

**MEETING NO. 2020-27:** 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, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale, Alicia Hughes-Skandijs, and Greg Smith

**Assembly Absent:** None.

**Staff Present:** City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager/Incident Commander Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Deputy City Attorney Emily Wright, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Finance Director Jeff Rogers, CCFR Assistant Chief Travis Mead, JSD Superintendent Bridget Weiss, JSD Finance Officer Sarah Jahm

## **III. SPECIAL ORDER OF BUSINESS**

### **A. Instruction for Public Participation**

Members of the public wishing to provide public comment during the meeting are asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3p.m. the day of the meeting or send an email to [City.Clerk@juneau.org](mailto:City.Clerk@juneau.org) and provide their full name, email address, the phone number they will be calling from, and the agenda topic(s) on which they wish to testify. Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to [BoroughAssembly@juneau.org](mailto:BoroughAssembly@juneau.org).

**The public can listen to the audio or watch the meetings in a few different ways:**

- Connect directly to the Zoom Webinar as an attendee by clicking on the following link: <https://juneau.zoom.us/j/92511480480>
- Call **1-346-248-7799** and enter Webinar ID: **925 1148 0480** Watch on the CBJ Facebook page at <https://www.facebook.com/cbjuneau>
- Please note that this meeting will include closed captioning services.

The Clerk provided instructions to the public on how to participate and view the meeting.

B. Hearing from State Department of Health & Social Services, Dept. of Corrections, and Lemon Creek Correctional Center

The first hour of the meeting was taken up with hearing from Special Guests: Alaska Chief Medical Officer Dr. Anne Zink, Dept. of Corrections (DOC) Chief Medical Officer Dr. Robert Lawrence, DOC Director of Institutions Jeremy Hough, DOC Director of Health and Rehabilitation Services Laura Brooks, DOC Assistant Superintendent for Lemon Creek Correctional Center Daryl Webster. They addressed what the state is doing related to the COVID cases at the Lemon Creek Correctional Center as well as what the Department of Correction protocols are. Dr. Zink also answered Assemblymember questions related to the reopening of the state and screening processes as they look at reopening the state for travel and in other ways.

C. Special Recognition: Salmon Creek Trail Rescuers

Mayor Weldon and Capital City Fire Rescue (CCFR) Assistant Chief Travis Mead recognized the following individuals for their role in the Salmon Creek Dam rescue on April 11. Civilian Rescuers: Devin Bertholl and Alicia Leamer; Juneau Mountain Rescue Team: Pat Dryer, Ron Duval, Emily Nauman, Tyler Smoker, Schuyler Metcalf, and Jackie Ebert; CCFR Team: Assistant Chief Travis Mead, Engine 31 team Captain Jayme Johns and John Adams; Medic 3 team: Travis Larsen, Peter Ostman and Karl Wuoti; Rescue 1 team Captain Shaun Rhea and Paul Hammerquist; and CCFR Support Unit: Logan Balstad and Peter Flynn.

D. Census Update

Ms. Cosgrove reported that Juneau was at 59.3% census completion which is close to the national percentage. They want every man, woman, and child to participate and be counted. To complete the census online, go to [2020Census.gov](https://2020Census.gov) and file electronically. People can also mail in their forms if they prefer the paper method. They can also call 1-844-330-2020 to do it via phone. More information is available on the CBJ website and Meliani Schivens from Rainforest Data is challenging communities to outdo each other and currently the Mendenhall Valley is doing better on census participation than the Downtown Juneau area.

E. COVID-19 Update and Actions

Incident Commander Cosgrove provided the Emergency Operations Center (EOC) updates on numbers of cases in Juneau. There was one reported case from LCCC and there were three individuals under investigation. The EOC is working on moving the testing numbers up. The Department of Public Health has finished the complete testing at LCCC and no inmates have tested positive as of yet. They will begin testing the shelter populations Tuesday and Wednesday and the EOC is assisting screening for the Legislature and their staff. There is an increase in the numbers from airline and Alaska Marine Highway travelers than during the recent past but those numbers are significantly

lower than this time last year. Ms. Cosgrove answered a number of questions from Assemblymembers related to the EOC report.

#### **IV. APPROVAL OF MINUTES**

**MOTION** by Ms. Hale to approve the minutes of the March 19, 2020 and April 30, 2020 meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

A. March 19, 2020 Special Assembly Meeting #2020-09 Minutes

B. April 30, 2020 Special Assembly Meeting #2020-23 Minutes (Planning Commission Appointment) DRAFT

#### **V. MANAGER'S REQUEST FOR AGENDA CHANGES**

*None.*

#### **VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**James Harris**, owner of Juneau Taxi called in regarding the proposed taxi rates and is opposed to the taxi rate change. He noted that this process has been done differently this time than they have been done in the past as this instance came about at the request of drivers, many of whom are seasonal drivers or part time drivers and didn't have input from the taxi company owners. He said that the proposed rate change would kill the taxi industry. He noted that they already have high taxi rates and that the waiting time is extremely high. He answered a number of questions from Assemblymembers requested the Assembly to not approve the new taxi rate regulations.

#### **VII. CONSENT AGENDA**

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

*None.*

B. Assembly Requests for Consent Agenda Changes

*None.*

C. Assembly Action

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

1. Ordinances for Introduction

a. Ordinance 2020-14 An Ordinance Authorizing the Sale of Foreclosed

Property Located at 12280 Glacier Highway by Sealed Competitive Bid. Property tax is due every year. State law (AS 29.45.290-500) prescribes a multi-year process to foreclose on property with unpaid property tax. The property at 12280 Glacier Highway has had unpaid property tax since 2017. In November 2019, the CBJ received a Clerk's Deed for the property.

There is an unoccupied house on the property, and the owner of record (Steven Baker) has not responded to multiple attempts to cure the property tax debt. Staff has reached out to other family members who said the owner left the state and has not been reachable for some time. The property has been the subject of multiple nuisance complaints.

State law authorizes a municipality to retain foreclosed property or dispose of foreclosed property when there is no public purpose for it. Staff does not see a public purpose to retain the property except a small public utility easement along Glacier Highway.

The Lands Committee recommended selling this property at its meeting on February 10, 2020.

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

- b. Ordinance 2020-23(b) An Ordinance Amending the Purchasing Code to Allow for Additional Methods of Public Notice and Electronic Receipt of Bids.

This ordinance would amend the CBJ Procurement Code to allow on-line advertising of solicitations and electronic submission of bids and proposals. This change is intended to promote public competition, reduce administrative processing, and lower procurement costs.

Version (b) reflects the newspaper publication changes recommended by the Assembly Finance Committee on May 6, 2020.

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

## 2. Other Items for consent

- a. City State Project Review: Marine Park Deckover

This Marine Park project would deckover the area between the Steamship

Dock and Marine Park where the lightering float was previously located. Parts of the deckover will include concrete and grass consistent with the park area around it. A portion of the existing Steamship Dock deck will be demolished and rebuilt to establish ADA-compliant grades. Construction funding has not been determined yet, but it is expected to be approximately \$1.6 million. In order to proceed to construction, this project will require an appropriation of passenger fees. The project was originally proposed to be funded in the FY21 budget, but capital funding has necessarily been delayed. Nonetheless, the project permitting has been proceeding.

The Planning Commission heard this project (CSP2020-03) on April 28, 2020 and recommended the Assembly approve the project.

b. Marijuana License #13279 Transfer of Controlling Interest

**Marijuana License Transfer of Controlling Interest**

License Type: Retail Marijuana License, #13279

**Business Name: The Mason Jar LLC, d/b/a The Mason Jar**

Location: 2771 Sherwood Lane, Unit E, Juneau

*(AMCO 60-day comment period ends Friday, May 22, 2020)*

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

**The City Manager recommends the Assembly waive its right to protest the transfer of controlling interest of AMCO Marijuana license #13279.**

3. Transfers

a. Transfer T-1029 A Transfer of \$887,636 from Two Harbor/Docks Capital Improvement Projects to the Statter Harbor Improvements Ph. III Capital Improvement Project.

The CBJ Docks & Harbors Board requests a transfer of State Marine Passenger Fees and Harbor Funds. The transfer will provide funds for construction contingency, inspection & administration, and CBJ salaries for the float installation phase.

From: CIP

H51-116 Archipelago-MP to Taku Upland Improv \$666,000  
H51-117 Auke Bay Marine Station Maint & Improv \$221,636

To: CIP

H51-108 Statter Harbor Improvements Ph III \$887,636

At its April 22, 2020 special board meeting, the Docks & Harbors Board recommended approval of this transfer.

At its April 27, 2020 meeting, the Public Works and Facilities Committee forwarded this transfer to the Assembly.

**The City Manager recommends approval of this transfer.**

## **VIIIPUBLIC HEARING**

- A. Ordinance 2020-18 An Ordinance Authorizing the Manager to Execute a Lease Agreement with AJT Mining Properties, Inc. for a Campground near Downtown Juneau.

On March 26, 2020, Emergency Ordinance 2020-17 was adopted, which gave the Manager authority to lease the Mill Campground for 180 days. This ordinance would authorize the Manager to lease the property for the Mill Campground for longer than 180 days.

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

### **Public Comment:**

None.

### **Assembly Action:**

**MOTION** by Mr. Smith to adopt Ordinance 2020-18 and asked for unanimous consent.

Objection from Mr. Bryson for purposes of a question. Mr. Bryson said he has received complaints that there may not be proper fencing for this campground and people are getting access to the campground through other private property. Mr. Watt asked Mr. Bryson to forward those concerns to his office as that sort of thing would be addressed by staff. The property owners are only being asked to lease the property to CBJ but it would be CBJ's responsibility to address those issues. Mr. Bryson removed his objection.

*Hearing no further objection, the ordinance was adopted.*

- B. Ordinance 2020-19 An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds that Provided Funds to Purchase the General Obligation Bond, 2010A of the City and Borough, Under a Loan Agreement between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's Bond, in Accordance with the Loan Agreement, if the Bond Bank Successfully Refinances its Bonds.

This ordinance would authorize the issuance of up to \$7.5 million in bonds to refund (refinance) the 2010B general obligation school/pool bonds. The original \$7.58 million in bonds were sold June 1, 2010 through the Alaska Municipal Bond Bank to fund a portion of the Dimond Park Aquatic Center.

As a result of lower market interest rates, this refinancing refunding is estimated to result in a total savings of \$100,000-\$200,000 over the remaining life of the bonds.

This ordinance was reviewed by the Assembly Finance Committee on May 6.

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

**Public Comment:**

None.

**Assembly Action:**

**MOTION** by Ms. Hughes-Skandijs to adopt Ordinance 2020-19 and asked for unanimous consent. *Hearing no objection, the ordinance was adopted.*

- C. Ordinance 2020-21 An Ordinance Approving the City and Borough's Participation in Proposed Refinancings by the Alaska Municipal Bond Bank of the Bond Bank's Various General Obligation Bonds that Provided Funds to Purchase Various General Obligation and Revenue Bonds of the City and Borough, Under Loan Agreements between the City and Borough and the Bond Bank; and Authorizing Revised Schedules of Principal and Interest Payments on the City and Borough's Bonds, in Accordance with the Loan Agreements, if the Bond Bank Successfully Refinances its Bonds.

This ordinance would authorize participation in the Alaska Municipal Bond Bank's "Exchange" refunding (refinance) of multiple bond issues including the 2013 Bartlett Hospital Refunding, the 2013 GO CIP and 2014 GO CIP bonds, and the 2014 Seawalk and 2015 Cruise Ship Dock Expansion bonds. Approximately \$19.2 million of these bonds will be refinanced. As the result of lower market interest rates, this refinancing is estimated to result in a total savings of \$280,000 over the remaining life of the bonds.

This ordinance was reviewed by the Assembly Finance Committee on May 6.

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

**Public Comment:**

None.

**Assembly Action:**

**MOTION** by Mr. Bryson to adopt Ordinance 2020-21 and asked for unanimous consent. *Hearing no objection, the ordinance was adopted.*

- D. Ordinance 2019-06(AB) An Ordinance Transferring \$200,000 of Temporary 1% Sales Tax from the Debt Service Fund, to the Manager for the Purpose of Funding the Accounting Systems Upgrade Capital Improvement Project.

These funds for accounting system upgrades were initially authorized as part of the FY20 CIP. The appropriation was made to the Debt Service Fund, as management believed the project required private lease financing to proceed. However, lease financing is not required and the project can be funded instead through subsequent annual appropriations. To accurately reflect this change in the funding mechanism, this ordinance transfers the original appropriation of \$200,000 from the Debt Service Fund to the Accounting Systems Upgrade Capital Improvement Project (M15-004).

This ordinance was reviewed by the Assembly Finance Committee on May 13.

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

**Public Comment:**

None.

**Assembly Action:**

**MOTION** by Ms. Hale to adopt Ordinance 2019-06(AB) and asked for unanimous consent. *Hearing no objection, the ordinance was adopted.*

**IX. UNFINISHED BUSINESS**

- A. Ordinance 2020-10 An Ordinance Appropriating Funds from the Treasury for FY21 School District Operations - For Action

This ordinance will appropriate to the School District an FY21 operating budget of \$87,337,400. This is an overall decrease in the budget of \$1,601,700 from the FY20 Amended Budget. The School District's operating budget is:

General Operations	\$71,122,400
Special Revenue (pupil transportation, food service, etc.)	\$16,215,000
<b>Total Budget</b>	<b>\$87,337,400</b>

The FY21 school budget is supported with a combination of funding sources including CBJ local funding of \$28,518,600. The local funding consists of: \$26,842,100 for general operations, and \$1,676,500 for programs and activities outside of the state funding cap. These programs and activities include: \$1,181,500 million for student activities, \$50,000 for pupil transportation, \$50,000 for food service, \$95,000 for Community Schools and \$300,000 for Kinder Ready. The general operations support is an increase of \$64,800 over FY20 Amended. The other program and activities funding is flat to FY20 Amended, for a net funding increase of \$64,800.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. The district's budget was submitted March 27, 2020.

Following public hearing at the April 22, 2020 Special Assembly meeting, the Assembly moved to fund the School District's budget up-to-the-cap amount and referred the ordinance back to the Assembly Finance Committee for further review. The amount that exceeds the State funding cap can be subsequently increased or decreased as the Assembly sees fit.

On May 6, 2020, the Assembly Finance Committee passed a motion to move Ordinance 2020-10 for FY21 School District operations to the May 18, 2020, Regular Assembly meeting for further discussion and action. As it stands, the ordinance only includes outside-the-cap funding at the FY20 balance; however, the Assembly may choose to amend the ordinance to increase this amount to match the funding request made by the School District for FY21, or decrease this amount as deemed appropriate prior to adoption. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2020.

**The City Manager recommends the Assembly adopt this ordinance at the May 18, 2020 Regular Assembly meeting to meet the requirement set by the Charter to appropriate the School District's budget no later than May 31, 2020.**

Ms. Hughes-Skandijis noted that she discussed a potential conflict of interest with the City Attorney since she has a family member who is employed by the School District. The City Attorney advised her that a conflict does not exist however she said she still wanted to be sure to disclose the relationship on the record.

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**Public Comment:**

**Christopher Cairns**, President of the APEA-AFT Local 6096 encouraged the Assembly to not adopt this ordinance unless they also approve all of the "Above the Cap" funding that has been requested and that would include funding of FY20 above the cap allocations. Mr. Cairns explained the impacts of all the state cuts and the fact that

JSD has been making cuts to their budgets for the last decade. He said without the outside the cap funding, there will be school staffing cuts and if the pandemic has shown us anything, it is that school district services to the community range far outside the curriculum.

**Jerome Kristjanson**, Vice-President of the APEA-AFT Local 6096 testified that he is a support staff member working as an electrician and plumber in the maintenance department. He asked the Assembly to provide the allocation above the cap as there is no more room to cut anything else after all the constant cuts to the JSD budget over the past years. He said that over the years, they have seen a reduction of 20% of the positions in his work unit and while the positions went away, the workload did not and it has resulted in further deferred maintenance which will prove very costly in the future to fix.

**Tracy Balovich**, Administrative Assistant for the Student Services Department of the Juneau School District thanked this and former Assembly's for funding the JSD budget above the cap and asked that they continue to fund this next year to the level requested above the cap. She gave information about the efforts the staff does above and beyond the budgeted means to provide the services to the children and community. She spoke to the para-educators weekly working hours that were cut back from 37.5 to 35 hours a week this past year and how additional funding cuts will likely result in positions or more hours cut. Ms. Balovich then answered questions from Assemblymembers regarding the para-educators and their current work during the epidemic.

**Jennifer Johnson**, said she is a Special Education para-educator and testified in favor of the Assembly funding above the cap as requested by JSD. She also provided details about the work done by the para-educators with the students in the past and now during the pandemic. Ms. Johnson explained the IEP process and how it has been impacted by budget reductions.

**Zack Bursell**, is also a Special Education para-educator and member of Local 6096. He testified in favor of the Assembly funding above the cap as requested by JSD. He said he has seen the dramatic effects that this distancing learning has had on those students who need the most consistent, in person assistance and he is concerned about next year's school year and the students' ability to stay up on their education.

**JSD Superintendent Dr. Bridget Weiss** addressed the questions Assemblymembers raised about the role of para-educators and how their work has changed due to the pandemic. She said that at the federal levels, there have been no adjustments to the requirements to provide IED services to students and JSD has had all hands on deck trying to make sure those requirements are still met. Dr. Weiss also followed up on Mr. Bryson's questions a few meetings ago about the busing deployment and staggered routes/staging and how the busing corresponds to the different levels between elementary, middle school and high schools as well as activities. Mr. Bryson asked

questions about what the approximate numbers would be if students were bused to the high school nearest them. Dr. Weiss replied that since they do not have boundaries for the two high schools identified, those are not numbers that JSD has the ability to calculate.

**School Board President Brian Holst** testified that they are operating off the same budget numbers as in 2017 and due to inflation they are working under budget reductions. He then addressed the \$1,000,000 veto by the Governor which resulted in the amount that CBJ was allowed to fund being reduced by \$275,000. He said that when you look at what CBJ spent 10 years ago vs. today, adjusted for inflation, the schools are being funded by \$2,000,000 less.

Dr. Weiss and Mr. Holst answered questions from the Assembly regarding CARES funding and what funding they may be able to expect from that.

**Assembly Action:**

**MOTION** by Ms. Triem to adopt Ordinance 2020-10 and asked for unanimous consent.

Mr. Bryson objected for purposes of an Amendment.

**AMENDMENT #1** by Mr. Bryson to reduce the \$50,000 pupil transportation by \$25,000 in the ordinance. That would reduce that Special Revenue fund from \$16,215,000 to \$16,190,000. He then spoke to his amendment and weighing the public need for activity busing vs. the cuts that will be coming from the state next year.

Objection by Mr. Edwardson. He said they have shaved \$1.6 Million off the budget and he feels they should even add more back in.

Objection also by Mr. Jones. He spoke to the fact that the School Board is also an elected body that what Mr. Bryson's amendment is doing is trying to control school policy through the budget and that is the jurisdiction of the School Board and not the Assembly.

**ROLL CALL VOTE on Amendment #1**

Ayes: Bryson

Nays: Gladziszewski, Jones, Edwardson, Hale, Triem, Smith, Hughes-Skandijs, Weldon

**Motion failed 1:8**

**AMENDMENT #2** by Mr. Jones to increase the Special Revenue Fund by adding \$378,600, bringing that fund total to \$2,055,100. He spoke to his amendment and the work that JSD did to come up with the budget that they did and with all the changes going on due to COVID. He said the Assembly should adopt a philosophy that they fund education at the level it needs to be funded regardless of what happens with any federal

funds coming to address the COVID needs.

Objection from Mr. Bryson.

**ROLL CALL VOTE on Amendment #2**

Ayes: Jones, Edwardson, Triem, Smith, Hughes-Skandijs, Weldon

Nays: Bryson, Gladziszewski, Hale

**Motion passed 6:3**

Mr. Bryson maintained his objection to the main motion as amended and spoke to his concerns about the cuts they will be facing next year due to state cuts. Ms. Hale said she will vote in favor of the ordinance but expressed her concerns about funding uncertainties of the times due to other budget constraints and Ms. Gladziszewski expressed similar concerns. Mr. Edwardson expressed similar concerns and spoke to making hard decisions regarding cuts across the board to all sectors of the economy, not just education and how CARES act funding may or may not be able to help with those.

**ROLL CALL VOTE on Motion to adopt Ordinance 2020-10.**

Ayes: Gladziszewski, Jones, Edwardson, Hale, Triem, Smith, Hughes-Skandijs, Weldon

Nays: Bryson

**Motion passed 8:1**

**X. NEW BUSINESS**

**A. Regulation Commercial Passenger Vehicles Class A Endorsement (Taxicab Rates)**

At the February 10, 2020, Assembly Public Works and Facilities Committee meeting, staff was asked to follow the normal regulation process to determine if taxi meter rates should be increased. While there have been minor adjustments, taxi meter rates have not substantively increased since 2008. The regulations provide for an approximate 10% increase in the first year, followed by an approximate 10% increase in the second year. Draft regulations were created and noticed for public comment. A copy of the draft regulations was sent via mail to the CBJ Commercial Passenger Vehicle permittee list as well as noticed publically through all normal channels. Public comment closed on April 30, 2020.

A copy of the petition that was submitted to the Assembly that initiated the regulation request, as well as all other public comment received during the notice period, is included in your packet. Additional, subsequent written notice was also received, and is included in your packet.

The proposed regulation amendments would adjust the meter rates for Class A vehicles. There would be an initial increase effective June 22, 2020, and a subsequent increase effective June 21, 2021. There would be a one week period immediately preceding the effective dates (June 15-19, 2020 and June 14-18, 2021)

to allow for the conversion of meters. Once a vehicle's meter is converted, the new rates would be effective.

In reviewing proposed regulations, CBJC 01.60.260 provides that the Assembly may:

1. Allow the regulation to take effect. (The Assembly's historical practice is to move 'orders of the day,' requiring the body to consider the next item on its agenda without active consideration of the regulation.)
2. Take affirmative action to approve the regulation without amendment.
3. Take affirmative action to disapprove the regulation. (The Assembly may state its reasons for disapproval, but it may not specify explicit conditions for subsequent approval or direct the requesting department to adopt any particular amendments to the regulation.)
4. Direct that an ordinance or resolution in lieu of the regulation be prepared for its consideration.

**The City Manager does not have a recommendation regarding this regulation.**

Mayor Weldon noted that they are not taking public testimony under New Business items.

**MOTION** by Ms. Gladziszewski to disapprove this regulation.

Ms. Gladziszewski noted that Mr. Harris provided an accurate explanation on how taxi rate regulations have been handled in the past and she spoke to her experience in the past as the CBJ staff person who dealt with the Commercial Passenger Vehicle regulations and how this has typically been handled in municipalities across the country. She said this needs more work and should go through the regulation process with a chance to involve all those involved in developing the rates.

Ms. Triem objected to the motion and said she didn't think that taxi company owners should be allowed to unilaterally set the rates. Mr. Jones expressed concerns similar to those of Ms. Triem.

Ms. Hale said she has some real questions related to the role of Uber and Lyft and how those interact with the taxi regulations.

Ms. Gladziszewski clarified that it would not be just the owners setting the rates but rather than the motion was due send the regulations back for additional work to include all stakeholders in the process. Mr. Bryson spoke to the negative impact to any business that a 20% rate increase would have on any industry.

Assemblymembers asked staff a number of questions regarding process and Mr. Palmer explained that if this regulation is voted down, that wouldn't preclude them for bringing something back up later, even if it is the same thing.

**ROLL CALL VOTE on the motion.**

Ayes: Gladyszewski, Hale, Bryson, Edwardson, Smith, Weldon

Nays: Jones, Triem, Hughes-Skandijs

**Motion passed 6:3**

**B. Crazy Horse Drive Communication Tower Site Lease Request**

Vertical Bridge Holdings LLC has submitted an application to lease city property on a portion of the 32-acre parcel located at the end of Crazy Horse Drive, in the Mendenhall Valley. In April of 2019 the Lands Committee passed a motion of support contingent on a Planning Commission recommendation. The Planning Commission, at its regular public meeting on April 14, 2020, approved the special use permit for this tower. The Lands Committee reviewed this at its May 4, 2020, meeting and provided comments to staff. City code 53.09.260(a) states that “the proposal shall be reviewed by the Assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals.”

**The City Manager requests a motion of support to work with the original proposer.**

Mayor Weldon noted that they were not taking public testimony on this item.

**MOTION** by Mr. Edwardson that the Assembly support the City Manager work with the original proposer for this lease. *Hearing no objection, the motion carried.*

**C. Lee v. CBJ Planning Commission: Notice of Appeal regarding a Wireless Communication Facility Located at 16150 Merganser Road**

On May 5, 2020, the Clerk’s office received a timely filed appeal from a Planning Commission decision to grant a Wireless Communication Facility Permit for a new 150-foot communication tower located at 16150 Merganser Road.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the

appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

**MOTION** by Mr. Jones for the Assembly to accept the appeal and for the Assembly to hear the appeal itself.

Mr. Bryson objected to the motion.

Members had process questions for the attorney. Mr. Palmer provided clarification of the process and in order to preserve the due process rights of the appellant he recommended that the Assembly accept the appeal.

**ROLL CALL VOTE on the motion.**

Ayes: Gladyszewski, Hale, Edwardson, Smith, Jones, Triem, Hughes-Skandijs, Weldon

Nays: Bryson,

**Motion passed 8:1**

Mayor Weldon asked if there were any volunteers from the Assembly to serve as the Presiding Officer for the appeal. Mr. Jones volunteered to serve as the Presiding Officer.

**D. Fourth of July Discussion**

Mr. Watt said that the July 3rd/4th activities are approaching and the Assembly should have a discussion to guide the community on whether to have the parades and/or fireworks and they could make decisions separately or together as one decision. Mr. Watt explained if the fireworks are to be ordered, that has to happen at this time.

Mayor Weldon said in the interest of time, she asked each member to weigh in on their thoughts on the matter. Following a lengthy discussion on the matter, the consensus was to not allow for the parades but that they would allow the purchase/order of the fireworks and discuss a solution for social distancing at a subsequent meeting.

**E. Port Community Discussion**

Mr. Watt said the Ketchikan City Council asked it's manager to reach out to Juneau and Skagway to see if the communities wanted to jointly plan for cruise ships for next year. He said that he suspected the Assembly would like to collaborate with them on a regional approach.

**F. Economic Stabilization Task Force Recommendation on Historical Documentation**

## of Juneau's Response to COVID-19

Mr. Watt said he thought this was a wise recommendation and thought it would take some time to come up with a solution for this. Mr. Jones said he spoke with Robert Barr about this and he thinks the City Museum and the Gastineau Historic Society could come up with a great plan. Ms. Triem said that she agreed that this is a fantastic idea but is concerned about staff time constraints and while this is need is great, due to the Zoom recordings, it is not necessarily urgent.

### **XI. STAFF REPORTS**

None.

### **XII. ASSEMBLY REPORTS**

#### A. Mayor's Report

Mayor Weldon welcomed the legislature back to town. She said that Mr. Watt spoke at the legislative Finance Committee meeting on behalf of CBJ and encouraged the passage of SB233.

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

Members provided the dates/times for upcoming Assembly Standing Committees:

**Finance Committee May 20 at 5:30p.m.**

**Committee of the Whole, June 1 at 6p.m.**

**Lands Committee, June 1 at 5p.m.**

Public Works and Facilities Committee, June 1 at Noon.

Mr. Bryson provided the following recommendations for board appointments from the Assembly **Human Resources Committee:**

- Americans with Disabilities Act Committee: Edmund Driscoll to a term beginning immediately and expiring August 31, 2022 and Ibn Baily to a term beginning immediately and expiring August 31, 2021.
- Juneau Commission on Aging: Janet Beauchamp to a term beginning immediately and expiring December 31, 2020.
- Parks and Recreation Advisory Committee: Chris Mertl, Ronald Crenshaw and Alexander Beebe-Giudice to terms beginning immediately and expiring February 28, 2023 and to appoint Josh Anderson to a beginning immediately and expiring February 28, 2021.

Mr. Bryson noted that they will be holding meetings of the Full Assembly sitting as HRC coming up in June for the purpose of interviewing Eaglecrest, Docks & Harbors, and Airport Board applicants.

**MOTION** by Mr. Bryson that the Assembly call for the 2020 Regular Municipal Election to be held as a "By Mail Election" in coordination with the Municipality of Anchorage and using their election center. Mayor Weldon objected for purposes of a

question and asked if there would also be an opportunity for individuals to vote in person in Juneau to which Ms. McEwen replied that there would be vote center options. Mayor Weldon removed her objection.

*There being no further objection, the motion was adopted by unanimous consent.*

Due to limited time remaining in the meeting, members provided brief liaison reports.

C. Presiding Officer Reports

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

### **XIV. EXECUTIVE SESSION**

A. COVID-19 EOC Update for May 18, 2020

### **XV. ADJOURNMENT**

There being no further business to come before the Assembly, the meeting was adjourned at 10:54 p.m.

Signed: \_\_\_\_\_  
Elizabeth J. McEwen  
Municipal Clerk

Signed: \_\_\_\_\_  
Beth A. Weldon  
Mayor