THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - February 11, 2019

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, Mary Becker, Loren Jones, Rob Edwardson, Carole Triem, Michelle Hale, Wade Bryson, Maria Gladziszewski, and Alicia Hughes-Skandijs

Assemblymembers absent: None.

Staff present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Finance Director Bob Bartholomew, Housing/Homelessness Coordinator Irene Gallion; Engineering/Public Works Director Mike Vigue, Port Director Carl Uchytil, Code Enforcement Officer Nate Watts, Hospital Administrator Chuck Bill

III. SPECIAL ORDER OF BUSINESS

A. Proclamation - National Engineers Week

Port Director Carl Uchytil, and representatives from the Juneau Branch of the American Society of Civil Engineers Mike Story, Erik Antrim, and Ethan Romling came forward and received the proclamation celebrating February 17 - 23, 2019 as National Engineers Week in Juneau from Mayor Beth Weldon.

IV. APPROVAL OF MINUTES

MOTION by Ms. Becker to approve the minutes of November 5 and November 26, 2018 meetings. Ms. Becker also asked to table approval of the December 17, 2018 minutes until the next meeting to allow additional time for review. Ms. Becker asked for unanimous consent to the motion. *Hearing no objection, the motion passed.*

A. November 5, 2018 Assembly Meeting #2018-33 Minutes

B. November 26, 2018 Assembly Meeting #2018-34 Minutes

C. December 17, 2018 Assembly Meeting #2018-37 Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. William Quayle spoke to the Assembly requesting changes to the regulations pertaining to extending the boundaries of pedi-cabs so they can take passengers out to the DIPAC hatchery.

Assemblymembers asked staff about the current boundaries and the safety of the routes. Ms. Cosgrove noted that JPD is looking at the route safety issues but at this time the boundary is 10th street and pedi-cabs are restricted to the downtown core with limited access to Egan Drive. She noted that she can provide them with a copy of the specific map if they would like.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

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

1. Ordinances for Introduction

a. 2018-11(AD) An Ordinance Appropriating to the Manager the Sum of $1,300,000 as Funding for the Bartlett Regional Hospital Pharmacy Cleanroom Renovation Capital Improvement Project; Funding Provided by Bartlett Regional Hospital Fund's Fund Balance.

This ordinance would appropriate $1,300,000 from the FY19 Bartlett Regional Hospital (BRH) operational budget to a new Capital Improvement Project (CIP): BRH Pharmacy Cleanroom Renovation. This project will create a pharmacy space to safely handle drugs necessary for the oncology unit. This project is needed to bring BRH into compliance with the requirements of USP<800> Hazardous Drugs-Handling in Healthcare Settings and USP<797> Pharmaceutical Compounding – Sterile Preparations.

BRH must be in compliance with the federal requirements by December 1, 2019.

This was approved by the Public Works and Facilities Committee on February 4, 2019.

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

2. Resolutions

   a. Resolution 2847 A Resolution Affirming the City and Borough Support of and Partnership with the 2020 Census.

      The U.S. Census Bureau is preparing for Census 2020. The data collected is used to allocate legislative seats, to distribute over $300 billion of federal dollars annually, and to distribute various sources of state funds. The private sector, likewise, uses the information for many purposes, as does the City and Borough of Juneau.

      During Census 2000 and 2010, Alaska had the lowest rate of return of census forms of all fifty states, 67% and 64% respectively. When a form is not returned, the Census Bureau must recruit, hire, train, and send an employee to each household that did not respond to the initial mailing. These efforts are costly.

      This resolution expresses support for the work of the U.S. Census Bureau to gain a complete and accurate count within the City and Borough of Juneau, and appeals to local organizations and groups to partner together to achieve an accurate and complete count.

      The City Manager recommends this resolution be adopted.

3. Liquor License

   a. Liquor License Renewals for Licenses: 313, 2766, 5524, 5414 and 4859

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

      Renewal of Liquor Licenses
      License Type: Beverage Dispensary - Tourism, License #313
      Juneau Hospitality, LLC d/b/a Prospector Hotel/TK Maguires
      Location: 375 Whittier Street, Juneau

      License Type: Beverage Dispensary, License #2766
      Alaska Red Dog Saloon LLC d/b/a Red Dog Saloon
      Location: 278 S Franklin Street, Juneau

License Type: Brewery, License #5524
Barnaby Brewing Company, LLC d/b/a Barnaby Brewing Company
Location: 206-1 N Franklin Street, Juneau

License Type: Club, License #5414
BPO Elks Club No. 420 d/b/a Juneau Elks Club No. 420
Location: 9321 Glacier Hwy, Juneau

License Type: Wholesale – General, License #4859
Southern Glazer's Wine and Spirits of Alaska, LLC d/b/a Southern Wine & Spirits of Alaska
Location: 5452 Shaune Drive - Bay 2, 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 these applications. Copies of the documents associated with each 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 applications.

4. Other Items for consent

a. New Marijuana License 15209 Limited Cultivation Facility

CBJ received notice of the following new Alcohol Marijuana Control Office (AMCO) marijuana license application:

Limited Marijuana Cultivation Facility, License #15209, Herb'n Legends LLC., d/b/a Herb'n Legends LLC., located at: 2771 Sherwood Lane Unit D, Juneau

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

Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)

Copies of all the documents relating to this license are available upon request from the office of the Municipal Clerk during regular business hours.

In the event the Assembly does protest the issuance of this 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 sixty-day comment period for local governing body action will expire as of Friday, March 8, 2019.

The City Manager recommends the Assembly waive its right to protest the issuance of AMCO marijuana license #15209.

VIIIPUBLIC HEARING

A. Ordinance 2018-11(AB) An Ordinance Appropriating to the Manager the Sum of $1,474,553 as Funding for the New Recycleworks Consolidated Facility Capital Improvement Project; Funding Provided by Waste Management Fund's Fund Balance.

This ordinance would appropriate $1,474,553, the majority of the proceeds from the recent sale of the Shaune Drive public property, to create a new CIP that will consolidate the Recycleworks program and Household Hazardous Waste program at a central location at the Waste Management owned and operated landfill.

The Public Works and Facilities Committee reviewed this topic at its meeting on January 14, 2019, and referred it to the Assembly.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:
MOTION by Mr. Bryson to adopt Ordinance 2018-11(AB) and asked for unanimous consent. *Hearing no objection, the motion passed.*

B. Ordinance 2018-11(AC) An Ordinance Appropriating to the Manager the Sum of $300,000 as Funding for the Deferred Building Maintenance Capital Improvement Project; Funding Provided by Waste Management Fund's Fund Balance.

This ordinance would appropriate $300,000, a portion of the proceeds from the recent sale of the Shaune Drive public property, to reimburse the Deferred Maintenance CIP for funding the renovations made to the old Valley Shop at 2520 Barrett Avenue to allow the Water Department to occupy the facility.

The Public Works and Facilities Committee reviewed this topic at its meeting on January 14, 2019, and referred it to the Assembly.

The City Manager recommends this ordinance be adopted.

Public Comment:
None.

Assembly Action:
MOTION by Ms. Hale to adopt Ordinance 2018-11(AC) and asked for unanimous consent.

Ms. Triem asked if the two ordinances put together account for all the proceeds of the sale of the Shaune Drive property. Mr. Watt answered yes, they do.

Mr. Jones noted for clarification purposes that only half the land has been sold and we are still occupying the other half. Mr. Watt noted that these two amounts represent the sale of what was known as the Water Utility Shop, formerly the Public Works Department Shop. It does not account for the sale of the adjacent Household Hazardous Waste facility which will be executed at a later date. The appropriation of the funds from the sale of that facility will happen later as well.

Hearing no objection, the motion passed.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

None.

XI. STAFF REPORTS

Mr. Watt introduced the City of Ketchikan Assistant Manager Lacey Simpson who was present in the audience. Ms. Simpson was in Juneau attending Southeast Conference meetings and wanted to come in and observe CBJ in action. He welcomed her and others from Ketchikan and they toured the Salmon Creek filtration plant, they had discussions of the cruise ship docks and other municipal issues. He wanted to extend our thanks publicly to their City Council for their show of moral support in the cruise ship litigation. He said while they have that scheduled for executive session and they have made no decisions on next steps, they do appreciate the City of Ketchikan for their strong showing of support.

Mr. Watt said for his second report, there is a junk car report that he wished to give the Assembly. The main points were:

- This fiscal year has been a big year in the number of cars that have been brought into our contractor for junking and it is likely we will reach the end of the fiscal year in need of additional funds so staff will be bringing forward a supplemental appropriation. He said it is important to not give the public an opportunity to lose their training on what to do with their junk cars.

- JPD is reviewing some of its policies and protocols trying to figure out and streamline the processing of junk and abandoned vehicles. The storage lot is full and that has led to a delay in removal of junk cars from streets and other locations which has been very frustrating for the public.
- CDD has been working on an enforcement case off River Road where a property has been accumulating many junk cars and it has become a significant neighborhood issue. Staff wanted to let the Assembly know that they are pursuing enforcement action. The number of cars on that property has grown to several hundred and is a point of frustration with the neighborhood.

Mr. Watt informed the Assembly that they will be seeing more in the future relating to junk and abandoned vehicles.

For the final staff report, Mr. Watt advised the Assembly that Norwegian Cruise Lines (NCL) extended an invitation to him and the Mayor to participate in the inaugural cruise of the "Joy" from Vancouver, B.C. to Los Angeles, CA in late April. He said he didn't think they would be resolving this issue at this meeting but he wanted to inform the Assembly of the invitation. The "Joy" is a sister ship to the "Bliss" and is a very large ship. NCL reached out to many port communities on the west coast and they would like to make relations with those communities. They also recognized that some bridges need to be built in Southeast Alaska and particularly in Juneau. He said staff has not had a chance to look into the Conflict of Interest code to make sure this is handled properly.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon reported on the following events she attended since the last Assembly meeting:

- The Alaska Career Firefighters Association and the Alaska Fire Chiefs' Association.
- The emissions session put on by the State of Alaska DEC and hosted by the Juneau Commission on Sustainability (JCOS).
- The state hockey tournament in Wasilla where the Crimson Bears took 3rd place.
- She met with city staff and mayors from Ketchikan and Wrangell.

Mayor Weldon reported on the following upcoming events:

- Southeast Conference mid-session summit will be taking place beginning February 12 at the Elizabeth Peratrovich Hall.
- The Alaska Municipal League and the Innovation Summit will both be meeting during the next week.
- Sister Cities hockey game between Juneau and Whitehorse, YT will be on February 21.

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

Ms. Gladziszewski reported on the topics covered during the February 4 Committee of the Whole including hearing from the Census 2020 representatives. They discussed the request to rename the Willoughby District, the Alaska Mental Health Trust subport property, the Affordable Housing Plan strategy, and possible futures for the sleep off center. The next Assembly COW meeting is scheduled for February 25.

Ms. Gladziszewski also reported that she attended the Territorial Sportsmen's banquet this past weekend and she extended her thanks to all the people who work year round on conservation and special thanks to Ron Somerville who helped organized that banquet.

Ms. Gladziszewski reported that she presided over a joint meeting of the Assembly and Eaglecrest Board since the Mayor had been out of town and participating telephonically. They discussed many projects that board is involved in and heard a great report about the snow-making equipment that the Assembly funded during this past year. Those have enabled Eaglecrest to keep routes open from the top to the bottom of the mountain for a longer period of time.

Ms. Becker reported that the Lands Committee met and discussed the Chicken Yard Park and that issue will be going to the Planning Commission next. They also discussed the Douglas historical cemeteries and there will be additional work and research done with respect to the ownership and title to those cemeteries before they could be purchased by CBJ. That topic will be coming back to Lands for additional discussion.

Ms. Becker reported that Carl Uchytil and Don Etheridge were given the Rotary Community Service Award on behalf of Docks and Harbors Board. Ms. Becker also reported that, by motion, they decided to begin proceedings to impound the Lumberman. In other Docks and Harbors news, the board approved the 2019 and 2020 budgets and those will come to the Assembly by way of the Finance Committee. Mr. Uchytil shared the very positive letter that had been received from Billy Morris regarding the Archipelago project.

Ms. Becker noted that Edward King who is the economist for the Office of Management and Budget (OMB) was the guest speaker at the latest Chamber of Commerce luncheon. He predicted growth with probably change due to cuts from the budget. The decline in revenue from oil is not going away and will likely continue to decline and get worse. The price of oil going back to $100 is not going to happen anytime soon. The Chamber will be holding its luncheons back at the Hangar at the Wharf at noon each Thursday to make it easy for legislators to attend.

Ms. Becker then reported on the UAS Campus Council which met at UAS Tech Education Center. They received a Career Tech Education update by Peter Traxel who is the Executive Director of the School of Career and Tech Ed. Ms. Becker noted that they got to see the space that JDHS is using for auto repair.

Mr. Jones reported that the Assembly Finance Committee (AFC) met on February 6. They received a report from the auditors at that meeting with the CBJ, JSD, and BRH audits. They also referred an ordinance to the full Assembly for additional funding in FY19 for the School District which is a combination of state and city money. They also had some information items on utility rates and Marine Passenger Fees which will be brought up during the next AFC meeting on March 13.

Mr. Jones then reported on the work of the Child Care Committee. It met on Friday, February 8. They had a discussion of everything worked on up to this point. They will meet again on February 15 at which they will hear from Best Starts. The next three meetings will be March 1, 15, and 22. His hope is to have come up with approximately 80% of design with some ideas on how best to get some public opinion on it. It would also give some idea to the Assembly as to where it might go following the budget process.

Mr. Jones provided his Juneau School District (JSD) liaison report, and the School Board is continuing its budget discussions. The last meeting was held on February 5 at the DZMS and focused on meeting primarily with principals of all the various schools but also with members of the public. The next JSD Board meeting/work session will be held February 12 at TMHS with the worksession starting at 4:30 p.m. and the regular meeting at 6 p.m.

Mr. Jones reported that the Downtown Business Association (DBA) met on February 5 and received a presentation from Stuart Ashton on the CBJ recycle projects. There was a lot of discussion about services to businesses and how many businesses in Juneau are recycling.

For upcoming dates of note, Mr. Jones reported that May 4 is the Maritime Festival and also the blessing of the fleet. The DBA meetings are now being held at JEDC. In addition to the upcoming S.E. Conference, AML, and Innovation Summit meetings, the Alcohol Beverage Board will be meeting on February 19 and half day on the 20th and then the Marijuana Control Board will be meeting for the second half of the 20th as well as the 21st and 22nd at the APK building and, as such, he will miss out on the Innovation Summit and AML Board meetings.

Mr. Edwardson reported that the Assembly Human Resources Committee (HRC) met just prior to this meeting and was forwarding the following nominations for board appointments. Hearing no objections, the appointments were made as follows by unanimous consent.

Parks & Recreation Advisory Committee (PRAC) - Reappointment of Will Muldoon and Edric Carrillo to terms beginning March 1, 2019 and expiring February 28, 2022.

Sister Cities Committee (SCC) – Appointment of Allan Alcancia to a term beginning immediately and expiring January 1, 2022.
Personnel Board – Reappointment of Kenneth Southerland and Nancy Sutch to terms effective February 1, 2019 and expiring January 31, 2022.
Sales Tax Board of Appeals – Reappointment of Mark A. Smith to a term beginning immediately and expiring December 31, 2021.
Juneau Commission on Aging – Appointment of Carol Ende to a term beginning immediately and expiring December 31, 2020.

Mr. Edwardson also reported that the HRC discussed the request from the Assembly as to whether or not the Affordable Housing Commission should continue. The HRC discussed this topic at its last two meetings and determined that the commission has completed its mission; therefore, the HRC recommendation to the Assembly is to disestablish the Affordable Housing Commission. The HRC is asking that the appropriate legislation be drafted and brought back to the Assembly for action.

HRC Chair Rob Edwardson also made the following motion regarding the transition for terms and membership of the Aquatics Board and it passed by unanimous consent.

MOTION *by Mr. Edwardson that the Aquatics Board maintain their seven member basis for quorum purposes until June 30, 2019 and then switch to a nine member basis for quorum purposes effective July 1, 2019 as they transition from a seven member board to a nine member board. He asked for unanimous consent.* Hearing no objection, the motion carried.

Mr. Edwardson concluded his HRC report by asking for consensus on the date on which to hold the meeting of the full Assembly sitting as the Human Resources Committee to interview Docks & Harbors Board applicants. The suggested dates were March 6 or 7. The Assembly set the date for March 6, 2019 at 6:15 p.m. in the City Hall Conference Room #224.

Mr. Edwardson then reported on his liaison assignments. As Ms. Gladziszewski reported, the Assembly recently held a joint meeting with the Eaglecrest Board. The Airport Board will meet on February 12 and the LEPC will hold its next meeting on Wednesday, February 13 at Noon.

Lastly, Mr. Edwardson said he attended the Glory Hall fundraiser held on Saturday at which he saw a number of Assemblymembers in attendance and a good time was had by all.

Mayor Weldon thanked Mr. Edwardson for his reports and noted for anyone interested that there are a number of board seats currently vacant in case they wished to apply to serve on one or more boards.

Ms. Carole Triem reported that the Aquatics Board has not met since the last meeting but they just heard an update from Mr. Edwardson on Aquatics Board matters.

Ms. Triem noted that Travel Juneau has not held a regular board meeting since the last Assembly meeting but they did hold their annual board meeting on February 1 at which they heard the annual report. Ms. Triem noted that Travel Juneau Executive Director Liz Perry will be sending some copies of the report to City Hall tomorrow. She reported that Travel Juneau is working on the first ship celebration on Sunday, April 28. All members are asked to save that date to greet passengers who will be disembarking from the Ruby Princess. Travel Juneau is bidding on the 2020 State Drama/Debate/Forensics Tournament which would bring over 300 students to Juneau. She said the destination marketing manager just returned from the AAA Travel Show in Ohio and reported that Alaska had the busiest section. Two partner members joined the booth booking business on the spot and there was so much traffic that they ran out of materials. She also extended a welcome to Gordon Ramsey to Juneau. She saw him this evening at Amalga Distillery and she heard that he would be in town all week filming which is great news for Juneau's bustling and thriving food industry.

Ms. Alicia Hughes-Skandijs reported that she met with the Affordable Housing Commission last week. They had a good conversation about the status of the commission and both the City Manager and Chief Housing Officer were present for the discussion which she felt was very informative. She said that the Juneau Commission on Aging (JCOA) has not yet met since she was appointed as the liaison but they are meeting tomorrow so she'll be able to attend her first meeting with the JCOA. She did have an opportunity to meet with the Chamber of Commerce and find out more about what they do and meet face to face with them.

Ms. Michelle Hale reported that the Public Works and Facilities Committee (PWFC) met on February 4 and that was her first opportunity to preside and it was fun. They discussed the Bartlett Hospital oncology appropriation and also discussed the Valley Transit Center fund transfers. That will be going to the Planning Commission next. She met earlier with Mike Vigue and John Bohan and they gave her an excellent overview of the Capital Improvement Program (CIP) process. They received an introduction of the CIP list at the PWFC meeting and that will be coming forward to the Assembly eventually.

Ms. Hale reported that she attended a meeting of the Juneau Commission on Sustainability (JCOS). They discussed VW funding through Alaska Energy Authority (AEA). It is only $125,000 but it looks like we have an opportunity to apply for those funds and it would support electric vehicle charging. That is a work in progress with numerous parties.

Ms. Hale noted that she will be attending Hospital Governance conference in mid-April. She thanked Chuck Bill for suggesting that and sponsoring her attendance. She noted that several board members will also be attending that conference. She will also be attending S.E. Conference over the next few days. She attended the DOT Riverside Drive open house and the JCOS air workshop run by DEC.

Mr. Wade Bryson reported that he met with Glory Hall representatives Mariya Lovishchuk and Bruce Denton who are requesting an additional $150,000 from the Assembly. They want to begin discussions about the possibility of moving the Glory Hall.

Mr. Bryson provided a liaison report from the February 5 PRAC meeting at which Jorden Nigro gave a presentation about a potential day care setting. They also received a report on when the Brotherhood Bridge trail repairs are scheduled to be done and how that will go. They also informed the committee that they are out of qualified dirt in the community. They didn't have enough qualified dirt to cover the ball fields. He said that the Amalga Meadows Cabin has received its funding and that will be built this year.

Mr. Bryson said he attended the AEYC open house. They have tons of tools for child care and for healthy families. He also attended the Riverside/Stephen Richards meetings and they have decided on going with the 4 way controlled light intersection. Lastly, he reported that he attended the Territorial Sportsman and Alaska Outdoor Council annual fundraiser and they raised quite a bit of money at that event.

Ms. Gladziszewski said she attended the high school play "Bye Bye Birdie" which was held this past weekend and will be held again in the coming weekend. The students did a fantastic job.

C. Presiding Officer Reports

None.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. William Quayle addressed the Assembly about the safety of the use of pedicabs to go to DIPAC and how that compares to operating a pedi-cab in the downtown Juneau area. He sent the Assembly a real time video in the last month on how safe it can be.

XIV. EXECUTIVE SESSION

MOTION by Ms. Triem for the Assembly to adjourn into Executive Session to discuss matters the immediate knowledge of which could have a detrimental affect on the finances of the city, specifically regarding CLIAA litigation strategy update and Siddon vs. BRH litigation strategy and asked for unanimous consent.

Mayor Weldon asked for any public comment or objection for going into Executive Session. Hearing none, Mayor Weldon recessed the meeting at 7:49 p.m.

The Assembly came out of executive session at 9:37 p.m.

Ms. Triem reported, "The Assembly heard updates on two litigation topics and discussed legal strategy."

A. CLIAA Litigation Strategy Update

B. Siddon v. BRH Litigation Strategy

XV. ADJOURNMENT

There being no further business to come before the body, Mayor Weldon adjourned the meeting at 9:38 p.m.

Signed:_________________________	Signed:__________________________
Elizabeth J. McEwen, Municipal Clerk	Beth A. Weldon, Mayor