale, Triem, Hughes-Skandijs, Jones, Becker, Gladziszewski
NAYS: Mayor Weldon
Motion carried 8:1

B. Ordinance 2019-36 An Ordinance Temporarily Increasing the Hotel-Motel Room Tax by Two Percent, from Seven Percent to Nine Percent, for a Fifteen Year Period, and Providing for a Ballot Question Ratifying the Increase.

This ordinance would place the question of temporarily increasing the hotel-motel room rental tax from seven to nine percent on the ballot at the next regular municipal election. In accordance with the Assembly Committee of the Whole direction at its meeting on July 15, 2019, the increase would be for fifteen years from January 1, 2020, until December 31, 2035. The hotel-motel room rental tax would automatically return to seven percent on January 1, 2036.

The hotel-motel room rental tax was last increased in 1988. The increased rate authorized by this ordinance would initially generate an estimated $440,000 per year in additional revenue. It is the intent of the Assembly to use this increase in the hotel-motel room rental tax to provide funding for the construction of capital improvements for

Centennial Hall. Proceeds could also be used to help pay for general obligation debt service relating to Centennial Hall. If this ordinance is adopted by the Assembly, it would also need to be approved by the voters in the October election.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Karla Hart said that she was involved in tourism when the first bed tax was implemented and at that time a portion of those funds were dedicated towards the initial building of Centennial Hall. She said that she has issues with CBJ charging a bed tax when we are the Capital City. She feels that a person coming to Juneau on their own dime to meet with a state legislator should not be getting charged bed tax for the privilege of meeting with their legislators. She said to her that seems wrong and is a punishment to increase the bed tax from 7% to 9%. She said that the idea of attaching a tourist tax to help Centennial Hall is not justifiable. She suggested a solution to move 2% from the Travel Juneau budget to work on Centennial Hall.

Travel Juneau President/CEO Liz Perry said that they have testified about a bed tax previously to the Assembly. She said their original position was that they felt it may not be a suitable mechanism for funding facilities other than Centennial Hall. She cautioned the Assembly when they are taking action on this ordinance as meeting planners do take into consideration the tax rates when they are planning their conventions and events. There are a number of periodicals that show comparisons of communities with the various amenities along with the tax rates. She said she is very cognizant of the financial times we are living in but advised the Assembly to be cautious as they deliberate on raising bed tax rates. She also stated that Travel Juneau's target market is to the meeting planners and the independent travelers and while they hope the cruise passengers have a good experience in Juneau, they do not spend any money marketing to the cruise industry.

Ms. Hale asked Ms. Cosgrove if there is a mechanism that tracks the rentals that are done through Airbnb or VRBO. Ms. Cosgrove said that the Sales Tax office does track those websites that have short term rentals and that people with short term rentals are required to register and pay sales tax.

Mr. Edwardson asked about the scope of Airbnb's and how many short term rentals are there in the Juneau area. Ms. Cosgrove asked Mr. Rogers to come forward to answer those questions.

Mr. Rogers said that there are approximately 130 units. He said he discussed it with the Sales Tax Administrator and they get a good rate of compliance. They do have sales tax staff members who monitor those sites and notify the owners of the rentals what the obligations are to the city for registration and payment of bed taxes. They look at both Airbnb and VRBO and the market is growing. He said he didn't think there were very many operators who are not registered and paying sales tax.

Ms. Gladziszewski stated that Anchorage has entered into some sort of arrangement directly with Airbnb to collect those bed taxes on their rentals and she asked if Juneau could do something similar. Mr. Rogers said he wasn't sure what the Anchorage arrangement was but it is his understanding that owners can opt in or opt out of the program collecting the bed taxes

through the system. Whether they collect it through the rental program or not, the taxes are still due.

Mr. Rogers said he will look into it and get information back to the Assembly.

Mr. Jones said that it is similar to what Uber and Lyft are doing and the drivers are responsible for registering and remitting the taxes they owe.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2019-36 which would increase the hotel-motel bed tax from seven to nine percent and to place that question on the ballot and she asked for unanimous consent. *Hearing no objection, the motion carried.*

Mayor Weldon called for a two-minute recess to allow time to confer with the City Attorney.

C. Ordinance 2019-35(c) An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed Seven Million Dollars to Finance Capital Improvements to the Facilities of the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 1, 2019.

This ordinance authorizes the issuance of not to exceed $7 million of general obligation bonds. The purpose of the bonds is to fund renovations to Centennial Hall. Initial project scope is provided in section 6 of the ordinance. The funding sources to repay the bonds are:

- 2% increase in the hotel tax (if approved by the voters) paying 65% of the debt service payments.
- .04 mills (~0.4% total increase in tax) increase in the property tax mill rate paying 35% of the debt service payments.

The ordinance provides for the issuance of 15 year bonds. If this ordinance is approved the question of whether to sell the bonds would be placed before the voters on October 1, 2019. The need for bond/debt financing was discussed and approved at the July 15 and July 29 Assembly Committee of the Whole meetings. Version (c) of the ordinance added the word "possible" to sections 3 and 6 as directed by the Committee of the Whole.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Kathleen Harper, an employee at Centennial Hall, spoke in favor of this ordinance. She said that the building has aging systems that need replacing including the HVAC systems and other mechanical systems. The building is incurring utility costs at the rate of $15,000 so while they may not choose to do the full extent of renovations that have been proposed, anything they can do to upgrade it will help with cost savings in the long run.

Assembly Action

MOTION by Ms. Hughes-Skandijs that the Assembly adopt Ordinance 2019-35(c) and asked for unanimous consent.

Ms. Gladziszewski objected for purposes of a technical amendment to rearrange the placement of one of the phrases relating to the possible construction of new meeting rooms and offices. She said when they discussed the ordinance in committee, they talked about including the first four priorities from the priority list and this technical change would better align with the priorities from the list.

AMENDMENT by Ms. Gladziszewski to change the wording in section 3 and section 6 of the ordinance as follows and asked for unanimous consent:

… upgrading the HVAC system, making improvements to the sound system, lighting system and technology, the interior flooring, furnishings and wall systems, expanding the lobby area, renovating and expanding break-out rooms, corridor and business center, ~~*and possible construction of new meeting rooms, offices and*~~ adding an enclosed and heated corridor between Centennial Hall and the new arts and culture center, *and possible construction of new meeting rooms and offices in Centennial Hall. …*

Hearing no objection, the amendment passed by unanimous consent.

Ms. Hale noted objection to the main motion and said that she felt it would be important to have an opportunity to speak to Ordinance 2019-34(c) before they vote on Ordinance 2019-35(c). Mayor Weldon noted that the agenda is set as it was already approved as is. She asked the City Attorney to advise if it could be changed at this point.

Mr. Palmer noted that the agenda is set unless a majority of the body wishes to vote to change it.

MOTION by Ms. Hale to take up Ordinance 2019-34(c) first and then take up Ordinance 2019-35(c) and asked for unanimous consent.

Objection was noted by Mr. Jones and Ms. Becker.

Ms. Hughes-Skandijs asked if they could hear from Ms. Hale as to why she wished to take the ordinances up in a different order.

Ms. Hale said that the two ordinances are linked and she expressed concerns that if they weren't taken up in a specific order that the linking of the two questions would be adversely affected.

Mr. Edwardson said that he too shared Ms. Hale's concern but he stated that since Ordinance 2019-35(c) was already before them in a motion, he thought Ms. Hale's motion was out of order and it would take a withdrawal of the main motion in order to do what Ms. Hale was trying to accomplish.

Mayor Weldon called for an at ease so the City Attorney could look at the procedural questions in more depth.

Mayor Weldon asked for the City Attorney to give an explanation on the options before the body.

Mr. Palmer explained that there are two options for the body if it wanted to consider changing the agenda: 1) the maker of the motion could chose to withdraw the motion and it would take 5 votes to take up the JACC advisory ballot question, Ordinance 2019-34(c); or if the maker is not willing to withdraw the motion, it would take 6 votes to suspend the rules and then a vote of 5 members to take up Ordinance 2019-34(c) first.

Mayor Weldon asked Ms. Hughes-Skandijs if she wished to withdraw her motion. Ms. Hughes-Skandijs said that she was willing to withdraw her motion.

MOTION by Ms. Hale to take up Ordinance 2019-34(c) prior to Ordinance 2019-35(c) and asked for unanimous consent.

Objection by Mr. Jones and Ms. Becker. Mayor Weldon asked if anyone wished to speak to their objection. No one asked to speak to their objections. Mayor Weldon then noted that Ms. Hale already spoke to the reasons for taking up Ordinance 2019-34(c) first and she called for a roll call vote on the question.

ROLL CALL VOTE to take up Ordinance 2019-34(c) prior to Ordinance 2019-35(c)
AYES: Hale, Edwardson, Hughes-Skandijs
NAYS: Becker, Bryson, Gladziszewski, Jones, Triem, and Weldon
Motion failed 3:6.

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2019-35(c) as amended and asked for unanimous consent.

Objection by Mr. Jones for purposes of asking questions. He said that he spoke with the City Attorney earlier today and that possibly the Finance Director may need to answer some of his questions. Mr. Jones said that Section 4 of the ordinance reads such that the bonds shall mature over a period of not to exceed 20 years of the date of issue and in other places in the ordinance such as in Section 6 in the Explanation section, it refers to the interest rate for the bonds would be set for a period of 15 years. He said he has not seen the rates at one rate for 15 years and another rate for 20 years. He asked if staff could provide an explanation on how that would work.

Mr. Rogers came forward and explained that this body employs private bond counsel, Ms. Weed, to draft bond language and she has been doing that for CBJ in excess of 20 years. He said that it is intentional that the language written into the ordinance does allow flexibility and it has happened often that the sale of bonds actually occurs many years after they were initially authorized. He gave the example that the Airport was currently in the process of going out to capture the last $5,000,000 general obligation bonds that were initially authorized in 2013. He said that there is flexibility built in because they never know what the interest rates will be and whether they would be more favorable in 6 months' time or much longer term. He then gave

information about the varying decisions that come into play, such as the sales tax, bed taxes vs. the amount the Assembly might chose to bond for.

Mr. Rogers pointed out that the key language in the ordinance found in Section 4 states "The Bonds shall be sold in such amounts and at such time or times as deemed necessary and advisable by the Assembly and as permitted by law and shall mature over a period of not to exceed 20 years of date of issue." He then explained that there is similar language mirrored in the question to be put before the voters and that the reference to the 15 years was provided in the ballot explanatory language for illustrative purposes to be able to give an example of how it might actually be paid back in the long term.

Mr. Jones said he would accept the explanation but still maintains his objection for a different matter. He said that he was not at the Committee of the Whole (COW) meetings at which these were taken up. He said he did listen to the audio recordings of those meetings. He said that his major objection is that they cannot amend the amount in this ordinance and that the Mayor's motion when these ordinances were referred to the Committee of the Whole did not remove the Manager's recommendation that they come back to the Assembly for public hearing and Assembly action.

He said that he understands that the City Attorney has a different opinion than Mr. Jones' opinion of the matter. He said that while the $7,000,000 ordinance and the $10,000,000 million ordinance were both introduced, when the $7,000,000 ordinance was voted to move forward and someone asked if the other should also be voted upon, they were told no. The explanation given was that since the $7,000,000 ordinance was moving forward, the $10,000,000 ordinance was no longer an option. He said that the City Attorney said that it was too late to amend this ordinance and still get it on the ballot due to the public notice requirements. Mr. Jones said he felt the Assembly was remiss in not taking up the $10,000,000 ordinance and that both ordinances should have been moved forward to the Assembly for action to decide which ordinance would move forward after public hearing and Assembly action.

Mr. Jones stated that even with the amendment they've voted on to allow for the "possibility of meeting rooms and offices" that they are under funding the possibility of the needs of the facility. He said that the fact that this was never discussed at the COW meeting bothered him greatly. He pointed out that there are areas of the ordinance that mention the fact that this is 'part of the funding' for the needs of the facility and he said it will need more money in the future outside of this funding mechanism. With that, he removed his objection to the motion.

Mayor Weldon asked the City Attorney to explain the process that took place and where that left things at this time.

Mr. Palmer explained that at the last regular Assembly meeting, there were two bond ordinances that were set on the agenda for presentation. The $10 million bond ordinance did have a manager's report with a recommendation for introduction and for referral to the Committee of the Whole. At that meeting the Deputy Mayor made a motion to refer all the ordinances related to the Centennial Hall and JACC to the Committee of the Whole. The Mayor made a clarification remark that the manager's report would be noted as changed at that

meeting. That clearly describes that all the Centennial Hall and JACC items were referred to the July 29 Committee of the Whole meeting. The COW then took up those items it wanted to advance at that meeting and that is why the ordinances before them tonight are on this agenda.

Mayor Weldon thanked Mr. Palmer for his explanation. She then asked if there were any additional questions or objections. ***Hearing none, the motion to pass Ordinance 2019-35(c) passed as amended.***

D. Ordinance 2019-34(c) An Ordinance Calling for an Advisory Ballot Proposition on Grant Funding for the New Juneau Arts and Culture Center.

The existing City-owned arts and culture facility needs replacement. The City and Borough has been asked to provide a grant for the New JACC to help attract substantial additional private funds. At the Committee of the Whole meeting on July 15, the Committee directed that an ordinance be presented asking the voters whether the CBJ should provide a grant for the New JACC. At the Committee of the Whole meeting on July 29, the Committee directed that the amount of the proposed grant be $4.5 million. If a grant is made in the current fiscal year for $4.5 million, the money would be appropriated from the sales tax fund balance. The Assembly discussed that it intends to replenish the draw on fund balance by reallocating the $4.5 million of 1% sales tax funds over the next three years that was originally programmed for Centennial Hall improvements, which the voters approved in 2017.

The Assembly also discussed that it intends to replenish the 1% sales tax funds originally programmed for the Centennial Hall improvements by issuing general obligation bonds. The general obligation bonds are intended to be paid back by raising the hotel-motel room rental tax by two percent and increasing the property tax by 0.04 mills (~0.4% overall rate increase).

If the voters support the City and Borough providing a grant for the New JACC, the Assembly intends to impose five additional grant conditions that are described on page 3 of the ordinance.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Patricia Hull, as a past trustee of the JAHC, spoke in favor of this ordinance and project. She expressed the importance of leveraging local funding support from the municipality in terms of using that as seed money to be able to raise funding from outside sources.

Ms. Nancy DeCherney, Executive Director of JAHC, said she also has an interest in Centennial Hall since they oversee its management. She congratulated the Assembly for trying to move this ball forward to accomplish something the community has been asking for since the 1970s. She shared stories of people moving from Anchorage to Juneau due to the strong arts community and emphasized the need to bring this new JACC to life.

Mr. Bob Janes thanked the Mayor and Assembly for all their work on this and everything they do on a daily basis. He supports the new JACC and noted that he and his company employ hundreds of young people and they want to live in Juneau and make it their home. He said that he went to a dance 50 years ago at the JACC and it looked, smelled, and sounded the same then as it was last week and it is time to provide something better. We owe it to the young

people of this community to turn it into something new and wonderful.

Ms. Paula Terrel spoke in support of the new JACC. She said that she sings with several different groups and the JACC has no dressing rooms. She said that despite the fact that people do their very best, the sound system is such that you can't even hear the voices next to you when performing. She said that when the Pride Chorus sang at the current JACC, the mold was so bad that two of their members said they could never sing there again due to how bad it was. From that point on, they had to find an alternative venue in which to sing.

Ms. Pam Watts said she has lived in Juneau 28 years and served as the director of two non-profits and a state board for 5 years. During that time, she had opportunities to arrange meetings/conferences. She said that Juneau missed out on opportunities to have conferences here as we couldn't hold them at Centennial Hall and their other space needs were not able to be met. She supports this project as it would provide opportunities to bring more visitors, performers, and conventions to Juneau. She said the current JACC facility is woefully inadequate and many residents can't attend due to the mold issues. She stated that the planned new JACC and Centennial Hall enhancements would combine revenue options and would help anchor the downtown area with arts and culture and not just tourism.

Ms. Nola Lamkin said that she was in favor of the ordinance but didn't choose to testify.

Mr. Bud Carpenetti said that Ms. Jill Ramiel had signed up to testify but had to leave and she asked him to testify on her behalf. He relayed that she is currently the President of the Downtown Business Association (DBA). He said that he interviewed her five years ago as one of the community leaders and at that time she told a story about running the café at the Silverbow Inn. She had trouble keeping her staffing due to events that would come along such as the Alaskan Folk Festival and Celebration. This brought back to her the impact of arts on the businesses in the downtown area and she supports the new JACC and this ordinance.

Mr. Denny DeWitt opposes this transfer. He said that he supports the new JACC but that it needs to be done with private funds. The notion that CBJ has nothing in this is not the case. He said that there is $1 million of sales tax revenues that the city is contributing, there is the value of the land being used for this project that the city is contributing, there is the amount of money that will be spent to tear down the old building. He said the city has provided an investment in this project and the question is, is it enough? He said that if $26 million is too much for the project the JACC wants, maybe they need to scale it back a bit. He said he is opposed to this ordinance and if the Assembly passes it, he will work to defeat it.

Ms. Sammy Legg said that she understands that this is an advisory ballot proposition and she asked if they could clarify what would happen to the funds if the advisory ballot proposition doesn't pass.

Mayor Weldon asked Mr. Watt to provide an explanation. Mr. Watt provided explanations for all scenarios and said that ultimately the Assembly has the authority and discretion to allocate the sales tax funds as it sees fit.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2019-34(c) and asked for unanimous consent.

Objection was noted by Mr. Jones. Mr. Jones spoke to his objection and pointed to the chart found in the red folder which included two possible outcomes which might fund the JACC. He said that as they discussed earlier in the meeting, these matters are integrally linked. He said he would like to make an amendment and he didn't think that it was substantial enough a change that would warrant re-introduction of the ordinance. The amendment is on page 3 of the ordinance.

AMENDMENT by Mr. Jones to remove the language on page 3 of the ordinance beginning at line 19 that states: *(2) The voters authorize the general obligation bond proposition for Centennial Hall at the election on October 1, 2019;* and to renumber the subsequent items in the list.

Speaking to the amendment, Mr. Jones said that he wanted to decouple the ballot propositions from each other such that if one passed and another one didn't, that the one that passed would still be able to stand alone.

Mr. Bryson said that while he supports the $4.5 M grant from the Assembly to the JACC, he sees #2 as making sure that they are living up to the responsibilities to take care of Centennial Hall. In light of that, he objects to the amendment.

Mr. Edwardson said that he supports the amendment and gave the reasons for his support. He asked the City Attorney if it was legal to make one ordinance contingent upon another. Mr. Palmer said that the Assembly could make one ordinance contingent upon another if they desired.

Mr. Jones said that he appreciates Mr. Bryson's position but noted that CBJ owns both Centennial Hall and the JACC. They are both used every day and it is the city's responsibility to care for both buildings.

Ms. Triem spoke in favor of the amendment and agreed with Mr. Jones' and Mr. Edwardson's comments. She referred to the table provided in the red folder and said after all the discussions on these topics, that if they are still confused by these, the voters will be even more confused and she was in favor of decoupling the ordinances and having each ballot question stand on its own.

Ms. Gladziszewski stated that she initially wanted to link the ordinances one to the other but in light of Ms. Triem's comments, she could agree with the reason for decoupling and making it easier for the voters to understand each question as a stand alone proposition on the ballot. She said she thought they might both pass or both fail and she hopes they all pass.

Ms. Hughes-Skandijs said that she would echo much of what was said but that she would support the amendment because she feels it would be important to convey this is the simplest

of ways as possible to assist the voters in understanding the issues.

Mayor Weldon asked Ms. Becker if she wished to speak on the amendment.

Ms. Becker asked if staff could explain all the things that would happen if the conditions were changed and the ballot questions unlinked.

Mr. Watt explained that the two issues would then become simple Yes/No questions put to the voters and that each ordinance/ballot question would pass or fail on the merits of that particular question on the ballot.

Mr. Watt said to clarify, the other part is that the other grant conditions of the ordinance still stand. Mr. Watt then said that there was a second portion that the Assembly may wish to consider along with the proposed amendment and that would be on the same page with section 2 of the amendment, on lines 13-14. They may also want to delete the language that states: *"The Assembly intends to replace the funding for Centennial Hall by issuing general obligation bonds to be paid back by raising the hotel-motel room rental tax by two percent and a 0.4 mill property tax increase (~0.04% overall rate increase)."* He said that if they decide to decouple the questions, they may wish to replace this language with language that states: *"The Assembly intends to replace the funding for Centennial Hall."*

Mayor Weldon asked Mr. Jones if he wished to change his amendment to include the suggested change by Mr. Watt. Mr. Jones stated that he did not wish to make that change because they have already approved the bond and the bed tax ordinances to go to the voters.

Mayor Weldon objected to the amendment for many of the same reasons that Mr. Bryson expressed as well as due to the testimony received, particularly from Centennial Hall staff and users that talked about the need for updates to Centennial Hall. As a city-owned building, she feels it is important to provide the needed maintenance on Centennial Hall.

ROLL CALL vote on the amendment to strike section 2 on lines 19--20 on page 3 of the ordinance and renumber the subsequent items.

AYES: Jones, Hale, Hughes-Skandijs, Edwardson, Triem, Gladziszewski
NAYS: Bryson, Becker, Weldon
Motion passed 6:3

Mayor Weldon asked if there were any objection to pass Ordinance 2019-34(c) as amended.
Hearing none, the ordinance, as amended, passed by unanimous consent.

Mr. Jones noted that earlier in the meeting, they introduced Ordinance 2019-06(c) which also contained the same language that was just amended. He asked if it would be possible to instruct staff that when that ordinance came back before them for public hearing if it could come with a version (d) with that same clause struck out as was struck from the above ordinance with the amendment.

Mayor Weldon asked the City Attorney if they could do that since Ordinance 2019-06(c) was already introduced as part of the consent agenda. Mr. Palmer explained there were two options before them. Since they just adopted revised Assembly Rules of Procedure in which any member could request legislation to come before them, option one would be for Mr. Jones to request that legislation be amended and brought before the body. The second option would be to suspend the rules and take up Mr. Jones' request at this meeting for it to be brought back in an amended version (d) when it came back for public hearing.

MOTION by Ms. Gladziszewski to suspend the rules to take up a change to Ordinance 2019-06(c) as requested by Mr. Jones and asked for unanimous consent. ***Hearing no objection, the motion passed.***

MOTION by Ms. Gladziszewski to remove item #2 in the same way that it was removed from Ordinance 2019-34(c) from the version of Ordinance 2019-06 that is brought back for public hearing at the next meeting and asked for unanimous consent. ***Hearing no objection, the motion passed.***

IX. UNFINISHED BUSINESS

A. Harris Homes LLC v CDD; Assembly Appeal

This is an appeal from Harris Homes LLC of a Planning Commission decision to dismiss an appeal of a Community Development Department director decision. The Planning Commission's written decision is dated February 26, 2019. The Assembly accepted the appeal, and it was assigned to a hearing officer. After considering the briefing by both parties, the hearing officer issued a proposed decision. The proposed decision was served on the parties and no objections were filed within the allowed 5 day window. Tonight, the Assembly needs to decide whether to accept the hearing officer's proposed decision.

No testimony or evidence of any nature other than that contained in a timely filed objection may be received by the Assembly at this meeting.

The City Attorney recommends the Assembly adopt the proposed decision as the final decision for this appeal.

Mr. Bryson asked Mr. Palmer to give a layman's translation to what the proposed decision said as he read it a few times and was confused by the final decision.

Mr. Palmer explained that the property owner, Harris Homes, LLC, developed a piece of property. The CDD director issued a notice to the property owner that there were code violations. The property owner subsequent to that enforcement option changed the development such that the CDD director felt the development complied with the code. The property owner continued to appeal. The Planning Commission dismissed the appeal ruling that the point was moot and there was no basis remaining for the appeal. The property owner appealed that decision and the hearing officer also concluded that there was no remaining basis for appeal because the property is now compliant with Title 49. The hearing officer determined the appeal is moot and upheld the Planning Commission's dismissal of the appeal.

Mr. Bryson asked and Mr. Palmer answered about what the next steps in the process might be.

MOTION by Ms. Gladziszewski to adopt the final decision as proposed by the hearing officer and asked for unanimous consent. ***Hearing no objection, the motion passed.***

X. NEW BUSINESS

A. Disabled Veteran and Senior Citizen Late File Property Tax Exemptions

The following property owners are requesting the Assembly authorize the Assessor to consider a late-filed appeal of their property assessment:

2019 Disabled Veteran Exemption

1) Applicant: Norman L. Custard Parcel ID: 8B3501000061
   Physical Address: 17670 Point Lena Loop Road
   Legal Description: USS 3264 LT B1

2019 Senior Citizen Exemption

1) Applicant: Sarahann Jackson Parcel ID: 5B1201210200
   Physical Address: 1825 Mark Alan Street
   Legal Description: Pinewood Park 2BL 1LT IB

The action required by the Assembly is to determine whether or not the late-filed tax assessment appeals will be heard. Evidence on the assessments themselves or the merit of the appeals is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

The burden of proof is upon the property owner to show the inability to file a timely appeal. In this context, the word "unable" does not include situations in which a property owner forgot about, or overlooked, the assessment notice, was out of town during the period for filing an appeal, or similar situations. Rather, it covers situations that are beyond the property owner's control and would prevent a property owner from recognizing what is at stake and dealing with it. Examples of this would include physical or mental disability serious enough to prevent a person from dealing rationally with their private affairs. Disagreeing with the amount of the assessment does not constitute inability to submit a timely appeal, nor does a notice of assessment being sent to a wrong address. The property owner is responsible for keeping a current, correct address on file with the assessor's office.

If the Assembly decides to accept one or more late-filed appeals, those assessment appeals will be referred to the Assessor for review and action.

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

Ms. Hale notified the members that she is a friend of the first applicant and she stated that she did not think her friendship would impede her ability to provide an impartial decision. She discussed the matter with the City Attorney and he instructed her to inform the Assembly of

this. Mayor Weldon asked if any Assemblymember objected to Ms. Hale's participation in this matter. Hearing none, Ms. Hale was requested to stay and participate.

MOTION by Mr. Edwardson to accept the late filed application for Mr. Norman Custard.

Mr. Jones objected stating that Mr. Custard had previously received the exemption but due to inattention forgot to file for the exemption and there were no extraordinary circumstances involved which warrants accepting the late filed application.

Mr. Edwardson spoke in favor of the motion as he too is a disabled veteran and the steps necessary for someone to get a new letter from the Veteran's Administration are extraordinarily difficult to go through and take a very long time.

ROLL CALL vote on the motion to accept Mr. Custard's late filed application:
Ayes: Edwardson, Bryson, Becker, Gladziszewski, Hale, Hughes-Skandijs, Triem
Nays: Jones, Weldon
Motion passed 7:2

MOTION by Mr. Jones to accept the senior citizen late filed exemption application from Sarahann Jackson and asked for unanimous consent. ***Hearing no objection, the motion passed.***

XI. STAFF REPORTS

A. Manager's Update on the State Budget and Vetos

Mr. Watt explained that at the back of the packet is a memo about potential budget impacts and in the red folder contained an updated memo from Mr. Rogers which includes information that was received earlier in the day from the governor's action. He said they will be discussing this in more depth at the Assembly Finance Committee (AFC) meeting.

Ms. Hale asked if they would be going into depth at the AFC to explore options for assistance from the city to address some of the concerns in the memos.

Mr. Jones said they can certainly have those discussions begin at the AFC meeting but they are not likely to have final decisions until they have undergone their overall financial sustainability review that is scheduled over the next few months.

Ms. Hughes-Skandijs said that she understands with the sales tax and the GO bonds that it requires a vote of the public. She asked for clarification about any funding sources that the Assembly might use without having something on the ballot since it is too late to put something new on the ballot at this time.

Mr. Palmer explained that the Assembly cannot sell bonds without the voters approving that. Mr. Jones clarified that the Assembly can't sell GO bonds without a vote of the people but the Assembly can sell revenue bonds without having to go to a vote of the people.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon reported that she had been out of town taking her son to college and then came back for 5 hours before flying to Soldotna to attend the Alaska Municipal League summer meetings. She spoke with many communities dealing with the same issues Juneau is facing and gave kudos to CBJ staff, Mr. Bartholomew and past Assemblies for placing Juneau in a good position to weather the state financial storms. Mayor Weldon thanked Bob Bartholomew and wished him well and welcomed Mr. Rogers as the new Finance Director.

Mayor Weldon congratulated those who are running for office in Juneau's election. She reported recent radio appearances as well as recent meetings she has had with community members.

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

Mr. Bryson reported about the August 6 PRAC meeting at which they heard a presentation from Eaglecrest about their potential summer operations. He attend JEDC and Alaska Committee meetings and went to the Fairbanks State Fair where he worked at the Alaska Committee booth and spoke with many Alaskans. He reported that the Planning Commission met on August 13 and considered the 40' tower for public safety as well as a marijuana CUP. He left the last Assembly meeting early to put his daughter onto a plane to be an exchange student in Peru and they also welcomed an exchange student from Germany, Nina, who has come to live with their family through the holidays.

Ms. Hale reported that the Public Works and Facilities Committee voted against authorizing funding for the float extension at Amalga Harbor and that issue has stopped in their committee. She reported that JCOS has gone on two cruise ship tours and discussed shore side power. She noted that JCOS has updated its website.

Ms. Hale reported that BRH has a contract with Jensen-Yorba-Wall on its campus plan project. She stated that BRH has recently contracted with an ophthalmologist who will only be here three days a month and starting August 28. The hospital board has hired an affiliation analyst to explore whether affiliation with a larger hospital makes sense for BRH. They are doing this analysis in part to understand where BRH stands because throughout the nation, hospitals have been gobbled up by mergers with larger hospital groups.

Ms. Hughes-Skandijs reported that she traveled back east for a week to attend to family matters. She noted that the recent Sister Cities Committee meeting was cancelled due to the lack of quorum. The Juneau Commission on Aging and Downtown Business Association held their meetings while she was out of town. She did take a tour of the Norwegian Bliss, and it was her first experience on a cruise ship and very eye opening.

Ms. Triem wished everyone a happy first day of school for parents, teachers, and students alike. She reported that the Aquatics Board met on July 23 and has an almost entirely new board and they will be having a board retreat this fall. Their next regular meeting is August 27. Travel Juneau met August 1 and received a presentation from Eaglecrest's Dave Scanlan.

Travel Juneau has been discussing the ordinances that passed tonight. Ms. Triem noted that she also toured the Norwegian Bliss and like Ms. Hughes-Skandijs, it was also her first time on a cruise ship and was quite an eye opening experience.

Ms. Triem said that she and Ms. Hughes-Skandijs served food at the Veteran's Appreciation Dinner. She recently met with a UA graduate student from Anchorage who is working on a project related to climate change and Ms. Triem looks forward to hearing more from her work. She attended the reception at Sealaska Heritage Institute and also the Friday block party at Centennial Hall. At the block party, there was discussion about the formation of an Assembly marimba band so she is happy to speak with anyone interested in participating.

Mr. Edwardson said that he is happy to hear that anyone is able to hop on a ferry right now. Mr. Edwardson provided the Assembly Human Resources Committee (HRC) report. They received annual reports from the Historic Resources Advisory Committee (HRAC) and the Youth Activities Board (YAB). The also considered applications for those boards and recommended the following appointments:

- HRAC - reappointment of Zane Jones, Gary Gillette, and Chuck Smythe to three year terms. *Hearing no objections, those appointments were made.*
- YAB - appointment of Juneau Arts and Humanities Council nominee Della Cheney, and to reappoint Bonita Nelson to terms ending August 31, 2022. The HRC also recommended appointment of Michelle Burlin to a term beginning September 1, 2019 and ending August 31, 2022. *Hearing no objections, those appointments were made.*

Mr. Edwardson reported that he attended the Airport board meeting on August 13 and they have begun a lot of their renovations of the buildings. The Alaska Room is being closed off to be office space during construction so their meetings have switched over to be held at the Glacier Valley Fire Hall. They are also reconditioning certain portions of the tarmac and the runway and that will affect the traffic flow of aircraft. On a previous inspection, they had an environmental finding for years of discharging PFAS and PFOS but they are not against the Alaska clean water act standards but they will be working on that issue further.

Mr. Jones said that he missed a number of meetings recently but caught up by listening to the audio recordings of the meetings that he could. He reported that the next AFC meeting is Wednesday, August 21 and everyone was given their packets. The School Board does not meet in July but they did meet August 13 but he was unable to attend as he was at the AML meetings in Soldotna. He concurred with the Mayor's synopsis of AML and said he heard a lot of concern from municipalities, particularly about community revenue sharing, school bond debt reimbursement, taxes at the local levels, potential omnibus legislation related to education and the funding formula. He said that communities across the state are experiencing a lack of people running for office and at least Juneau has candidates for each seat on the ballot while many communities have more seats than people who have filed to run for office, such as Unalaska which has five seats and only two candidates.

Mr. Jones suggested that the Assembly may want to slow down and provide more clarity on what page they are referring to and/or make their motions clearer as it can be hard for someone listening on the radio or to the audio recording to follow along. He said that he hopes to

improve his own clarity.

Mr. Jones asked with respect to the memo that Ms. Paula Terrel mentioned, if the Assembly ever formally asked the City Manager or City Attorney to respond to those questions or issues addressed in the memo. He said that he is concerned that they haven't dealt with it and would like to request that if it is going to come back to the COW, that there be some response from Law and from the Manager, even if it is that certain items are not up for discussion.

Mr. Jones said that with Ms. Hale's comments about BRH looking at affiliation that hopefully the City Attorney has looked at that and the scope of that project, especially since BRH is a city owned facility. Mr. Palmer said he will get some answers for them tomorrow.

Ms. Hale said that is why the BRH governance committee wanted to look at this topic, especially since it is a scary time for small community hospitals that have been merged into larger regional hospital groups. She said they are just at the beginning stages and they are doing this to get a S.W.O.T. analysis to see what their vulnerabilities might be. She will continue to keep the Assembly appraised of this project as it goes on.

Ms. Becker shared the concerns expressed by the Mayor and others about the fact that there are not a lot of candidates running for office and suggested that one of the perceptions is how much work is involved. She said they should look at cutting down some of the work and not stay in meetings until 11 p.m. She also suggested that the Assembly and AFC should look at considering a raise for the Assemblymember stipend and suggested an additional $100 or more per month that they may want to consider when working on its next budget cycle.

Ms. Becker went on to report that the Lands Committee will meet on August 26 and the next meeting of the UAS Campus Council is August 26. She noted that while there is somewhat of a reprieve from the Governor's cuts, it isn't as bad as it might have been but still not great. She reported that at the most recent Docks and Harbors (D&H) board meeting they elected officers and made committee appointments. They also discussed that vessels cannot be just left at the boat launch area and they will be ticketed. She said the D&H board will be having its annual retreat soon.

Ms. Becker reported that the Alaska Committee talked about the impacts of the Governor's vetoes, especially on the Gavel to Gavel program. She said there is a lot of money that comes from CBJ towards the Gavel to Gavel program through the Alaska Committee. She said the committee is sending a member to the Alaska Federation of Natives conference in Fairbanks. They will look at holding a retreat in late August. The Palmer State Fair will be August 22 through September 2. Ms. Becker noted that at the Chamber of Commerce meeting two weeks ago, Bruce Denton spoke about the Glory Hall. There will be an open forum community discussion about the Glory Hall moving to the valley on August 21 at the Elizabeth Peratrovich Hall from 5:30-7:00 p.m. Ms. Becker reported that at the most recent Chamber meeting, they heard from the Chairman of the National Endowment for the Arts, Marianne Carter and there was also a reception for her at the Sealaska Heritage Institute. Ms. Becker reminded everyone that the annual Chamber of Commerce dinner is scheduled for October 26. Ms. Becker reported that she went to the Federal Building on behalf of the Mayor and

presented a proclamation in honor of the time capsule's 25 years in the Federal Building and that it will be exciting when they finally do open it up in the future.

Ms. Gladziszewski reported that the Committee of the Whole met on July 29 and talked about the Centennial Hall and JACC ballot ordinances. They also discussed putting in a bid for the subport land purchase and they will be having an executive session on that soon. They discussed the Assembly Rules of Procedure resolution as well as the ordinance related to criminal justice reform. They were going to talk about junk cars but ran out of time so they will be discussing that at the next meeting on Monday. They will also be discussing senior housing and a proposal from HeatSmart regarding implementing the JRES.

Ms. Gladziszewski provided a presiding officer report on the Moutainside Estates Neighborhood Association appeal. The parties are working towards a settlement so the September 12 hearing date has been postponed and the Assemblymembers can mark that off their calendars. If it does come back to the Assembly, it will come back sometime in November.

Ms. Gladziszewski said she also served at the Veterans' dinner and thanked all the veterans on behalf of the Assembly. She said that she also attended the National Endowment of the Arts reception at the Sealaska Heritage Institute which was also sponsored by Perseverance Theatre. Ms. Gladziszewski said she agreed that they need an Assembly marimba band and that it looks like they have at least four members willing with the Mayor agreeing to play the triangle.

Ms. Gladziszewski asked about Ms. Terrel's questions and said that she couldn't find a document from Ms. Terrel. Ms. Cosgrove clarified that the document was submitted by Ms. Kim Metcalfe initially at the meeting of June 3.

Ms. Becker provided a correction to her earlier comments about the Assemblymembers' pay which is currently at $500/month before taxes and her recommendation is for that amount to be increased possibly by $100/month.

Mr. Edwardson reminded members that the full Assembly will meet as the Human Resources Committee to interview applicants for the Planning Commission vacancy. He also reported that the HRC has been examining, over the past year, the composition of the boards and commissions and they are looking at streamlining or overhauling the retention and/or recruitment process for boards.

Ms. Hale reported that the Public Works and Facilities Committee that had been scheduled for Monday, August 26 was cancelled due to a lack of agenda topics.

C. Presiding Officer Reports

XIII.CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

A. Bid on Subport Lot

B. Litigation Strategy

MOTION by Ms. Triem for the Assembly to adjourn into executive session to discuss matters, the immediate knowledge of which might have an adverse effect on the finances of the city, specifically discussion of a bid on the subport lot and on litigation strategy.

Mayor Weldon asked if any member of the public objected to the Assembly entering into executive session. Hearing none, Mayor Weldon recessed the meeting into executive session at 10:03 p.m.

Following executive session, the Assembly came back into regular session and reported that they gave direction to the City Manager and City Attorney regarding the subport bid and pending litigation matters.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:50 p.m.

Signed: _____ Signed:_____

Elizabeth J. McEwen
Municipal Clerk

Beth A. Weldon
Mayor