

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

May 10, 2021, 6:00 PM.

Zoom Webinar & FB Live Stream

Worksession - No public testimony will be taken. Zoom Webinar link

<https://juneau.zoom.us/j/98359373379> or call 1-253-215-8782 Webinar ID: 983 5937 3379

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. Assembly Committee of the Whole DRAFT Minutes, February 22, 2021

B. Assembly Committee of the Whole DRAFT Minutes, March 15, 2021

V. AGENDA TOPICS

A. Juneau Commission on Aging Presentation

The completed Juneau Commission on Aging (JCOA) Survey Report is posted on the CBJ JCOA webpage at <https://juneau.org/clerk/boards-committees/boards-master-list/jcoa>.

B. UA Property Update (Aurora/Harris Harbor)

C. Cruise Season Update - Verbal Report

D. Fireworks Regulations and Taxation

The attached ordinance (Ord 2021-03) and an updated chart reflect the changes made at the last Assembly COW in April. As currently drafted, Ord. 2021-03 allows the Assembly to designate CBJ property for fireworks use by resolution. The City Attorney is working with members on amendments, which will be uploaded prior to Monday's meeting.

A separate draft ordinance is proposed to clarify the sale of fireworks is taxable. Ordinance 2021-18.

If the Assembly COW is ready, the ordinances could be introduced at a Special Assembly meeting on May 12 and set for public hearing on May 24, which would make these changes effective before July 4, 2021.

E. Amend Assembly Rules of Procedure

Resolution 2947 would amend the Assembly Rules of Procedure to codify (1) that certain CBJ public meetings continue to be broadcast in a way that maximizes public participation (Rule 16), and (2) that public seating would need to be in compliance with laws, including public health laws like social distancing (Rule 2).

VI. NEXT MEETING DATE

A. Monday, June 7, 2021; 6:00p.m.

VII. SUPPLEMENTAL MATERIALS

- A. Juneau Commission on Aging Presentation - Senior Survey Findings**
- B. Amendments to Fireworks Ordinance**

VIII. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

THE CITY AND BOROUGH OF JUNEAU, ALASKA
STANDING COMMITTEE OF THE WHOLE MEETING
DRAFT Meeting Minutes – February 22, 2021

The Committee of the Whole meeting held via Zoom webinar, and was called to order by Deputy Mayor Loren Jones at 6:00p.m.

I. ROLL CALL

Assemblymembers Present: Deputy Mayor Loren Jones, Maria Gladziszewski, Wade Bryson, Carole Triem, Alicia Hughes-Skandijs, Christine Woll, Michelle Hale, Greg Smith, and Mayor Beth Weldon.

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Deputy City Clerk Diane Cathcart, Juneau Airport Manager Patty Wahto; Engineering/Public Works Director Katie Koester; Utilities Engineer Lori Sowa

Airport Boardmembers Present: Jerry Godkin, Angela Rodell, Dennis Bedford, Jodi Garza, Jerry Kvasnikoff, Chris Peloso

II. APPROVAL OF AGENDA

The agenda was approved by unanimous consent as presented.

III. APPROVAL OF MINUTES

None.

IV. AGENDA TOPICS

A. Joint Meeting with the Airport Board

Chair Jones thanked the members of the Airport Board for meeting with the Assembly COW and he passed the gavel to Airport Board Chair Jerry Godkin to lead that portion of the meeting.

Mr. Godkin thanked the Assembly and provided a brief overview topics the Airport Board wished to discuss with the Assembly.

- Status of the CARES Act funding
- The status of how tenants were doing
- From the Airport standpoint, everything is down in numbers with the main saving grace being the CARES Act funding.

Mr. Godkin said that the Airport has been able to balance its budget, although this is almost entirely due to Cares Act Funding. They just received additional Cares Act funding, and any time they receive more money helps the Airport get to 2025. The last amount of money they had, \$21 million, was able to get them out to 2024. Mr. Godkin said that they are feeling optimistic, and

hope they can get tourism back in town and tenants out flying and bringing people into Juneau, probably use up the Cares Act Funding, and it is buying them time.

Ms. Wahto shared the annual Aircraft Operations (takeoffs/landings) for 2019 and 2020, as reported by the Air Traffic Control (ATC):

- 117,206 in 2019. (standard for a typical year)
- 44,583 in 2020.

The ATC reported that Aircraft Operations went down 62% in 2020.

Another aspect that they looked at was passenger traffic, or enplanements. This statistic provides real-time information from carriers such as Delta Airlines and Alaska Airlines.

Passenger traffic (enplanements, or passenger departing) is reported on an annual basis to the FAA. Reports are not released until September/October of the following year. The Airport Board will not know final numbers for all carriers for CY2020 until September/October 2021.

However, the Airport works with the TSA to track the number of people who enter the through point on a daily basis.

Unofficial enplanement numbers for large air carriers (Alaska and Delta):

- 328,743 enplanements for 2019.
- 135,685 enplanements for 2020.

The ATC projected that enplanements went down 59% in 2020.

Ms. Wahto shared a graph that charted passenger counts for 2020. This graph reported that in March 2020, Juneau Airport experienced 100% expected passenger count number that matched numbers reported in 2019. The passenger counts for April 2020 dropped by 95%, the numbers were drastically reduced to levels that have not been seen since the mid-1980s. Passenger counts gradually started to increase over the summer months, including a marginal peak in August/September where passenger count numbers reached about half of their usual levels. This was followed by a decrease in numbers that experienced another slight increase in December. Ms. Wahto said that she will continue to watch these numbers, though she anticipates that she will not have details on their current numbers until later in the year.

Mr. Godkin shared that Airport concessions reported that business revenues are down 58% to 75% for 2020, compared to 2019. A few concessions reported that assistance with the federal payroll protection plan was helpful, but not quite enough.

Ms. Rodell referenced Ms. Wahto's report of the enplanement numbers, and explained that the Airport experienced a sudden drop of traffic. At that time, they adopted a budget with no fee increases and delayed expenses to FY22. Ms. Rodell said that the Airport opted with CARES Act Funding to maintain a large amount of flexibility, rather than targeting on a particular project or specific operations. Looking forward, it is not clear how or when enplanement numbers will return to levels seen in previous years before the pandemic. She explained that several years of

underperforming enplanement numbers could result in service cuts in order to match the Airport's revenue environment.

Ms. Triem asked if the Airport's CARES Act funding had any restrictions in place (similar to the restrictions the Assembly had when they received CARES Act funding) and if they were required to spend their funding on certain things. Ms. Wahto explained that their funding did not come with restrictions like the CBJ had, however there are still some restrictions that required the funding be used on specific things, such as: bond debt, operational expenses, and capital projects (which is subject to approval). She also explained that there is a time restriction on their funding, the \$21.7 million must be used by April 2024. Mr. Godkin added that the Airport had thought of several projects to put CARES Act funding towards, but ultimately decided to put money towards tenants and rent relief.

Ms. Woll asked if the majority of CARES Act funding was going to be put towards tenant relief, or if it was only a portion of the funds. Ms. Wahto said that the Airport worked with the FAA to figure out the most effective way to provide assistance towards tenants. This required that the funds would be put towards aviation or the support of aviation businesses.

Ms. Rodell shared a graph with the Assembly, and provided an overview of the Airport's Operational Budget for FY20, FY21, and FY22.

Operational Budget for FY20/21/22:

	FY2020	FY2021	FY2022**
Budget (Actual/Updated)	\$7,466,591	\$8,096,700	\$7,941,600
Projected Deficit/AFB	\$290,200	\$522,800	\$6,600**
UPDATED Deficit	(\$727,145)	(\$3,043,600)	(\$1,838,000)
CARES Act Use Budget	\$727,145	\$3,043,600 est	\$1,838,000 est
CARES Act Use Other		\$602,375	\$662,625
(GO Bond, tenant rent credit)		\$1,150,553	\$1,150,553 est

****FY2022 assumed increase Airport Rates/Fees \$703,000; but increases cancelled.**

- FY20/21/22 Projected Use of Airport Fund Balance (AFB); replaced with CARES Act funds.
- Juneau International Airport received \$21.7 million CARES Act grant in April 2020 for Airport financial assistance.
- Juneau Airport has applied for two more federal assistance grants totaling \$3.4 million for additional operations-financial assistance, as calculated by the FAA.

Current CARES Act Use Summary:

CARES Act Use	
\$21,736,343	Grant Award

(\$727,145)	FY20 Operational Expenses
(\$1,150,553)	FY21 Tenant Rent Relief
(\$602,375)	FY21 Airport GO Bond debt service
(\$662,625)	FY22 Airport GO Bond debt service
\$18,593,645	Balance
	<i>Proposed Use</i>
(\$1,150,553)	FY22 Tenant Rent Relief (estimated)
(\$3,043,600)	FY21 Operational Expenses (estimated)
(\$1,838,000)	FY22 Operational Expenses (estimated)
\$12,561,492	<i>Proposed/estimated balance FY22 end</i>

Ms. Rodell expects the Airport to use more CARES Act funding going forward if enplanements struggle to recoup. Ms. Rodell explained the Capital Improvement Projects (CIPs) in place for the Airport, with the largest project being the Terminal Update. The Airport is also working on several other CIPs improving the taxi way and snow removal equipment building. These projects are creating sustainable construction jobs, and are progressing as planned.

Mr. Godkin added that the tenants expressed gratitude to the Airport and the City for the CARES Act funding that they received through loan programs.

Ms. Wahto shared a presentation that detailed the progress being made on the Terminal Reconstruction Project. She shared that they are expecting to begin the move-in process into the updated facility around mid-June of this year.

Mr. Bryson asked for examples of the change orders, and the issues that needed to be addressed during construction. Ms. Wahto said that one of the largest change orders they found was the fire announcement system that goes throughout the building. The initial plan was to update the old system, but the process of doing so would be more expensive. The Airport gained approval from the FAA to implement a new system entirely, which cost approximately \$190,000 to update.

Mr. Smith asked if there were any features to the reconstruction that focused on sustainability and energy efficiency. Ms. Wahto described the reconstruction as being comparatively more energy-efficient than the facility was before, such as the conservation of fuel throughout the terminal when installing new heat pumps. She added that they have discussed the building updates with JCOS, and considered post-construction updates such as an addition of electric vehicle stations.

Mr. Jones asked if Ms. Wahto could speak to the impact that enplanement numbers have on passenger fee collections, and how the Airport utilizes those fee collections for Airport services. Ms. Wahto explained that enplanement numbers are significant for the Airport in many ways, such as Airport Improvement Dollars, which determines their entitlements and discretionary

dollars. It also represents a Passenger Facility Charge fee (PFC), which is currently \$4.50 per person who boards a plane in Juneau. She explained that those fees are sent out by the airlines, and can be used in projects as a match fee.

Mr. Godkin spoke to the process of increasing the PFC fee, however it has been a gradual process that is set at the federal level and is currently under discussion. Ms. Wahto added that many large airports have advocated for an increased PFC fee due to the sudden drop in enplanement numbers. Many large airports heavily rely on PFC fees for project funding and are working towards having the fee rate increased. PFC fees has not been raised since 2000.

Mr. Godkin addressed the Perfluoroalkyl Substances (PFAS) contamination, and the nature of the unknown amount of funding necessary to resolve that issue. He said that they are monitoring the situation, and are hoping to receive relief from the FAA. Ms. Wahto said that the Airport is up to about \$220,000 in expenses at the drilling, monitoring and planning stage, and they have not begun anticipating costs for the mitigation stage. She added that this is becoming a nationwide issue for other airports, and Juneau International Airport was one of the first airports in the country to deal with this issue.

Mr. Bryson asked Ms. Wahto about the concern regarding the homeless population at the Airport, and if the situation has changed. Ms. Wahto said that some passengers use the Airport as sleeping quarters or for shelter, she is not aware of any increase in homelessness in the Airport as a result of the pandemic. She said that she will check in with JPD to discuss what they have found, but as of right now they have not had to trespass anyone for using the Airport as a shelter.

Mr. Godkin shared that the Airport is extending a tour of the Airport for new members of the Assembly. He welcomed Mr. Smith and Ms. Woll to come visit the Airport for an in-depth look at the inner workings of Juneau International Airport.

Mr. Jones thanked the Airport Board for their diligent work towards the several projects they have in development, and thanked them for joining the Assembly tonight. Mr. Godkin thanked Mr. Jones and the Assembly for their support.

The Committee of the Whole took a break at 6:58p.m and the meeting resumed at 7:10p.m.

B. Solid Waste Update

Engineering/Public Works Director Katie Koester thanked the Assembly for the opportunity to discuss solid waste management. She referenced one of the Assembly Goals for 2021 made at the Assembly Retreat, **Goal #5: Sustainable Community**. This goal states that “**Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.**”

One of the objectives of this goal is to “**Develop [a] solid waste strategy including plans to increase recycling and deal with abandoned/junked vehicles.**” She shared that the Public

Works and Facilities Committee (PWFC) has been working on how to achieve these goals over their past two meetings, and developed a presentation for the Assembly that defines what CBJ can do to reduce the waste stream.

Utilities Engineer Lori Sowa described the different types of waste that the community produces, which includes:

- Household garbage
- Construction debris
- Food waste
- Recyclable materials
- Household hazardous waste
- Biosolids
- Junk Vehicles

The majority of these wastes that are produced end up in the local landfill for disposal, which is operated by Alaska Waste and Waste Management. Wastes that are not handled at the local landfill are dealt with through other established agencies: co-mingled recycling is managed through Alaska Waste, source-separated recycling is managed by CBJ, and non-commercial junk vehicles are managed by CBJ. Household hazardous waste is also managed by CBJ, and those materials are typically shipped south for proper disposal. Food waste can end up in the local landfill, but it can also be composted and reused locally through Juneau Compost and individual home composters.

Ms. Sowa provided an overview of the history of past CBJ Solid Waste Planning Efforts. These projects include:

- 1993 Technical Reconnaissance Study for New Landfill Site Selection
- 2004 Mayor's Ad Hoc Recycling and Waste Reduction Task Force
- 2006 Southeast Conference – Regional solid waste planning effort (transportation network was a barrier)
- 2008 Solid Waste Management Strategy (recommended CBJ take on the RCA certificate for garbage hauling. That effort was not successful.)
- 2014 Biosolids Study by CH2M Hill
- 2018 CBJ Assembly passed Ordinance 2018-37 to allow partnership with Waste Management, co-location of Recycling Center and Household Hazardous Waste
- Solid Waste Action plan (RecycleWorks programs)

Ms. Sowa addressed the concern for long-term plans for the garbage in the landfill, as the estimated life of the Capital Landfill is twenty years. She explained that Waste Management Inc. owns the Capital Disposal Landfill, and Alaska Waste owns the collection and hauling service for CBJ's garbage. Alaska Waste currently holds the Certificate of Convenience and Necessity through the Regulatory Commission of Alaska to collect garbage.

Currently, CBJ cannot legally collect garbage; however, CBJ can legally collect recyclable materials. Ms. Sowa described the long-term options for the garbage in the landfill, and the inherent complexities of those options.

One option would be to build a new landfill, but the issues of that include: CBJ's inability to control the collection of disposal of garbage, the lack of available land, the high cost of development, and stringent regulatory requirements.

Another option would be to ship garbage to the Lower 48, as other Southeast Alaska communities ship their garbage there by barge. However, the issue with this option lies within predicting costs for the hauling and disposal of garbage through private sectors.

The last option Ms. Sowa addressed was to purchase an incinerator/Waste-to-Energy technology for garbage disposal.

Ms. Sowa explained what CBJ can do under the current solid waste management structure.

CBJ can increase diversion of waste from the landfill for beneficial use by collecting more recyclable materials, composting, and pursuing options for biosolids.

CBJ can reduced the amount of waste produced by implementing waste production programs, and shifting towards recyclable/compostable materials over single-use materials.

Regarding the strong landfill odor, Ms. Sowa explained that making changes to the current solid waste management structure is a challenging endeavor. Complaints about the odor should be directed to the agencies who regulate the landfill: ADEC and RCA. She described the odor as a reminder of our solid waste situation, and advocated for the funding and support of our RecycleWorks programs and community efforts to reduce waste.

The Juneau Commission on Sustainability has formed a solid waste subcommittee and will devote the next several weeks into developing a report on the matter to issue to the Assembly.

Ms. Hale asked if Ms. Sowa had any information on other communities who have successfully eliminated landfill odors, if there were any examples to use as a target to achieve. Ms. Sowa said that she has seen that Whitehorse has strong recycling and composting programs that have effectively diverted 40% of the waste stream from their landfill.

Ms. Triem asked if they have looked at the costs of shipping our garbage to the Lower 48, compared to the costs of buying and operating an incinerator. Mr. Watt explained that having an established landfill is the least expensive way of doing business, especially considering that CBJ is not responsible for the waste stream controlled by private companies. Mr. Watt added that if the company, Arrow, were to stop delivering curbside waste to the landfill, they would collocate the garbage onto a barge that would head down south. The landfill would still be in operation and

would still receive waste than is not economically sound to ship, such as construction debris. He said that shipping garbage south might be more expensive, and residual waste staying in town might cause even more costs.

Mr. Smith expressed his thoughts on whether to ship all of the garbage out, and considered the cost to the community in doing so. Mr. Watt explained that costs can be a moving targets, for example, some years might result in a high cost return for cardboard. Consumer behavior and the commodities market make it difficult to determine exact costs for this issue.

Mr. Bryson shared his findings and cost estimates with the Assembly. He said that construction waste is 30% of our landfill, which cannot be reused due to nails and drywall. He found that plastic is equal to less than 6% of our landfill, and even if Juneau did a tremendous job of eliminating plastic, it will only save 3% of the landfill. Mr. Bryson also shared that removal of compost materials can cost roughly 85 cents to \$1 dollar a pound.

Ms. Hughes-Skandijs asked if there is a way for CBJ to gain control of the waste stream. Mr. Watt explained that back in 2004, there was a Mayor's committee that resulted in hiring a consultant to develop a plan to do so. The plan was to allow CBJ to take control of the waste stream and to acquire the garbage hauling business. During negotiations to acquire the garbage hauling business, the selling price escalated several times to the point to which it was undesirable to pursue acquiring it. Ms. Gladziszewski clarified that the negotiations were to acquire the Certificate of Public Convenience and Necessity, not to acquire the business itself, which would allow CBJ the ability to control the waste stream. She said that the issues lie within CBJ having no control over the waste stream, yet CBJ has many aspirations towards resolving it and a significant amount of complaints regarding the odor of the landfill. Ms. Gladziszewski explained that any other options will be more expensive than the City would like to pay, and the landfill still remains the least expensive option for the City.

Ms. Koester shared that she had some staff research on incinerators, specifically incinerators with the technology that convert waste into energy. She found the main issue with using an incinerator is that Juneau does not produce enough waste for an incinerator to convert the waste into energy.

Mr. Watt noted the contractual issues with having Juneau's private waste companies ship waste to a hypothetical incinerator, and the complexities revolving the construction and operation of an incinerator.

Ms. Triem expressed concern about the strong odor of the landfill, and how it is a burden to those that live near Lemon Creek. While she understands that issue is not in their control, she would like to deliver a message to the controlling agencies as a symbolic message to the people of Lemon Creek.

Ms. Hale described the complex process of maintaining an incinerator, and Juneau's lack of a large enough waste stream necessary to allow for an efficient use of an incinerator.

Ms. Woll asked if there was a percentage of how much space food waste is taking up in the landfill. Ms. Sowa said that about 25% of the landfill is made up of compostable material.

Mr. Jones asked if there was a percentage of how much is going into Juneau's wastewater treatment plants. Ms. Sowa explained that she does not have a percentage for that number, but there has been a significant amount of food waste infiltrating the wastewater plant.

Mr. Smith suggested enacting an ordinance to prevent certain materials entering the landfill, and the implementation of programs meant to divert materials from the landfill. Mr. Palmer confirmed that the Assembly did have the power to enact legislation over the landfill, but doing so would require very specific context. The enforcement of those ordinances would require significant policy work. Mr. Smith asked if they could enforce a tariff or a tipping fee. Mr. Palmer explained that would require a thorough overview of the existing regulatory setup to see how much scope the Assembly might have.

Mr. Smith noted that CBJ can collect recyclable material, and asked if compostable material could qualify under recyclable materials. Ms. Sowa said that she would describe compostable materials as recyclable materials, and described it as just processed in a different way.

Mr. Jones said that previous discussions about collecting compost determined that if materials like metal were found in compost, then it would be directed towards the landfill, similar to biosolids. He also described the costs and complexities involved with extending composting.

Mr. Watt encouraged the Assembly to read over the 2018 Solid Waste Management Plan and become familiar with the most recent efforts while considering new strategies. He said that CBJ staff is supportive of composting efforts in the community, and expects to receive a report from JCOS on their suggestions. Mr. Watt agreed with Ms. Triem's concern for those who suffer the negative consequences of living near the landfill, and recommended communicating concern on behalf of the community. He added that landfill odors can result from a variety of sources, and the diversion program that would reduce the amount of compostable material from the landfill might not be successful in reducing the odor. He described sheetrock as a significant source of odor.

Ms. Hale mentioned that the PWFC has discussed source reduction to reduce the odor of the landfill. The PWFC is developing an educational program that will inform residents on what methods and actions will help reduce the odor of the landfill. She said that PWFC will be sharing these findings within the next few weeks.

Mr. Smith questioned if this is an issue the Assembly should focus on, or if this is something the Assembly should avoid putting time and resources into, given their limited control over the situation.

Mr. Watt said that the 2021 Assembly Goal was to develop a strategy to increase recycling, and recommended that they spend some time reviewing the 2007 report. After reviewing the report, the Assembly can then determine whether this should be made a priority in terms of time, energy, and funding. He also suggested reaching out to past Assemblymembers. Mr. Watt described the implementation process as difficult to navigate and receiving negative public comment in the past, but could be worth revisiting.

Mr. Jones addressed that they were not discussing fireworks today, and recommended any amendments be made through the City Attorney prior to the next meeting.

V. ADJOURNMENT

There being no further business to come before the Assembly, the Committee of the Whole meeting adjourned at 8:25p.m.

Minutes drafted by Administrative Assistant Lacey Davis and respectfully submitted by Municipal Clerk Beth McEwen this 10th day of May, 2021.

ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
DRAFT Meeting Minutes –March 15, 2021

The Assembly Committee of the Whole meeting, held virtually via Zoom webinar, was called to order by Deputy Mayor Loren Jones at 6:02p.m.

I. ROLL CALL

Assemblymembers Present: Maria Gladziszewski, Wade Bryson, Michelle Hale, Carole Triem, Alicia Hughes-Skandijs, Greg Smith, Loren Jones, and Mayor Weldon.

Assemblymembers Absent: Christine Woll.

Staff Present: Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Police Chief Ed Mercer, Deputy Chief David Campbell, Library Director/EOC Planning Chief Robert Barr, Finance Director Jeff Rogers, Public Works Director Katie Koester, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Parks and Recreation Deputy Director Michele Elfers, Community Development Department (CDD) Planning Manager Alexandra Pierce, Assistant City Attorney Sherri Layne, CDD Senior Planner Irene Gallion,

II. APPROVAL OF AGENDA

The agenda was approved as presented.

III. APPROVAL OF MINUTES

A. December 7, 2020 Assembly Committee of the Whole Draft Minutes

Hearing no objections, the minutes of the December 7, 2020 COW meeting were approved.

B. January 11, 2021 Assembly Committee of the Whole Draft Minutes

Hearing no objections, the minutes of the January 11, 2021 COW meeting were approved.

IV. AGENDA TOPICS

A. Elections Update from Municipal Clerk

Ms. Cosgrove shared that she and Ms. McEwen have been exploring options for future elections; options that often are determined by accessibility, process, and cost. There are three primary options presented to the Assembly.

Option A was described as the “Status Quo” option, which is very similar in how CBJ has held municipal elections in the past.

Option B would be to conduct a Vote by Mail Election, a process similar to how the 2020 Municipal Election was conducted, primarily due to COVID-19.

Option C was a hybrid of the two previous options, which would allow for vote centers with strong Vote by Mail features.

The full range of options for Assembly consideration were:

OPTION A: Precinct Polling Place Elections – In person Election Day emphasis with Early/Absentee Stations open 2 weeks prior to Election Day with absentee by mail or e-ballot options available similar to elections conducted prior to 2020.

OPTION B: Vote By Mail Elections

Option B-1: VBM in Juneau through creation of an Election Center with purchase of sorting equipment.

Option B-2: VBM in Juneau through creation of an Election Center with manual processing.

Option B-3: VBM in coordination with Municipality of Anchorage (MOA) similar to the 2020 Regular CBJ Election.

OPTION C: Hybrid with Vote Centers & Strong Absentee by Mail and e-Ballot options

Option C-1: Hybrid In person/By Mail (sorting equipment purchase). Vote Centers for in person voting including creation of an Election Center with the purchase of sorting equipment. All ballots processed similar to VBM election processing as mentioned in Option B-1 above.

Option C-2: Hybrid In person/By Mail (manual processing). Vote Centers for in person voting including creation of an Election Center sorting all ballots manually as mentioned in Option B-2 above.

Ms. Cosgrove added that whichever option is chosen, CBJ is in need of new voting equipment, and there is funding available in this year's budget to purchase that equipment.

Ms. McEwen described that Option B was also somewhat of a hybrid option, as it still allows for in-person voting options. She explained that Option B3 is essentially an option that closely follows how the 2020 Municipal Election was conducted: contracting the Municipality of Anchorage and utilizing election vote centers. Ms. McEwen clarified the difference between Option B and Option C. Option B would automatically send every registered voter mail-in ballot packet, whereas Option C would require voters to apply for a mail-in ballot before a ballot packet is mailed to that voter.

Mayor Weldon asked if voters would be required to submit identifying information along with their Vote by Mail ballots through Option B, or if that was only a requirement with Option C. Ms. McEwen said that it would be up to the Assembly to decide what the requirements would be for each of the options. She explained that voters did not have to provide identifiable information in their ballots for the 2020 Municipal Election but that each ballot was assigned to each voter using a unique barcode. The Assembly will need to specify in the Municipal Code what the requirements will be in order to validate a voter's identification.

Ms. Triem shared that while she was grateful towards MOA for allowing CBJ to use their election equipment, she felt hesitant about depending on another municipality for future elections. She asked if there was a possibility that there could be an agreement or contract that

would restrict MOA from suddenly choosing not to allow CBJ to use their election equipment at the last second. Ms. McEwen explained that MOA would have priority to use their own facilities, however if CBJ were to enter negotiations for a contract, MOA would do their best to honor that contract.

Ms. Hale recalled an option that included CBJ mailing postcards to registered voters, and those voters who wished to vote by mail would then request for a ballot using their respective postcard. Ms. McEwen said that Ms. Hale was describing Option C, and that postcards were mailed to every registered voter in Juneau (along with the mail-in ballots) for the 2020 Municipal Election. These postcards were meant to advise voters to update their mailing addresses before ballots were to be mailed out.

Mr. Smith asked for Ms. McEwen to explain the increased costs for conducting the election. Ms. McEwen explained that having a Vote by Mail or hybrid-Vote by Mail election would require a large election center than what CBJ currently has with enough room to house the necessary election equipment and process the ballots. This center would also require hiring additional staff to process the ballots and operate the election center.

There was a brief discussion regarding Election-related House Bills that are currently being considered and amended through the State legislature.

Mr. Bryson had a question regarding the lease of an election center, asking if the equipment would be permanently installed and unable to be taken down. He expressed concern about having a large scale facility for equipment which would only be used three times a year at most. Mr. Bryson advised against leasing a new facility, and suggested that they find space within an existing CBJ facility to convert into an election center.

Ms. McEwen explained the installation process for setting up election equipment, as it is a lengthy, involved process that discourages moving the equipment around after its installation. She added that the space available in the Assembly Chambers would not be adequate enough for all of the election equipment. However, that does not mean that CBJ could not find a different facility large enough to store the election equipment. There have been discussions about using other CBJ facilities as election centers in the future, but those facilities are not available as of right now.

Ms. Gladziszewski spoke to the high cost of installing a new election center in Juneau, and proposed that the Assembly shift their focus towards two options: a Vote by Mail election similar to last year's election, or a normal election similar to previous elections.

Ms. Hale suggested the Assembly focus on Option A and Option B3. Option B3 utilizes MOA's election center, and would negate the need for CBJ to set up its own election center.

Ms. Hughes-Skandijs mentioned that she was pleased with how voting participation numbers increased during the Vote by Mail election, and would like to see Juneau set up its own election center in the future.

Ms. Triem echoed Ms. Hughes-Skandijs' comments, saying that while she appreciated MOA allowing CBJ to use its facility, she would not want that to be a permanent long-term option for future elections. She supported having CBJ set up its own election center.

Ms. Hale added that using MOA's election center for this year's election would not prevent CBJ from establishing its own election center for future elections.

Mayor Weldon agreed with Ms. Triem's comments, and said that she would like to see election operations come back to Juneau, and does not wish to dismiss the hybrid options. She recommended diverting focus away from Option B2 and Option C1.

Mr. Bryson agreed with Mayor Weldon, and added that he felt that bringing the ballots to Anchorage was the most difficult and riskiest part of last year's election. He said that it might be able to happen one more time, and asked Ms. McEwen if there was any difficulty during the process of transporting ballots to Anchorage.

Ms. McEwen clarified that the operation itself was not difficult, it was a matter of ballot control between CBJ and MOA. She described it as a smooth process, and hoped that process would continue to go smoothly if it were to happen again.

Ms. Hale recalled the custody seals that were placed on each of the ballot boxes, and asked Ms. McEwen if she would be able to determine if those ballots were tampered with during that process due to those seals.

Ms. McEwen confirmed that each of the ballots were delivered to the Transportation Security Administration and the Clerk's Office staff observed as the TSA inspected each box containing ballots. After inspection, each ballot box was then repackaged with tamper-evident seals and transferred through a chain of airport custody up to Anchorage.

Mr. Jones asked Ms. McEwen to clarify the drop-dead date for making a decision for the 2021 Municipal Election. Ms. McEwen said that the first deadline they must meet is the purchase of ADA-compliant machinery, and the quote that was given to CBJ will be valid for 90 days as of March 11, 2021. Ms. McEwen has 90 days to inform the company on whether or not CBJ will be purchasing that equipment for the election.

Mr. Jones spoke about deadlines, and the importance of knowing when each of the deadlines will be in effect for each election option. Ms. McEwen said that she thinks that the Assembly should reach a decision by the April 26 Assembly meeting in order to rearrange the calendar, and ensure that they have the code ordinances, and to allow for public comment.

Mr. Jones asked if the Law Department could assist the Assembly through the process of getting the final votes on the ordinances needed by April 26th. Mr. Palmer said that some of the options presented before the Assembly might be adjustable through the Clerk's Policies and Procedures. He added that the Law Department can work with the Clerk's Office on drafting ordinances based on the COW's decision tonight.

MOTION by Ms. Gladziszewski to forward Election Option B3 to the Assembly for consideration for the 2021 Regular Municipal Election.

Amendment #1 by Mayor Weldon to also include Option B1 for consideration by the Assembly.
Hearing no objections, Amendment #1 was adopted by unanimous consent.

There was a discussion about providing clarification that Options B1 and B3 would be forwarded to the Assembly for consideration with B3 being done in 2021 if possible. If it was determined to be not possible for 2021, it was decided upon to consider it for the 2022 Regular Election.

Hearing no objection to the amendment or the motion, the motion passed as amended by unanimous consent.

B. Fireworks Ordinance (Draft Ordinance 2021-03 COWv2)

Mr. Palmer gave an explanation on the existing language and amendments of the draft Fireworks ordinance. Referencing a chart presented in the agenda packet, Mr. Palmer compared the current Fireworks Ordinance to the Proposed Fireworks Ordinance, and what it would do to the existing policy. The existing policy's definitions on saleable and non-concussive fireworks makes for what Mr. Palmer described as a complicated situation.

He explained that the draft ordinance is almost identical to the existing policy, with the exception of its allowance of saleable, concussive fireworks on New Year's Eve and the Fourth of July. The draft ordinance also includes a difference when it comes to retail sales. This ordinance includes amendments that would allow for the retail sale of fireworks outside of the fire service area boundary, but prohibit retail sales of fireworks inside the fire service area boundary.

Mr. Palmer recommended forwarding this to another COW meeting to ensure that the draft ordinance is cohesive before introducing it for public hearing.

Ms. Hale added that the intent of this ordinance would be to produce a brochure similar to the one that currently exists, to help residents understand the guidelines and boundaries of fireworks usage. Ms. Hale described her intent as wanting to allow people to have fun, while protecting neighborhood residents from having to deal with excessive noise.

Mr. Bryson asked Mr. Palmer to clarify if the draft ordinance would effectively remove all fireworks from residential areas (including bottle rockets and roman candles) or would it just

remove highly-concussive fireworks. Mr. Palmer clarified that people are permitted to use different kinds of fireworks in residential areas than they can outside of that area.

Ms. Gladziszewski mentioned that she only wanted to prohibit excessive “booming” fireworks, and spoke against banning all fireworks from residential areas.

36.80.010 – Fireworks Control. Mr. Palmer explained the Title 19 shall govern the storage of fireworks, which is a point of clarification on how fireworks are stored. He wished to make clear that this draft ordinance does not interfere with Title 19.

Mr. Palmer continued detailing the draft ordinances changes, such as the geographical use of non-concussive fireworks and the definition of “non-concussive.” Mr. Bryson asked for further clarification on what types off fireworks have been prohibited. Mr. Palmer said that the existing ordinance defines concussive fireworks as roman candles, bottle rockets, helicopter rockers, firecrackers, mines, and mortars. These types of fireworks would be prohibited year-round in residential areas.

Mr. Palmer confirmed that the definition of “non-concussive” used in the ordinance is verbatim from the State law, however the definition of “concussive” has been slightly modified. He added that one of these modifications was at the request of the Juneau Police Department to allow for officers to identify the difference between the two types of fireworks. This includes any firework with an inside tube diameter greater than three-quarters of an inch to be identified as concussive. Fireworks that are also identified as concussives are roman candles, bottle rockets, helicopter rockers, firecrackers, mines, and mortars – regardless of inside tube diameter.

Ms. Gladziszewski asked if definitions used in the ordinance were found in the National Fire Protection Association’s definition of firework types, or were they added by the Law Department. Mr. Palmer explained that Items A through K of the ordinance are directly stated in Alaska State Law, and the only modification made was to categorize the definitions of “concussive” and “non-concussive” fireworks. Ms. Gladziszewski asked if a bottle rocket would be categorized as a concussive sky rocket. Mr. Palmer confirmed that would be the correct categorization, and they are categorized as concussive due to the 2016 CBJ Assembly Policy on Fireworks.

Mr. Bryson asked if it was possible for CBJ to directly list in the ordinance the types of concussive fireworks that are prohibited within CBJ Fire Code limits. He added that putting bottle rockets, black cats, and roman candles on the concussive list could cause contentions within the community. Mr. Bryson also suggested banning the use of mortar fireworks, as they are the fireworks that cause the most complaints.

Ms. Hale reiterated her point of having an easy to understand flyer available for residents to know which fireworks are permitted for use in preparation for the Fourth of July.

Mayor Weldon asked Mr. Palmer to explain why Items 6 through 16 did not include a time restriction like Item I, Line 18 has included. Mr. Palmer mentioned that the Assembly has the option to impose a time restriction to firework usage if they deemed it necessary.

36.080.020 – Fireworks Prohibition and Exceptions. Mr. Palmer went on to explain the exemptions to allow the use of fireworks in certain areas outside of the fire service area. Item 2(i) allows for year-round use of fireworks outside of the fire service area, which is defined as out the road past Cohen Drive. This would allow for the use of both concussive and non-concussive fireworks between 10:00am and 10:00pm every day of the year. Mr. Palmer also defined Outer Point of North Douglas as outside of the fire service area and past the boat ramp on North Douglas. This definition includes Eaglecrest as within the fire service area. The use of both concussives and non-concussives are permitted in this area only during New Year’s Eve and the Fourth of July.

Ms. Gladziszewski asked for an explanation for Eaglecrest’s involvement in their status as a fire service area. Mr. Palmer explained that Eaglecrest has requested that they be allowed to dictate when fireworks are used on Eaglecrest property, and for it to be prohibited unless otherwise allowed.

Mayor Weldon wished to clarify that this ordinance restricts fireworks usage only to a specific part of North Douglas, and not the entirety of Douglas Island. Mr. Palmer confirmed that the area between the North Douglas boat ramp and the end of Douglas Highway as a permitted place for firework usage only during New Year’s Eve and the Fourth of July.

Mr. Palmer explained Item 3(i) which allows for firework usage outside of the fire service area on any private land. Both concussives and non-concussives are permitted as long as there is direct permission given by the property owner.

Mr. Jones mentioned that firearms are not permitted to be fired a quarter-mile away from a road, and asked how far the road service area extended past the shoulder of the road.

Mr. Palmer answered that he believed that the general rule was a half-mile away from the road.

36.80.030 – Fireworks Use Permit. Mr. Palmer explained that he deleted the word “appropriate” from the language in Line 22 as he felt that it looked redundant in the ordinance.

Another language change was made in Lines 19 and 20, putting “must” instead of “should” which would require the fire chief to provide an explanation.

36.80.040 – Sale of Fireworks. Mr. Palmer described a change in language from an “and” to an “or” in the fireworks retail permit. This change would allow for someone to sell fireworks with a permit outside the fire service area, otherwise the sale of fireworks is prohibited inside the fire service area.

Mr. Bryson expressed concern with forcing the sales of fireworks to be outside of the fire service area. He said that doing so would make it more hazardous for those to get out the road to purchase fireworks, and a higher liability for those selling the fireworks. Mr. Bryson suggested allowing permitted sales of fireworks to happen in a reasonable location within the fire service area. He asked for the reasoning behind the logic of having fireworks sales be conducted outside of the fire service area.

Mr. Palmer explained that the current CBJ policy code states that fireworks need to be stored properly, and said that there may be places within the fire service area where adequate storage capacity exists.

Ms. Hale explained that there are safety concerns within the fire service area depending on the location of sales.

Ms. Gladziszewski questioned the purpose of limiting the sale of fireworks to outside of the fire service area, and asked for clarification as to why that is.

36.80.045 – City & Borough of Juneau Retail Fireworks Permit. Mr. Palmer introduced language for a new Juneau retail fireworks permit that he drafted with the Fire Chief. He described the overarching concept as follows: if someone wants to sell fireworks, they would first need to get a permit from the State, then they would present that permit to the Fire Chief. The Fire Chief would then evaluate the criteria, and if the criteria was met, a permit would then be issued.

Mr. Palmer and Mayor Weldon identified five preliminary conditions that need to be met for retail firework sales: retail sales must take place outside of the fire service area boundary; retailers must obtain a permit issued from the State; the Fire Chief must approve of the permit; retailers must only sell saleable fireworks; and sales are only permitted to take place when the Juneau Area Fire Danger level is at Low or Moderate. The permit is effective for twelve months, similar to the State permit. The Fire Chief may temporarily revoke the retail permit if the Juneau Area Fire Danger level is at High, Very High, or Extreme. The Fire Chief may revoke a fireworks permit upon violation of any of the aforementioned conditions, a violation of this chapter, or a violation of Alaska Statute 18.72 or Title 19. Mr. Palmer clarified that a violation of this chapter would include the sale of non-saleable fireworks or dangerous fireworks are that not legal to sell in Alaska.

36.80.050 – Possession of Fireworks. Mr. Palmer said that in the previous version, each person was limited to 25 gross pounds of fireworks; this draft ordinance changed that language to allow for 150 gross pounds of fireworks per person. With this increased number, the storage and transport of these fireworks must be in accordance with Title 19, as well as State and Federal laws.

Ms. Triem asked Mr. Palmer to explain what the Title 19 requirements were for the storage and transport of fireworks. Mr. Palmer explained that it would depend on the volume of the fireworks being stored and transported. The technical aspects of Title 19 and the hypothetical situations in which large amounts of fireworks are being stored or transported can vary. Mr. Palmer said that he could get back to Ms. Triem with more exact specifications regarding Title 19 at the next COW meeting. Ms. Triem said that she would like to fully understand what the requirements are before making a decision regarding the storage and transportation of a large amount of fireworks.

Ms. Hale clarified that fireworks are often sold in large packs of up to 125 pounds that contain a whole variety of fireworks. She said that they chose to increase this number in order to limit the amount of packs one could possess to help address illegal sales.

Mr. Bryson felt that this number was significantly higher than it needed to be, and expressed concern about variety packs of 125 or more potentially including large-scale mortar fireworks. He suggested that this number could be lowered to 100 or 75 pounds. Ms. Hale appreciated Mr. Bryson's comments, but mentioned that the use of mortar fireworks outside of the fire service area would be permitted per this fireworks ordinance.

Mayor Weldon questioned why there seemed to be no age restriction with this chapter of the ordinance, and asked if it was dropped. Mr. Palmer confirmed that this draft of the fireworks ordinance does not restrict the sale of fireworks to those under the age of eighteen. He added that if the Assembly wished to impose that as a condition, they would need to add that amendment. Ms. Hale explained that she chose not to set an age restriction for the sale of fireworks due to the fifteen, sixteen, and seventeen year olds who do use fireworks. She said that she did not want to criminalize normal behavior.

36.80.060 – Miscellaneous Fireworks Provisions. Mr. Palmer expanded this section to include a more clear definition of alcoholic intoxication by using the language found in the Driving Under the Influence provision. He also clarified the language regarding those intoxicated under marijuana or controlled substances. Ms. Hale added that this also applies to the sale of fireworks, fireworks may not be sold to someone who is clearly intoxicated or under the influence.

36.80.070 – Definitions. Mr. Palmer defined concussive, saleable fireworks as any firework with an inside tube greater than $\frac{3}{4}$ inch or one of the following items: Roman candle, sky rocket or bottle rocket, helicopter-type rockets, mines, mortars, and firecrackers. Mr. Palmer added that the Assembly was able to change these definitions, as these were taken from the 2016 Fireworks Policy.

Mr. Palmer emphasized the definition of designated public property as regulated CBJ property, and regulated state and federal property with their express consent. This definition allows the Assembly to decide where fireworks can be used.

If the Assembly decided to take no action, then the Eaglecrest Board and the Docks & Harbors Board are permitted to decide if people can use fireworks on their respective properties. For example, Docks & Harbors Board could designate the Echo Cove Boat Launch as an area in which fireworks can be used. Mr. Palmer reiterated that this is only the case if the Assembly choose not to act on the definition of designated public property.

Mr. Palmer shared that there had been no changes made to the definition of non-concussive saleable fireworks. He said that he took this definition from the 2016 Fireworks Policy.

Ms. Gladziszewski asked for additional clarification on the definitions used in the draft ordinance. Mr. Palmer explained that Items A through K were derived from the list featured in Alaska State Statute regarding what is defined as a saleable firework. He compared that list to the 2016 Firework Policy, and divided the two into clear definitions for the draft ordinance.

Section 3. Amendment of Section. Section 03.30.053. Mr. Palmer explained that this section illustrates the civil infractions for using fireworks in violation of this code. He compared this offense as similar to a speeding ticket, and made the fines increase gradually through a “stair stepped” approach through repeated offenses.

Section 4. Amendment of Section. CBJC 67.01.090. Mr. Palmer clarified that this amendment only applies to Parks & Recreation CBJ Property, and cleared up the question on whether a firework can be considered a “missile.” Director Schaaf explicitly requested the term “firework” to be specifically identified as being prohibited on Parks & Recreation property. However, the Assembly, by resolution, may designate any area of Parks & Recreation property for fireworks during specific times.

Ms. Gladziszewski said that she would like to differentiate between big mortars and firecrackers, and said that bottle rockets and firecrackers could be allowed in residential areas for the Fourth of July. She also proposed allowing fireworks usage at Eaglecrest only for New Year’s Eve and the Fourth of July.

Mr. Bryson spoke to the difference between mortars and other fireworks, and advocated for removing mortar fireworks.

Mr. Smith expressed interest in looking into prohibiting the sale of fireworks to those under the age of eighteen, but not prohibiting the use of fireworks to that population.

Mayor Weldon asked Mr. Bryson to clarify his proposal, as the use of mortars in residential areas was already not permitted under this ordinance. Mr. Bryson said that the current ordinance removes too many fireworks, such as black cats and roman candles, and he would like to ban the highest-concussive firework.

Ms. Hughes-Skandijs asked for clarification on if Mr. Bryson’s and Ms. Gladziszewski’s suggestions were to simply add back firecrackers and bottle rockets, or if they were wanting to

add more fireworks than that. Ms. Gladziszewski confirmed that she wanted to just include bottle rockets, firecrackers, and roman candles. She recommended adding a third category for fireworks that are concussive, but not excessively loud.

Ms. Triem expressed concern about the potential danger and risk of wildfires that may result from pushing people out the road to use fireworks.

Mayor Weldon responded to Mr. Smith's concerns, saying that the State of Alaska already requires those who purchase fireworks to be over the age of eighteen, but she would like to see something that requires that those who use concussive fireworks to be over eighteen.

Ms. Gladziszewski said that Ms. Triem's concern further justifies why she would like to see Eaglecrest and Echo Cove added as potential places for fireworks usage.

Mayor Weldon proposed adding a sixth condition for Retail Firework Sale Permits for retailers to be bonded and insured to prevent firework-related hazards from going uninsured.

Ms. Gladziszewski echoed Mr. Bryson's earlier comments about reducing the possession of fireworks to 75 gross pounds instead of 150 gross pounds.

Mayor Weldon thanked Ms. Hale and Mr. Smith for their hard work in developing this draft ordinance and for trying to reach a compromise for this difficult issue.

The Committee of the Whole took a break at 8:35p.m. and the meeting resumed at 8:45p.m.

C. Bond Project Priorities

Ms. Cosgrove explained that Engineering/Public Works Director Katie Koester polled the Assemblymembers and provided a list of the feedback received. The State Legislative Delegation and Federal Delegation have both requested the Assembly state their current priorities in regards to the bond projects.

Ms. Koester shared that her goal was to discuss and adopt the priority list featured in tonight's agenda packet. She reported that all Assemblymembers responded to the poll, which was significant in ensuring that the numbers were calculated accurately. In addition to discussing next steps, Ms. Koester will also send a copy of the priority list to U.S. Senator Lisa Murkowski as part of her information gathering exercise.

Mayor Weldon asked about the car crusher, and whether or not it would be efficient as it is based on weight instead of size. Ms. Koester mentioned that CBJ staff and Recycle Works have been requesting a car crusher for a while now, and noted that Juneau's limitation on shipping junk vehicles is based on weight. Therefore, a car crusher would not necessarily allow for more cars

to be shipped. However, she added that a car crusher could potentially be useful in the future for different endeavors.

Mr. Smith asked Ms. Koester if she had received any guidance from Sen. Murkowski's office on project size or types of project, i.e. economic projects. Ms. Koester explained how the Assembly could complete the project request form process, and described it as part of Sen. Murkowski's outreach to constituents.

Mr. Smith asked if this process was an annual prompt and not tied to any federal infrastructure package. Ms. Koester said that it was not tied to any specific infrastructure package that she was aware of, although that is not to say that it could not have been or could not be tied to one in the future.

Ms. Hughes-Skandijs asked if the car crusher would help with storage challenges. Ms. Koester said that a car crusher could help with storage concerns, but it also comes with other challenges to make sure it does not result in any environmental and/or operational issues.

Mr. Bryson asked about the current status of the Skookum car crusher, which used to crush cars into blocks. Ms. Koester explained that CBJ has three years left in its contract with Skookum, and are still currently able to crush cars.

Mayor Weldon spoke in regards to the Federal funding, and shared that she would like to send Centennial Hall Expansion Project and 2nd Channel Crossing Project to the Federal level. She said that she picked those two projects because each of them are in need of substantial funding.

Ms. Gladziszewski shared that she would like to move Centennial Hall Expansion and the 2nd Channel Crossing up towards the top of the priority list. She mentioned that the Assembly has discussed 2nd Channel Crossing for years, while it is not a shovel ready project, it is something every person who ran for Assembly has supported. Ms. Gladziszewski was surprised to see the North Douglas Launch Ramp up so high on list, considering they have never discussed it.

Ms. Triem agreed with moving the 2nd Channel Crossing up the priority list. She said that she could be convinced to move that project above the car crusher.

Ms. Hughes-Skandijs brought to the attention of the Assembly that many constituents at Docks & Harbors Board meetings have voiced their concerns regarding the condition of the North Douglas Boat Ramp. She also spoke in favor of the 2nd Channel Crossing project.

Ms. Hughes-Skandijs suggested asking for more money for the Lemon Creek Bike Path project, rather than funding millions towards Centennial Hall, which has already received millions in funding in the past.

Ms. Hale spoke to the concerns that the public had about the Centennial Hall project regarding

its funding coming from CBJ, and mentioned that receiving federal funding from the project could help it receive more support.

Ms. Triem mentioned that the Lemon Creek Bike Path was at the top of her priority list. She also stated that these projects were identified as priorities with the anticipation that it was done with the State G.O. bonds in mind. If this list were to be used for other purposes, she would have prioritized it differently under a different context.

MOTION by Mr. Smith to keep the Legislative Priority List the same as found on page 69 and would like to see a separate list sent to Sen. Murkowski as follows: Lemon Creek Bike Path at \$8,000,000, the 2nd Channel Crossing at \$50,000,000 and Centennial Hall Expansion/Civic Center at \$25,000,000.

Objection by Ms. Gladziszewski. She suggested that Mr. Smith bifurcate the motion as she agreed with the second part of his motion, but not the first.

Mr. Smith withdrew his previous motion to make a new motion.

MOTION by Mr. Smith to submit a list to Sen. Murkowski three projects: Lemon Creek Bike Path at \$8,000,000 for the Lemon Creek Bike Path, the 2nd Channel Crossing at \$50,000,000 and Centennial Hall Expansion/Civic Center at \$25,000,000.

Ms. Hale commented on whether the Assembly should ask for \$200,000,000, or if the Assembly should be modest and ask for \$50,000,000. Ms. Koester said that it would be acceptable to leave the dollar amount blank and to give general direction to accomplish a significant phase of the project. She also recommended that CBJ staff could come back with a more educated estimate for funding requests.

Objection by Mr. Jones. He said that he tried to avoid this item on Friday, due to the fact that there are a lot of people out there who want to do a lot of things. He said that this is not the process the Assembly needs to use, and would prefer a process that involved more people to be involved with this decision.

Mr. Bryson related this list as being similar to writing a letter to Santa Claus, and thanked Mr. Jones for his candid comments.

Roll Call Vote to forward the Lemon Creek Bike Path, the Centennial Hall Expansion Project, and the 2nd Channel Crossing Project to Senator Murkowski:

Ayes: Smith, Hughes-Skandijs, Bryson, Hale, Triem, Gladziszewski, Mayor Weldon.

Nays: Jones.

Motion passed. Seven (7) Ayes, One (1) Nay.

MOTION by Mr. Smith to forward the list as written on page 69 of the packet to the Legislative Delegation as the Assembly's 2021 Priority List.

Objection by Ms. Gladziszewski for purposes of an amendment.

AMENDMENT #1 by Ms. Gladziszewski to move the 2nd Channel Crossing Project up above the North Douglas Launch Ramp to be Item #4.

Objection by Mr. Jones.

Roll Call Vote on Amendment #1:

Ayes: Gladziszewski, Bryson, Hale, Triem, Weldon.

Nays: Smith, Hughes-Skandijs, Jones.

Amendment adopted. Five (5) Ayes, Three (3) Nays.

Hearing no objections to the motion as amended, the motion passed by unanimous consent.

D. Visitor Industry Task Force Report Implementation Plan – Mr. Jones provided notice to those online or watching that this agenda topic will be postponed to the next COW meeting.

E. Other Items – None.

VI. ADJOURNMENT

There being no further business, the meeting adjourned at 9:21p.m.

Minutes drafted by Administrative Assistant Lacey Davis and respectfully submitted by Municipal Clerk Beth McEwen this 10th day of May, 2021.



JUNEAU COMMISSION ON AGING
C/O Office of the Municipal Clerk
155 S. Seward St., Room 202
Phone: (907)586-5278
City.Clerk@juneau.org

May 6, 2021

Dear Mayor Weldon, Assembly Members, and Manager Watt,

The 2020 Senior Needs Survey is complete, thanks to financial support from CBJ, the CBJ clerk's office, JEDC staff, and an almost 20% response (1845) based upon 9800 postcards sent to potential respondents aged 55 and older. Survey questions were designed to learn about seniors' safety, accessibility and healthcare support, and to understand modifications/improvements they need in order to age well and stay in Juneau.

Survey results revealed four major concerns:

1. **Affordable, senior-friendly housing**
2. **Medical services specializing in elder care**
3. **High cost-of-living**
4. **Support services including in-home care**

Based on the above, and all survey responses, the following initial recommendations and comments are offered for your consideration:

HOUSING

A) JCOA recommends that CBJ continue its support of the new assisted living project, Riverview Senior Community, through the upcoming planning and permitting process. JCOA commends CBJ for helping to make this much-needed facility possible by purchasing the land on which it will be built. This development incentive helped reduce up-front costs in recognition of the high cost of construction in Juneau. Construction must begin this summer for this 88 unit facility to open by the fall of 2022. While Riverview will accommodate many of our seniors currently in need, and many in the near future, we urge CBJ to continue to creatively find additional ways to incentivize senior housing developments.

B) We recommend that the Chief Housing Officer get the most current senior population numbers for Juneau to aid in better projections of senior housing needs. Over 2 years ago the Alaska Department of Labor revealed that almost 25% of Juneau's population is 65 or older. With current data CBJ will be in a better position to work with local developers and contractors to create programs and incentives that will encourage development of more senior-friendly housing. Aging in place requires multiple housing options, from in-home modifications to new, accessible, low-maintenance homes located close to shopping, bus, community centers. This survey revealed that the lack of appropriate age-friendly housing was the number one issue that could cause seniors to leave Juneau. Where waiting lists occur, part of the cause is the unavailability of types of housing which meets the demand. For example, Trillium Landing, an independent senior housing complex, has vacancies because the units available lack diversity to match current needs. Fireweed Place has a waiting list for two-bedroom apartments. These two apartment buildings are for seniors who can live independently.

C) We recommend that CBJ require developers to include a reasonable percentage of senior-friendly units in multi-unit developments. Both rentals and condos/cottages are desired by seniors from all income levels. Senior-friendly might mean multi-family units that have no stairs within units or an



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elevator if a multistory building. Senior-friendly also means handrails in bathrooms, wheel-chair accessible, zero to minimal indoor stairs. We urge you to meet with developers and contractors to re-examine together what is needed and how to fill the gap.

D) We urge Juneau to look at creative new ideas for senior housing. Other communities are implementing solutions like co-housing, Tiny Homes and micro-housing, college dorm-sharing, senior “village-to-village” organizations, and multigenerational housing.

SPECIALTY MEDICAL CARE

A need for specialty medical services was identified through data analysis. It is recommended that the Assembly meet with Bartlett Hospital Administrators to assess how the gap in specialty medical services for elder patients is being addressed and mitigated. This survey indicates high need and interest by survey respondents for elder care medical services from gerontologists, cardiologists, endocrinologists, dermatologists, nephrologists, ophthalmologists and spinal specialists. Some of these specialists are currently available monthly and likely the specialty clinics need to be promoted more widely. There is a shortage of healthcare workers in Juneau leaving many seniors home alone without adequate support. We urge CBJ to consider ways to collaborate with healthcare providers and educators to increase the number of healthcare workers. Also, JCOA would like to request the Assembly liaison to BRH keep JCOA abreast of how BRH is approaching the perceived gaps in medical service, and to make sure the BRH CEO and staff remain apprised of senior developments and needs in the larger community from the perspective of seniors.

COST OF LIVING

We recommend continuing to allow for various senior tax exemptions (food, property taxes, utilities, internet) as a reasonable approach to help seniors remain in Juneau, especially those who are less financially secure.

SUPPORT SERVICES including in-home care

The survey identified a shortage of qualified home-healthcare workers that includes nurses, aides and caregivers that can work with seniors in their homes. The JCOA has identified the following as possible solutions:

A) We recommend CBJ advocate for community collaborations between stakeholders such as ASHNA and Bartlett Regional Hospital to allow the University of Alaska Southeast to continue to offer a CNA (Certified Nurse Assistant) program. We also recommend the continuation of the Nursing program through the UA system and to allow more students in a cohort. We further recommend continued strong support of the EMT and similar programs. All these graduates could contribute to the local home healthcare workforce, which needs to be grown. The limiting factor for healthcare aides remains lack of supervised training opportunity. We recommend that CBJ brainstorm with all the stakeholders on how to redefine how nurses’ aides could more readily receive necessary supervised training to timely fit demand for services.

B) We also recommend that CBJ provide some funding for scholarships, and/or tuition reimbursement programs, to help entice individuals to apply for these programs at UAS.



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C) Perhaps UAS could have an administrative program that matches students with seniors who would provide free housing for the student in their home, in exchange for limited in-home care. The JCOA has not discussed this with UAS but would be interested in working up a proposal with the blessing of the city and your liaison to UAS.

D) Another solution is to allow seniors to live in up to 25% of the dorm rooms at the University of Alaska Southeast campus – or maybe build a “senior dorm” – with an arrangement whereby a college or grad student could “adopt a senior” and commit 4-10 hours weekly in exchange for reduced room and board.

E) The JCOA recommends that the CBJ consider ways to offset the high cost of in-home healthcare for seniors especially since the costs are on the rise due to the high demand and low number of qualified workers.

While the need for group senior services was not as vigorously stated as affordable senior-friendly housing, assisted living facilities, and medical services, it did get quite a bit of attention. It is important to understand that this data was collected pre-COVID. It is likely that seniors feel even more lonely and isolated now during the pandemic. With this in mind, we would like to partner with CBJ in studying the feasibility of re-opening a senior center in the Valley, particularly since there has been a significant population shift to the Valley from Downtown since 2010. For example, working with Catholic Community Services to expand Meals on Wheels to cater a Friday or Saturday night “social” for seniors at St. Paul’s church could get a boost from a CBJ grant.

Many of these ideas fall under an umbrella of creating a “Master Plan for Aging.” Communities around the world, country and state are working on comprehensive plans for our aging populations and several models/blueprints are available. AARP has been a leader on this front and the JCOA is nurturing a collaboration with our local and state AARP to help develop a Master Plan for Aging for Juneau. Once we have more information we will update you on how this could work, and what role the CBJ could have in helping with plan development and implementation.

We appreciate your interest and support of Juneau’s seniors and look forward to working with you in the future.

Sincerely,

Emily Kane, Carole Ende, Paul Douglas, Linda Kruger, Sue Warner, Kathleen Samalon, Jan Beauchamp,
Jennifer Carson
2021 JCOA members

Attachment 2020 Senior Needs Survey Report



Port of Juneau

From: Carl Uchytel
To: Assembly Committee of the Whole
Via: Chair Etheridge Docks & Harbors Board
Via: City Manager
Date: May 10th, 2021
Re: University of Alaska – Lease Property – Juneau Fisheries Terminal

1. At the April 7th, 2021 Assembly Finance Committee, Docks & Harbor was requested to bring to the COW details regarding the University of Alaska lease for the property between Aurora/Harris Harbors commonly referred to as the Juneau Fisheries Terminal.
2. CBJ, under Docks & Harbors management, has leased 2.80 acres from the University of Alaska since 1988 for approximately \$13K per year. The favorable rate was primarily due to an agreement in which CBJ granted UAS \$500K in support of building the Egan Library. The terms of the lease allow for preferential one time renewal of the lease for up to fair market value of the appraised property. The original lease expires in May 2021 but efforts are underway, in which UA is offering a one-year extension of the existing term.
3. This leased property contributes mightily to the commercial maritime economic health of the Juneau waterfront. In addition to Docks & Harbors sub-leasing to Harri Commercial Marine for an active boatyard and boat haulout facility, there are additional sub-leases with Maritime Hydraulics and Alaska Memories Enterprises (dba Nordic Tug Charters). Equally as important are the tidelands and submerged tidelands that provide commercial fishing vessels access to Docks & Harbors controlled cranes. This crane dock is critical for the commercial fisheries industry to load and unload gear and seafood. The facility also provides 150 feet of moorage at an adjacent float.
4. At numerous public meetings, the Docks & Harbors Board has discussed strategically the need to secure this leased property at the end of the current agreement to continue to support the commercial needs of the community. In addition to the current 2.80 acre lease, there is a aspirational vision to obtain the entire 5.34 acre parcel which bifurcates two of Juneau's small boat harbors. The larger parcel also contains the UAS Vo-Tech Building and Welding Lab; both are actively used by the University.

Assembly Committee of the Whole
 May 10th, 2021
 Page 2 of 2

5. In preparation for the expiration of the lease, the University obtained the services of Horan & Company to appraise the lease rent value and the value of the properties should the University of Alaska wish to sell property outright.

	Annual Lease Rent (33 year term)	Purchase Amount
Juneau Fisheries Terminal – 2.80 acres	\$230,400	\$2,880,000
Complete UA Property – 5.34 acres (including Juneau Fisheries Terminal)	N/A	\$8,570,000

6. Docks & Harbor staff has met with the Finance Department who has consultant with CBJ's financial advisor who indicated that a revenue bond for \$2.88M could be reasonably obtain for 15 years with annual payment of approximately \$250K, making purchase of the currently leased property attractive.
7. It is Docks & Harbors intent to pursue the purchase of the 2.80 acre leased property, at a minimum. As outlined at the April 7th AFC meeting, the pandemic has been especially hard on the Docks & Harbors Enterprises. The Docks & Harbors Board has prioritized this property acquisition as a critical need and is currently in the process to find revenue sources in order to meet the commercial maritime needs of the Juneau community.

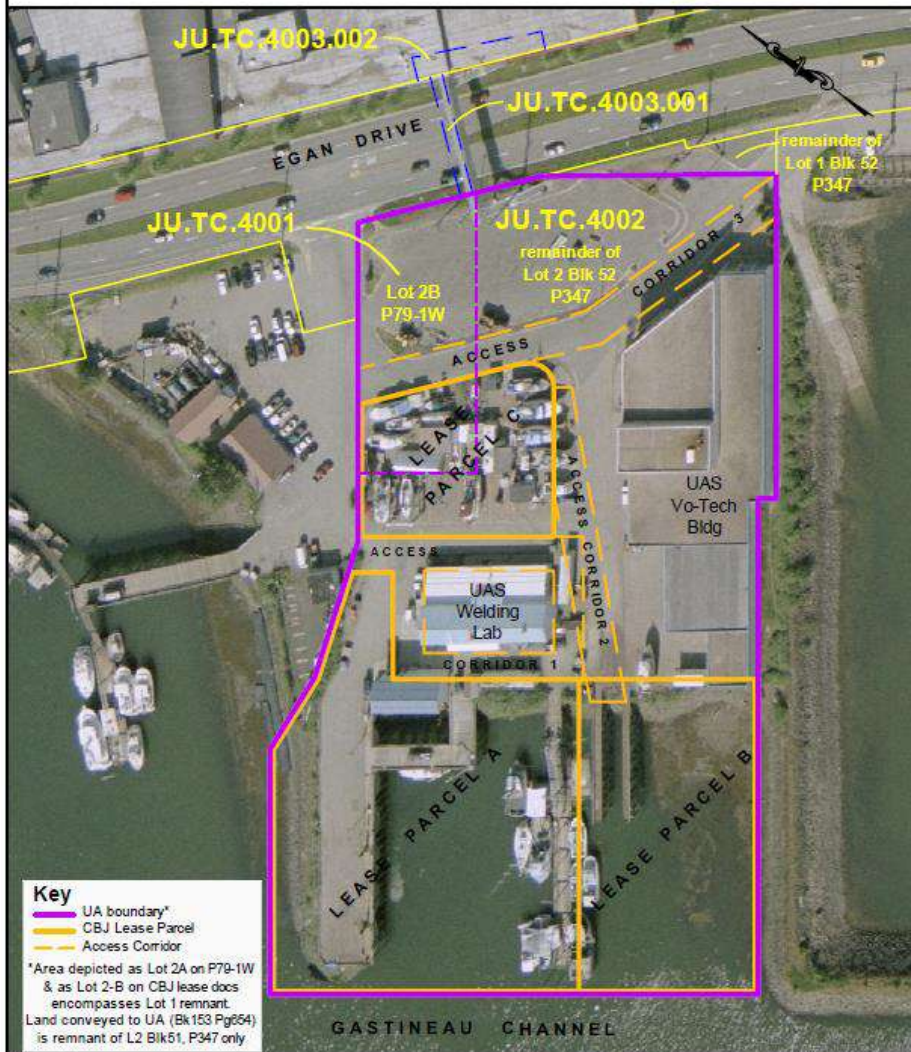
Encl: (1) Map of the UA Parcel
 (2) Experts from Horan & Company, LLC Appraisal Reports

#

Juneau Tech Center

JU.TC.4001

JU.TC.4002



Key

- UA boundary*
- CBJ Lease Parcel
- Access Corridor

*Area depicted as Lot 2A on P79-1W & as Lot 2-B on CBJ lease docs encompasses Lot 1 remnant.

Land conveyed to UA (Blk 153 Pg 654) is remnant of L2 Blk 51, P347 only

UA LAND MANAGEMENT
March 2009

0 100 ft
Scale

Meridian
C.R.

Township
41S

Range
67E

Date of photo: 6-09-06

Source: Aero-Metric Anchorage
(Photography is unrectified; Distortions exist.)

Excerpts from Horan & Company, LLC Appraisal Report

Market Value and Annual Market Rent Appraisal
City & Borough of Juneau, Real Property Lease
At the UAS Marine Tech Center
1425 Harbor Way, Juneau, Alaska
Report Date: February 16, 2021

4.5 VALUE CONCLUSION

As indicated in the cost approach, the market value of the land and marine improvements being leased by the City and Borough of Juneau, as of the effective date, is **\$2,880,000**.

4.6 RENTAL VALUE

Commercial property generally rents as a percentage of the market value. There is a resistance to “renting” and developing property in the subject market. The private market functions more efficiently when it can purchase a property outright and develop it. However, there are instances when governmental agencies, or other institutions which do not have the flexibility of sale, typically rent at a percentage of the estimated market value. These percentage rents have ranged from 6% to 12% over the last 20 years. In the last 10 years or so these rates have narrowed to a range of 7% to 10% and are predominately around 8%. Based on nominal percentage lease rate at 8% the indicated annual rent is calculated as follows.

\$2,880,000 at 8%= \$230,400/Year

The lease terms for the rent assumes a full net lease, where the lessee pays tax, insurance, and all expenses related to the use of the land, for a minimum 20-year term, with 3-to-5-year rental adjustment clause, lessee fully indemnifies the lessor, and other conditions typical of market land lease rents in the region.

Excerpts from Horan & Company, LLC Appraisal Report

Market Value Appraisal
 UAS Marine Tech Cener and Marina
 1417 -1425 Harbor Way, Juneau Alaska
 Report Date: Febeary 16, 2021

TABLE 3.1 – Site Area Breakdown	
Lot 2A	212,558.42 SF
Lot 2B	<u>20,024.78 SF</u>
Total site	232,583.20 SF
Uplands	147,283.20 SF
Tidal lands	49,600.00 SF
Submerged lands	35,700.00 SF



FIGURE 3.2 – Aerial of the larger parcel outlined in red with dashes showing the subject's lease areas and access corridors as outlined. This photo also shows the character of and location of the tidelands and submerged lands.

Table 4.12 – Value Summary	
Land	\$5,250,000
TEC	\$2,500,000
Welding	\$170,000
Marine	\$650,000
	\$8,570,000

Presented by:
Presented:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-03 vCOW3

An Ordinance Regulating Fireworks and Providing for a Penalty.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 36, Health and Sanitation, is amended by adding a new chapter to read:

36.80 FIREWORK CONTROL CODE

36.80.010 Fireworks control.

- (a) This chapter shall be known as the Fireworks Control Code.
- (b) The intent of this chapter is to comprehensively regulate the use, possession, and sale of fireworks despite any contradictory provision of Title 19. Title 19 shall govern the storage of fireworks. Pursuant to Title 19, the fire chief may still prohibit or restrict the use of all fireworks at any time due to increased fire danger or any other reasons which may create a significant increased risk to public health and safety.

[State law reference, A.S. 18.72.060]

36.80.020 Fireworks prohibition and exceptions.

(a) General Prohibition. Except as specifically provided below, the use of a firework is prohibited within the City and Borough of Juneau.

(b) Exceptions.

(1) Concussive Fireworks. A person may use concussive fireworks for personal use when all three conditions are met: (i) on private property with the permission of the property owner or on designated public property, (ii) outside the fire service area, and (iii) only on New Year's and Fourth of July as defined by this chapter.

(2) Holiday Fireworks. A person may use holiday fireworks on private property with the permission of the property owner or on designated public property (i) inside the fire service area only on New Year's and Fourth of July as defined by this chapter; or (ii) outside the fire service area year-round from 10:00 AM to 10:00 PM.

(3) Allowable Fireworks. A person may use allowable fireworks on private property with the permission of the property owner or on designated public property (i) on New Year's and Fourth of July as defined by this chapter, or (ii) year-round from 10:00 AM to 10:00 PM.

(4) Year-round Outside the Roaded Service Area. A person may use concussive, holiday, and allowable fireworks for personal use on private property with the permission of the property owner or on designated public property outside the roaded service area.

(5) Public Display. A person or entity holding a valid firework display permit issued by the City and Borough of Juneau and the State may provide a public display of fireworks consistent with the permit.

(6) Official Use. Employees, contractors, and permittees of the City and Borough of Juneau, State, or any federal agency may use fireworks in the interest of public safety or wildlife control, including at the solid waste facility and the Juneau International Airport.

(c) Violations. A violation of this section is an infraction.

36.80.030 City and Borough of Juneau fireworks display permit.

(a) The fire chief, or designee, may issue a pyrotechnic permit for public fireworks displays, provided the following conditions are satisfied:

(1) Dates, times, and location of the proposed display(s); and

(2) That all required state licenses or permits have been procured (e.g. State of Alaska Fireworks Display Permit); and

(3) That a policy or certified true copy of a policy of public liability insurance and products liability insurance coverage provided by the applicant or his or her employer has been filed with the City and Borough of Juneau Risk Manager, which provides for both accident and occurrence coverage in the amount of at least one million dollars for bodily injury and death and at least five hundred thousand dollars for property damage; and

(4) That the fireworks display is to be conducted by a State of Alaska licensed pyrotechnic operator; and

(5) That the CBJ fireworks display permit expires no longer than thirty days from the date of issuance.

(b) Upon receipt of an application for a CBJ fireworks display permit, the fire chief shall review the application for completeness and send the application out for agency review, including to the Juneau Police Department, CBJ Risk Manager, CBJ Manager's Office, and to

the State fire marshal. The agency review should occur within two weeks. Upon the fire chief's determination that the application is complete, in consideration of the agency comments, the fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or imposition of conditions.

36.80.040 Sale of fireworks.

(a) Prohibition. The sale of fireworks, display of fireworks for sale, offer to sell, or possess with intent to sell fireworks is prohibited

(1) within the fire service area;

(2) outside of the fire service area unless authorized by a retail firework permit from the City and Borough of Juneau. A government vendor, including a federally recognized tribal government, is exempt from the permit requirement.

(b) Violation. A violation of this section is a Class B misdemeanor.

36.80.045 City and Borough of Juneau retail firework permit.

(a) A person may sell or offer for sale fireworks when all of the conditions are satisfied:

(1) The retail store is located outside the fire service area;

(2) The vendor has received a retail firework permit from the State of Alaska;

(3) The fire chief approves and issues a CBJ retail firework permit;

(4) Only saleable fireworks are sold or offered for sale;

(5) The Juneau area fire danger is low or moderate; and

(6) The vendor confirms each buyer is 18 year of age or older. A vendor is prohibited from giving fireworks to a person under 18 year of age.

(b) Fire Chief Review. Upon receipt of an application for a CBJ retail fireworks permit, the fire chief shall review the application for completeness. The application must include the same information submitted to the State of Alaska for an A.S. 18.72.020 permit. The fire chief's review should occur within two weeks. The fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or imposition of conditions. An applicant aggrieved by a decision of the fire chief may appeal to the manager whose decision shall constitute final agency action.

(c) Duration. A CBJ retail firework permit shall expire 12 months from the date the fire chief issues it. The fire chief may temporarily revoke a CBJ retail firework permit upon notice to the applicant that fire danger conditions are high, very high, or extreme. The fire chief may also revoke a CBJ retail firework permit upon violation of a condition of the permit, violation of this chapter, violation of A.S. 18.72, or violation of Title 19.

[State law reference A.S. 18.72.010—020]

36.80.050 Possession of fireworks.

(a) Possession of Saleable Fireworks. Except as pursuant to a valid permit, or similar authorization, by the City and Borough of Juneau, State, or federal agency, a person must not possess more than 75 gross pounds of saleable fireworks. The gross weight of fireworks includes the combined weight of each individual firework. All fireworks must be stored and transported consistent with Title 19, State, and federal law.

(b) Possession of Dangerous Fireworks. Except as pursuant to a valid permit, or similar authorization, issued by the City and Borough of Juneau, State, or federal agency, a person must not possess dangerous fireworks.

(c) Commercial Transportation. Consistent with federal and state law, a contract or common carrier may transport saleable fireworks in excess of the amount listed in subsection (a).

(d) Violation. A violation of this section is an infraction.

[Federal law reference 18 U.S.C. 836]

36.80.060 Miscellaneous fireworks provisions.

(a) It is unlawful for any person under the influence of any alcoholic beverage, intoxicating liquor, marijuana, controlled substance as defined in AS 28.33.190, or illegal drug to use a firework. In addition to other indicators, a person is under the influence of alcohol if a chemical test determines that at the time the test is administered, there is 0.08 percent or more, by weight, of alcohol in the person's blood or 80 milligrams or more of alcohol per 100 milliliters of blood, or when there is 0.08 grams or more of alcohol per 210 liters of the person's breath.

(b) It is unlawful for any person to use or attempt to use a firework in any manner that could reasonably cause harm to life or property.

(c) Violation. A violation of this section is an infraction.

36.80.070 Definitions.

For the purposes of this chapter, the following definitions apply:

Allowable firework means a saleable firework and limited to the following:

(A) Reserved;

(B) Reserved;

(C) Reserved;

(D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;

(E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;

(F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;

(G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;

(H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;

(I) Reserved;

(J) Reserved;

(K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

Concussive firework means a saleable firework (i) that has an inside tube diameter greater than $\frac{3}{4}$ inch or (ii) that is a mine and shell of which the mortar is an integral part.

Dangerous firework means all fireworks that are not defined as a saleable firework.

Designated public property means publicly owned property or publically controlled property (i.e. lease, right-of-way) in which the government, governing board, agency, department, or person with authority specifically identifies as eligible for use of fireworks.

Display means the result of igniting, detonating, or explosion of a firework.

Fire service area means the area as defined by CBJC 01.30.100.

Firework means a saleable (concussive, holiday, or allowable) firework or a dangerous firework.

Holiday firework means a saleable firework and limited to the following:

(A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight, any inside tube diameter not to exceed $\frac{3}{8}$ inch;

(B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks being securely fastened to the tubes;

(C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;

(D) Reserved;

(E) Reserved;

(F) Reserved;

(G) Reserved;

(H) Reserved;

(I) Reserved;

(J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;

(K) Reserved.

New Year's and Fourth of July are defined as follows:

New Year's	
December 31	10:00 am – midnight (14 hours)
January 1	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)
Fourth of July	
July 3	10:00 am – midnight (14 hours)
July 4	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)

Public display means to use, ignite, detonate or explode fireworks on public property or intended for a public audience.

Roaded service area means the area defined by CBJC 1.30.320.

Saleable firework means a 1.4 G firework, as defined by the National Fire Protection Association, and, more specifically, shall include and be limited to the following:

- (A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight, any inside tube diameter not to exceed $\frac{3}{8}$ inch;
- (B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks being securely fastened to the tubes;
- (C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;
- (D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;
- (E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;
- (F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;
- (G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;
- (H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;
- (I) Mines and shells of which the mortar is an integral part, total pyrotechnic composition not to exceed 40 grams each in weight;

(J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;

(K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

State licensed pyrotechnic operator means an individual who has been licensed by the Alaska Department of Public Safety, Fire and Life Safety Division.

Use of a firework or use firework means to ignite, discharge, or attempt to ignite a firework.

[State law reference, A.S. 18.72.100]

Section 3. Amendment of Section. Section 03.30.053, Health and Sanitation fine schedule, is amended by adding the following:

CBJC	Offense	No. of Offense	Fine
36.80.020(a)	Use of firework	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.050(a) and (b)	Possession of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(a)	Use of fireworks under influence	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(b)	Negligent use of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA

Section 4. Amendment of Section. CBJC 67.01.090, Prohibited uses, is amended by adding the following:

...

(m) Fireworks. Except for an area specifically designated for use of fireworks by the Assembly, use of a firework is prohibited within the limits of any area designated in section 67.01.030. Firework and use of firework have the same meanings as in CBJC 36.80.070. The Assembly, by resolution, may designate any area designated in section 67.01.030 for use of fireworks during specific times.

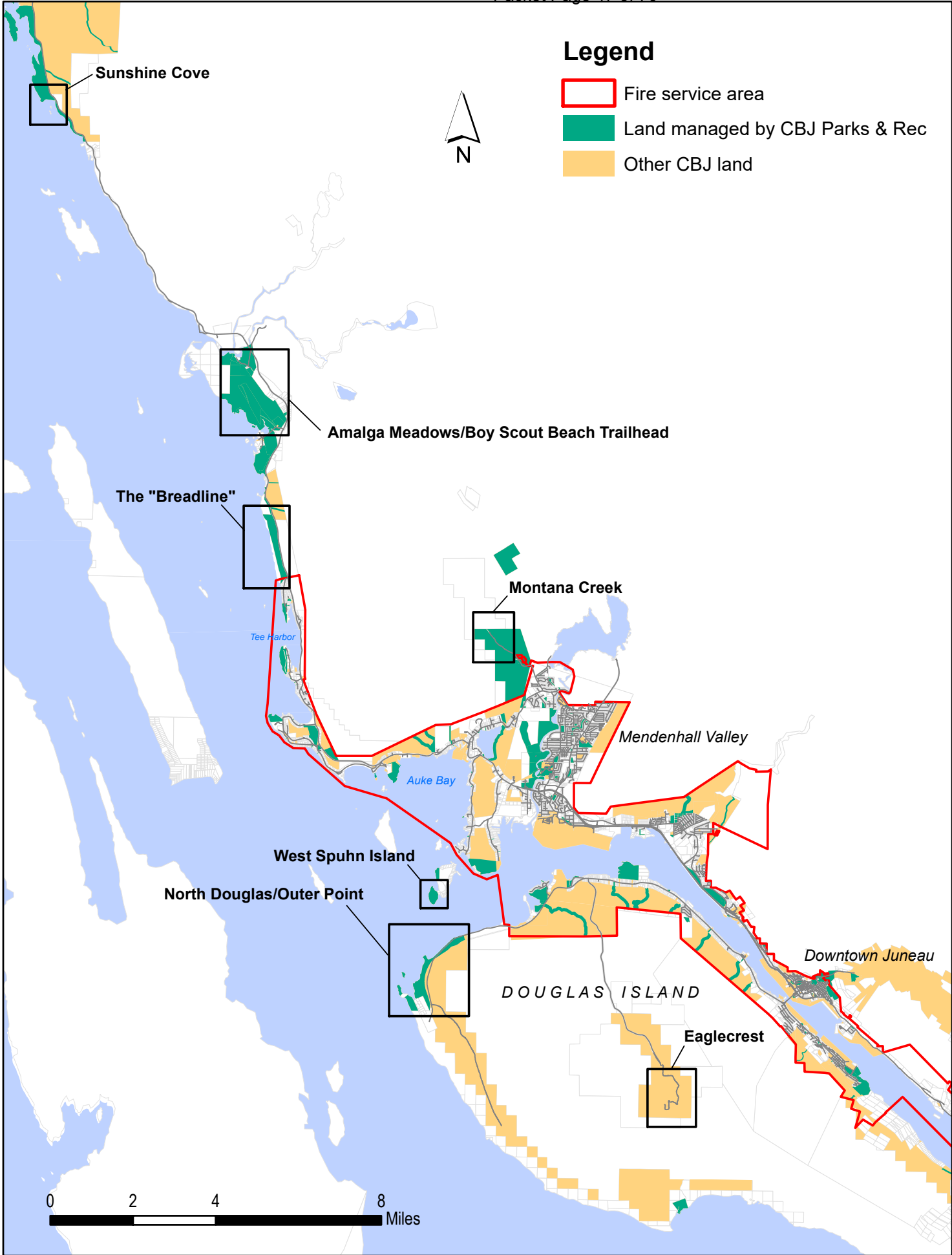
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



The following reflects the changes made at the Assembly COW on April 12, 2021 to Ord. 2021-13. FSA means Fire Service Area.

Saleable Class of Firework	CBJC 36.80.070 Category	CBJC 36.80.020 Restrictions	Existing Fireworks Policy
Mines and shells (mortars) and tubes > 3/4")	Concussive Firework	• Inside FSA: prohibited • Outside FSA: Allowed only Jan. 1 and July 4	• Inside FSA: Jan 1 and July 4 • Past Cohen Drive: year-round, 10am to 10pm
Roman candle	Holiday Firework	• Inside FSA: Allowed Jan. 1 and July 4 • Outside FSA: Allowed year-round 10am to 10 pm	• Inside FSA: Jan 1 and July 4 • Past Cohen Drive: year-round, 10am to 10pm
Skyrockets with sticks	Holiday Firework		
Helicopter rockets	Holiday Firework		
Firecrackers with soft casing	Holiday Firework		
Cylindrical fountain	Allowable Firework	• Allowed year round, 10 am to 10 pm • Expanded hours around Jan. 1 and July 4	• Year-round, anytime anywhere
Cone fountain	Allowable Firework		
Wheels	Allowable Firework		
Illuminating torches	Allowable Firework		
Dipped sticks	Allowable Firework		
Novelties	Allowable Firework		

CBJ ROADED SERVICE AREA



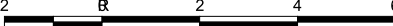
Service Area #9- The Roaded Service Area- R
includes all other former Service Areas R
and extends 1/2 mile beyond any existing road
(Serial No. 88-25 -adopted 5/31/1988)R



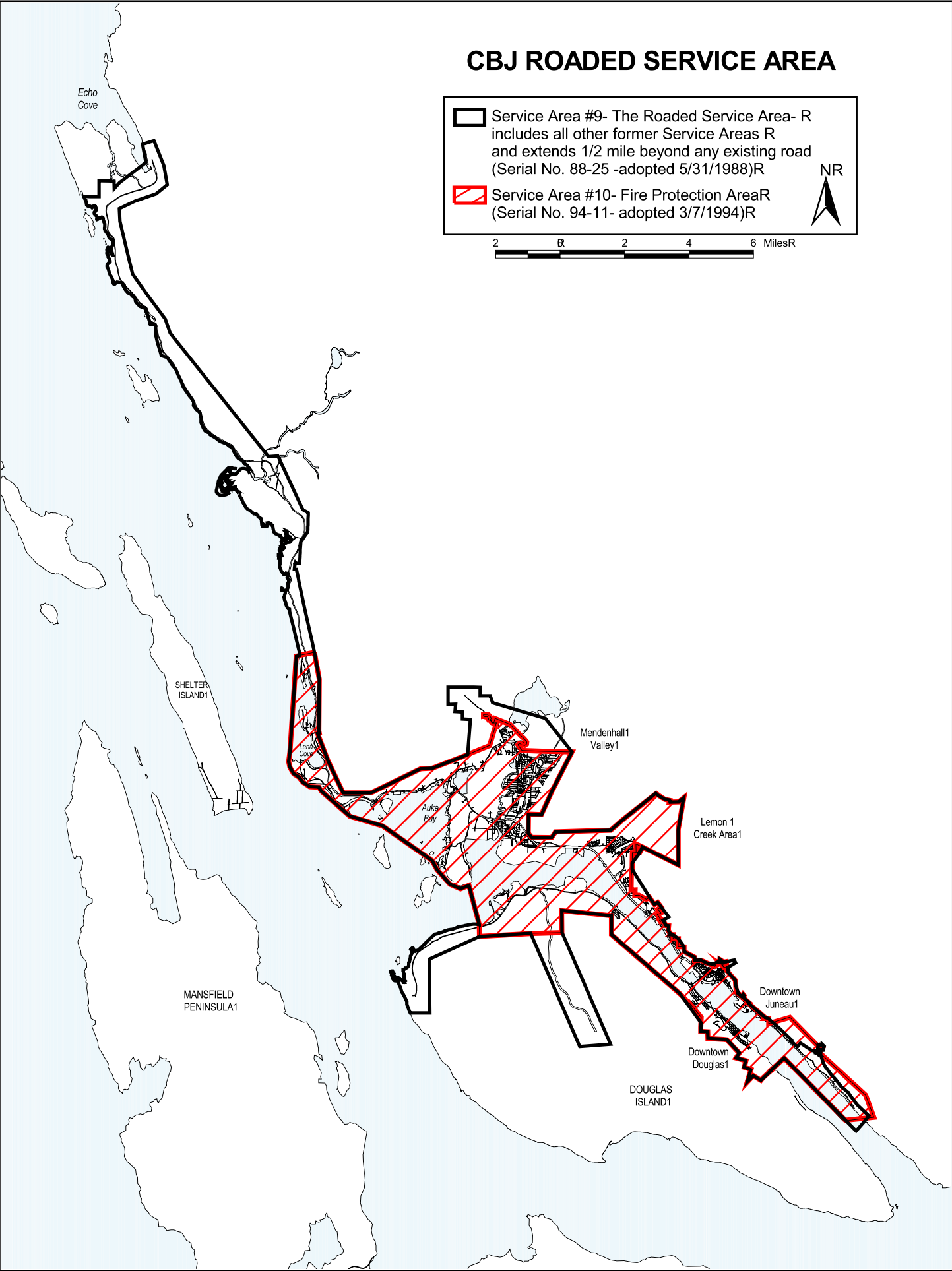
Service Area #10- Fire Protection AreaR
(Serial No. 94-11- adopted 3/7/1994)R



NR



2 2 4 6 MilesR



Guidelines for Fireworks Use in the City and Borough

The City and Borough of Juneau Assembly requests that those citizens desiring to use fireworks do so in a manner that is considerate of others in public and residential areas. Some fireworks are low impact and the use of those types of fireworks does not disturb the peace and thus, should be allowed at any time. Other types of fireworks create loud, sometimes startling noise, which can have an unfavorable impact on those within hearing range.

Use of fireworks in our community offers some unique challenges. The topography of our community results in loud sounds reflecting off of mountains or water and sound often travels farther than intended. In addition, our urban parks are closely co-located with our residential neighborhoods.

As a result, the Assembly has asked staff to publish guidelines that address the use of Fireworks and the Disturbing the Peace Ordinance **42.20.095** – sometimes referred to as the Noise Ordinance. CBJ 42.20.095 provides:

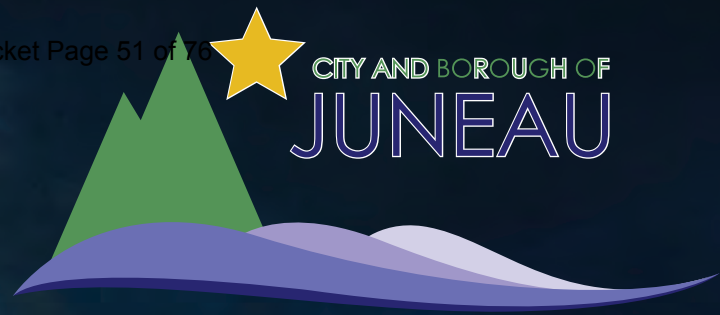
(a) *Policy.* The purpose of this section is to protect the health, welfare and safety of the City and Borough's residents by regulating the time, place, and manner of unreasonable noise. It is the intent of this section to secure the health, safety, comfort, convenience, and peaceful enjoyment of all public places, such as public streets and public parks, as well as the City and Borough's residents' homes, by prohibiting unreasonable noise.

(b) *General.*

- (1) It is unlawful for any person to make or continue, or cause or permit to be made or continued, any unreasonable noise.
- (2) As used in this section, "unreasonable noise" means noise that unreasonably annoys, disturbs, injures, or endangers the comfort, health, peace, or safety of a reasonable person of ordinary sensibilities in the vicinity....

Accordingly, the following guidelines will be used by JPD to enforce the Disturbing the Peace Ordinance:





G I

ANY SALEABLE* FIREWORK IS ALLOWED IN ANY LOCATION ON:

12/31 10:00 AM - 1:00 AM **1/1** 10:00 AM - 11:59 PM
7/3 10:00 AM - 1:00 AM **7/4** 10:00 AM - 11:59 PM

OTHERWISE:

DATE	TYPE	TIME	LOCATION
Any other day of the year	Any saleable firework that is not concussive**	Any Time	Any Location
Any other day of the year	Saleable, concussive** fireworks	10:00 AM - 10:00 PM	Allowable only beyond Cohen Drive

*Saleable fireworks are those fireworks that are legal under Alaska Statute for consumer purchase and use.

**Concussive fireworks are those fireworks whose effect can be sensed without sight

– examples include, but are not limited to: M-80s, firecrackers, explosive aerial rockets, roman candles, and other “loud” fireworks.

Presented by:
Presented:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-18

An Ordinance Regarding Taxing the Sale of Fireworks

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 69.05.040, Exemptions, is amended to read:
69.05.040 Exemptions.

The tax levied under this chapter shall not apply to the following transactions:

...

(12) Sales, services and rentals to a buyer, or made by a seller, organized and administered solely by an organization that has a current 501(c)(3) or 501(c)(4) exemption ruling from the Internal Revenue Service and an exemption certificate from the manager, provided this exemption applies to sellers only if the income from the sale is exempt from federal income taxation. This exemption does not apply to the

(a) sale of pull-tab games, or

(b) sale of fireworks.

(13) Retail sales, services, and rentals of real or tangible personal property to or by the state, a rural education attendance area or like entity, a federally recognized Indian tribe, or a municipality. This exemption does not apply to the following:

(a) Sales of pull-tab games by federally recognized Indian tribes, political subdivisions, and municipalities; or

(b) Retail sales, services, and rentals of real and tangible personal property by the City and Borough listed in this subsection (13)(b):

1. Bartlett Regional Hospital sales, services and rentals;
2. Capital transit passenger fares and passes;
3. Sales of municipal real property, gravel and minerals;
4. Parks and recreation department sales, services and rentals;
5. Eaglecrest ski area sales, services and rentals;
6. Hagevig Fire Training Center sales, services and rentals;
7. Juneau International Airport sales, services and rentals;
8. Sewer utility and water utility sales, services and rentals;
9. Port and harbor sales, services and rentals authorized by title 85 of this Code.

(c) Sales of fireworks.

...

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by:
Presented:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2947 vCOW1

A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.

WHEREAS, it is necessary for the orderly conduct of business that rules of procedure be adopted for the Assembly.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Rules of Procedure. The following rules of procedure are adopted:

RULE 1. AGENDA.

- A. Order of Business. At all regular meetings the order of business shall be:
 - I. Flag Salute
 - II. Roll Call
 - III. Approval of Minutes
 - IV. Manager's Requests for Agenda Changes
 - V. Public Participation on Non-agenda Items (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)
 - VI. Consent Agenda
 - A. Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction
 - B. Assembly Requests for Consent Agenda Changes
 - C. Assembly Action
 - VII. Ordinances for Public Hearing
 - A. Administrative or Committee Reports
 - B. Public Hearing
 - C. Assembly Action
 - VIII. Unfinished Business

- A. Administrative or Committee Reports
- B. Public Hearing
- C. Assembly Action
- IX. New Business
 - A. Administrative or Committee Reports
 - B. Public Hearing
 - C. Assembly Action
- X. Staff Reports
- XI. Assembly Reports
 - A. Mayor's Report
 - B. Committee Reports
 - C. Liaison Reports
 - D. Presiding Officer Reports
- XII. Assembly Comments and Questions
- XIII. Continuation of Public Participation on Public Participation on Non-agenda Items
- XIV. Executive Session
- XV. Adjournment

B. Agenda Preparation. The agenda shall be prepared by the Manager subject to review and revision by the Mayor. The Mayor or the Manager shall brief the Assembly as to any revisions. Other matters may be considered under administrative reports, unfinished business, or new business as applicable.

- C. Consent Agenda. The Manager shall include under the consent agenda:
- 1. Ordinances for introduction;
 - 2. Resolutions;
 - 3. Bid awards requiring Assembly concurrence; and
 - 4. Other items requiring Assembly action which do not involve substantial public policy questions.

The Manager shall include with the agenda such supplemental material or reports as may be necessary to explain each item on the consent agenda and shall include a specific recommendation for Assembly action on each item. Material, reports, and recommendations submitted in writing to each member present and which are available for public inspection prior to the Assembly meeting need not be read aloud, but the minutes shall reflect the Manager's recommendation on each consent agenda item adopted. Upon adoption of a motion to adopt the consent agenda, all consent agenda items subject to the motion are adopted as recommended by the Manager.

The motion to adopt may not be amended; provided, upon the request of any member, an item on the consent agenda shall be removed from the consent agenda and placed under the appropriate regular agenda item for Assembly action. A notice or motion for reconsideration or a motion to rescind a consent agenda motion shall contain reference to the specific consent agenda item which is the subject of the notice or motion and only that item shall be affected by the notice or motion.

RULE 2. MEETINGS.

A. Date and Time of Regular Meetings. The Assembly shall regularly meet at 7:00 p.m. every third Monday according to a schedule approved by the Assembly and published by the Clerk's office. The Assembly may by motion or otherwise change the date of a meeting as may be necessary or convenient.

B. Place of Regular Meetings. Regular Assembly meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless the Assembly, at a preceding regular or special meeting has, by motion or otherwise, designated a different place for a particular meeting.

C. Special Meetings. Special meetings may be called and held as provided by the Charter.

D. Time of Adjournment. Meetings will adjourn at 11:00 p.m. unless extended by a vote of at least six members.

E. Public seating area. People in a meeting room must comply with all laws, including occupancy and public health requirements.

RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.

A. Excused Absences. Any absence of an Assemblymember from a regular meeting of the Assembly shall be deemed to be unexcused unless the Assemblymember is absent from the meeting as a result of attending to official business on behalf of the City and Borough of Juneau, for extenuating medical reasons, or for other significant cause, in which case the absence shall be deemed to be excused.

B. Attendance Report. Upon request of the Human Resources Committee, the Manager shall direct the Clerk to provide to the Assembly quarterly reports on attendance at regular Assembly meetings.

RULE 4. LEGISLATION.

A. Drafting. The Attorney shall draft ordinances and resolutions

1. For presentation to the Assembly only
 - (a) by vote or consensus of the Assembly,

- (b) by vote of a standing or ad hoc Assembly committee,
- (c) by request of the Mayor, the Manager, or any member, or
- (d) on the Attorney's own initiative to correct errors not otherwise correctable in any section or to make amendments to Title 01.45 the Conflict of Interest Code, Title 01.50 the Appellate Code, Title 01.60 the Regulation Procedures Code, Title 03.30 the Code Enforcement Code, Title 42 the Penal Code, or any section imposing duties on the Attorney.

- 2. For presentation to a standing or ad hoc Assembly committee only by vote of the committee, request of its chair, or by direction of the Assembly.

B. Procedure. Upon presentation of an ordinance, any member may move that it be introduced and set for public hearing, referred to committee, deferred, or rejected as provided in Charter section 5.3. If the motion is for referral to committee, the Mayor shall refer the ordinance to the appropriate committee. The Mayor's referral may be changed by a majority vote of the members of the Assembly. If the motion is for introduction, the motion shall set a date for the public hearing. All such motions may be amended.

RULE 5. COMMITTEES.

A. Standing Committees. The Assembly shall have the following standing committees:

- 1. Committee of the Whole
- 2. Finance Committee
- 3. Human Resources Committee
- 4. Lands, Housing, and Economic Development Committee
- 5. Public Works and Facilities Committee

Any member of the Assembly may sit with any committee at all times; such member shall have the right to participate in committee discussion except that members of the committee shall have priority in obtaining the floor and only committee members may vote. Reasonable opportunity for the public to be heard shall be allowed at committee meetings other than those designated as work sessions.

B. Special Committees. The Assembly shall have such special committees as may be considered necessary. Special committees automatically terminate upon completion of the committee's assignment.

C. Selection, Process and Duties of Committees of the Assembly.

- 1. Standing Committees.
 - (a) With the exception of the Committee of the Whole, the Finance Committee, and the Human Resources Committee in proceedings

pursuant to Rule 5(C)(2)(f), there shall be not more than four Assemblymembers appointed to each standing committee of the Assembly. Each Assemblymember will be appointed to at least one, but not more than three, standing committees, in addition to the Finance Committee and the Committee of the Whole.

- (b) Nominations for standing committee appointments and for the position of chair of each such committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance and diversity of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each committee who has expertise in the areas assigned to the committee.
 - (c) Each year following the regular municipal election, all Assemblymembers will be given an opportunity to indicate in writing which of the standing committees they request to serve on. At least two of the nominations for appointment for each standing committee shall be made from those Assemblymembers, if any, who have requested to serve on the committee for which the appointments are to be made. The nomination for membership and chair positions shall be made by the Mayor and ratified by the Assembly within seven days of the first meeting after the certification of the regular municipal election each year. All committee members shall be appointed to serve for a term expiring upon ratification by the Assembly of the committee appointments following the next regular municipal election. All committee members serve at the pleasure of the Assembly.
 - (d) A standing committee may at the call of its chair or the vote of its membership take up any matter within the scope of its charge established by these rules and not pending as legislation authorized by the Assembly. Matters not within the scope of any standing committee, or within the scope of more than one standing committee shall be assigned by the Mayor.
 - (e) Each committee shall refer information to and coordinate activities with other appropriate committees. Issues referred to another committee and any directions to the Manager must have the concurrence of a majority of the committee members.
2. Human Resources Committee. The Human Resources Committee may take up issues relating to the health and well-being of Juneau citizens and their participation in local government. The duties of the Human Resources Committee shall include:

- (a) Nominating citizens to all CBJ boards and commissions. Appointment to such bodies shall be made by the full Assembly;
 - (b) Making recommendations to the full Assembly regarding the issuance, renewal or transfer of liquor licenses, restaurant designation permits, and marijuana licenses;
 - (c) Reviewing and proposing amendments to these Rules;
 - (d) *Reserved.*
 - (e) Overseeing Juneau's relations with its sister cities;
 - (f) Membership for Certain Appointments. The Human Resources Committee shall meet as needed to recommend appointments to the Planning Commission, the Hospital Board, the Ski Area Board, the Docks and Harbors Board, and the Airport Board. The Mayor and all Assemblymembers shall serve as members of the Committee and the Human Resources chair shall serve as chair at these meetings.
3. Finance Committee. The Finance Committee may take up issues relevant to the fiscal status of the CBJ. The Mayor and all Assemblymembers shall serve as members of the Finance Committee. The duties of the Finance Committee shall include:
- (a) Review of the Manager's proposed budget and recommendations to the Assembly for a final budget;
 - (b) Review of the fiscal policies of the CBJ as deemed necessary by the committee.
4. Committee of the Whole. The Committee of the Whole may take up those issues within the jurisdiction of multiple committees and those warranting detailed review prior to consideration by the Assembly. The Mayor and all Assemblymembers shall serve as members of the Committee of the Whole. Generally, the rules of the Assembly shall be followed in the Committee of the Whole, provided that, at the discretion of the chair, the rules may be relaxed and the rules relating to participation by the presiding officer and the number of times a member may speak shall not be in effect unless otherwise ordered by a majority of the committee. In preparing the committee agenda the chair shall consult with the Mayor.
5. Lands, Housing, and Economic Development Committee. The Lands, Housing, and Economic Development Committee may take up issues relevant to the lands, housing, economic development, water or air within the City and Borough. The duties of the Lands, Housing, and Economic Development Committee shall include recommendations to the Assembly regarding:

- (a) The preparation and revision of a land management plan and the acquisition and disposal of CBJ lands;
 - (b) The administration of the lands fund and the mineral holdings of the CBJ;
 - (c) Implementation of the Long Range Waterfront Development Plan, and issues relating to use and development of the CBJ waterfront;
 - (d) Promotion of improved housing availability in the City and Borough; and
 - (e) Promotion of a vibrant and diverse local economy.
6. Public Works and Facilities Committee. The PWFC may take up issues relevant to the infrastructure of CBJ, including transportation and utilities. The duties of the PWFC shall include:
- (a) Making recommendations to the Assembly regarding the capital improvement program required by Charter section 9.2 and other capital improvement plans and lists;
 - (b) Advising each newly elected Assembly of unfinished capital projects to be continued;
 - (c) Making recommendations to the Assembly regarding the preparation and revision of an areawide transportation plan;
 - (d) Making recommendations related to energy efficiency, renewable resources, waste reduction and recycling, global warming and green building.
7. Special Committees. Nominations for special committee appointments and the chair position of each special committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for special committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each such committee who has expertise in the areas assigned to the committee. All members shall serve at the pleasure of the Assembly.

D. *Reserved.*

E. Quorum of Committees. For the Committee of the Whole and the Finance Committee, a majority of the membership shall constitute a quorum. For committees with seven or eight members, four of the membership shall constitute a quorum, for committees with five or six members, three of the membership shall constitute a

quorum. For committees with four or fewer members, two of the membership shall constitute a quorum for the transaction of business.

F. Voting. The minimum vote required to take official action shall be the same as that constituting a quorum; provided, however, that in the case of a tie vote, the action fails.

RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.

A. Appointment of Liaisons. The Mayor shall nominate one member of the Assembly to serve as the liaison to each of the following City and Borough boards and commissions:

Planning Commission
Hospital Board
Docks and Harbors Board
Airport Board
School Board
Ski Area Board
Aquatics Board

The nominations shall be subject to ratification by the Assembly. Liaisons to other entities may be appointed from time to time.

B. Role of Liaison. Assembly liaisons serve as a link between the Assembly and the board or commission to establish and maintain communication between the bodies on issues, projects, and other matters of mutual concern and interest. Assembly liaisons are not required to regularly attend board or commission meetings; but if they do, they shall not have the power to vote on the board or commission, and are not to be counted in determining whether a quorum of the board or commission is present.

C. Other Meetings. The Assembly encourages its members to attend meetings of other boards, commissions, and citizen groups and inform the Assembly on the activities of those bodies and the issues before them, as appropriate.

RULE 7. DEBATE.

A. Speaking on the Question. A member or the Manager may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.

B. Asking Questions. After obtaining recognition from the chair, a member may ask direct questions of another member of the Assembly or to a person appearing before the Assembly. The questions may not be argumentative.

C. Decorum. Members shall not question the motives, competency or integrity of any person except as necessary to decide an appeal, personnel evaluation, contract award, or other matter in which such issues are clearly relevant. The chair shall admonish any member violating this rule and if violations are severe or repeated, may without a vote declare a recess not to exceed ten minutes.

RULE 8. RULES OF PUBLIC PARTICIPATION.

When permitted by Rule 14, public participation during hearings on ordinances and matters other than appeals will be conducted according to the following rules, which will be posted in the Assembly Chambers:

A. The hearing will be conducted by the Mayor as chair.

B. The Mayor will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.

C. The Mayor may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Assembly to members of the public. The time limit may be extended by a majority of the Assembly. The time limit for individual speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the Mayor may grant additional time to a person speaking on behalf of a group present in the chambers.

D. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Manager's office more than three business days before a meeting and comprising ten pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Clerk at the meeting provided that the submission includes at least 15 copies.

E. The Mayor will set forth the item or subject to be discussed and will rule non germane comments out of order.

F. All speakers, public, and members of the Assembly will be recognized by the chair by surname.

G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Mayor, their place of residence.

H. Members of the Assembly will not direct questions to each other or to the chair during public participation except as to the conduct of the hearing.

I. Members of the Assembly may direct questions to members of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.

J. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.

K. The public may direct questions to the chair only as it pertains to the conduct of the hearing.

L. The Manager may participate in the same manner as the members of the Assembly.

M. There shall be an opportunity for public participation on non-agenda items at each regular meeting of the Assembly. Such public participation shall be limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed five minutes. Assemblymembers may ask questions of the speaker, but shall not deliberate at that time on matters raised, or answer questions directed to the members.

RULE 9. MOTIONS.

A. Seconds. Seconds to motions are not required.

B. Renewal of Defeated Motions. Defeated motions may be renewed only under suspension of the rules.

C. Priority of Privileged Motions. Privileged motions shall have the following priority:

1. Fix time to adjourn
2. Give notice of reconsideration
3. Adjourn
4. Recess
5. Question of privilege of the body
6. Question of personal privilege

RULE 10. CLERICAL ERRORS.

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or errors in spelling, may be corrected by the Attorney upon discovery of the error.

RULE 11. VOTE REQUIRED.

The affirmative vote of five members of the Assembly shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances, which require the affirmative vote of at least six members:

- A. Limiting, extending, or closing debates
- B. Suspension of the rules
- C. Setting of or postponement of special orders
- D. Objection to consideration of question
- E. Motion for immediate vote (previous question)
- F. Rescind
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken

RULE 12. PARLIAMENTARIAN.

The Attorney shall act as the parliamentarian.

RULE 13. SESSIONS.

Each regular or special meeting of the Assembly constitutes a session for purposes of the rules.

RULE 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM.

No person except a member or the Manager may participate in Assembly proceedings except as provided in the agenda item for public participation and except that the Attorney or Clerk may comment on professional or procedural aspects. Public participation shall be permitted on a motion to recess into executive session prior to the vote on such a motion. Public participation shall be permitted on all items on the agenda, except for meetings advertised as work sessions only, but shall not be permitted on items before the body for information or scheduling purposes except to the extent such public participation concerns scheduling only.

RULE 15. RECONSIDERATION.

A. What May Be Reconsidered. Main motions, amendments to main motions, privileged motions involving substantive questions, and appeals are subject to reconsideration. Procedural motions may not be reconsidered.

B. Who May Reconsider. Any member, whether or not that member voted on the prevailing side, may give notice of or move for reconsideration.

C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.

D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.

E. Successive Reconsideration. There may be only one reconsideration even though the action of the Assembly after reconsideration is opposite from the action of the Assembly before reconsideration.

F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.

G. Effect. A motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken.

RULE 16. REMOTE TELEPHONIC PARTICIPATION.

A. A member may participate remotely ~~via telephone~~ in an Assembly meeting, or an Assembly Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate remotely ~~via telephone~~, the Deputy Mayor shall preside.

B. No more than the first three members to contact the Clerk regarding remote telephonic participation in a particular meeting may participate remotely ~~via telephone~~ at any one meeting.

C. The member shall notify the Clerk and the presiding officer, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend remotely ~~by telephone~~ and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.

D. At the meeting, the Clerk shall establish the remote telephonic connection technology when the call to order is imminent.

E. A member participating remotely ~~by telephone~~ shall be counted as present for purposes of quorum, discussion, and voting.

F. The member participating remotely ~~by telephone~~ shall make every effort to participate in the entire meeting and must have video turned on except during breaks. From time to time during the meeting the presiding officer shall confirm the connection.

G. The member participating ~~remotely by telephone~~ may ask to be recognized by the presiding officer to the same extent as any other member.

H. To the extent reasonably practicable, the Clerk shall provide backup materials to members participating ~~remotely by telephone~~.

I. If the ~~remote technology telephone~~ connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection, provided that if the member participating ~~remotely by telephone~~ is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the ~~remote telephone~~ connection is established or restored.

J. Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating ~~remotely by telephone~~.

K. Participation ~~remotely by telephone~~ shall be allowed for regular, special, and committee meetings of the Assembly.

L. Remarks by members participating ~~remotely by telephone~~ shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

M. Any member of the public present with the member participating ~~remotely by telephone~~ shall be allowed to speak to the same extent ~~the person was~~ he would if physically present at the meeting.

N. As used in these rules, "~~remote~~" "~~telephone~~" means any system for synchronous two-way voice communication (i.e. telephone) or video conferencing technology. If a member needs to participate remotely, video conferencing technology is preferred. "Mayor" includes the Acting Mayor or any other member serving as chair of the meeting.

O. Regular and special meetings of the following entities must be live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public meeting:

- i. Assembly
- ii. Assembly Committee of the Whole
- iii. Planning Commission
- iv. Hospital Board
- v. Docks and Harbors Board
- vi. Airport Board
- vii. Ski Area Board
- viii. Systemic Racism Review Committee

Any other board, commission, or committee meeting with anticipated substantial public interest should be live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public meeting.

RULE 17. ADOPTION OF ROBERT'S RULES OF ORDER.

The conduct of the meetings of Assembly shall be governed by the Mayor according to Robert's Rules of Order, 11th Edition, except as otherwise provided by Charter, law, or these rules.

Section 2. Repeal of Resolutions. Resolutions No. 2939 and No. 2862 are repealed.

Section 3. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this ____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

2020 Juneau Senior Survey



2020 Survey Overview

- 4th Decennial Juneau Senior Survey
- Collection period – October 2019 to Jan 2020
- 1845 responses were collected
 - About 20% of Juneau's 55+ population
 - Not random sample, but got a diverse set of the population
- Large response volume produced a margin of error of $\pm 5\%$ for large age groupings (55-64, 65-74, 75+)
- Nearly 1600 were completed digitally

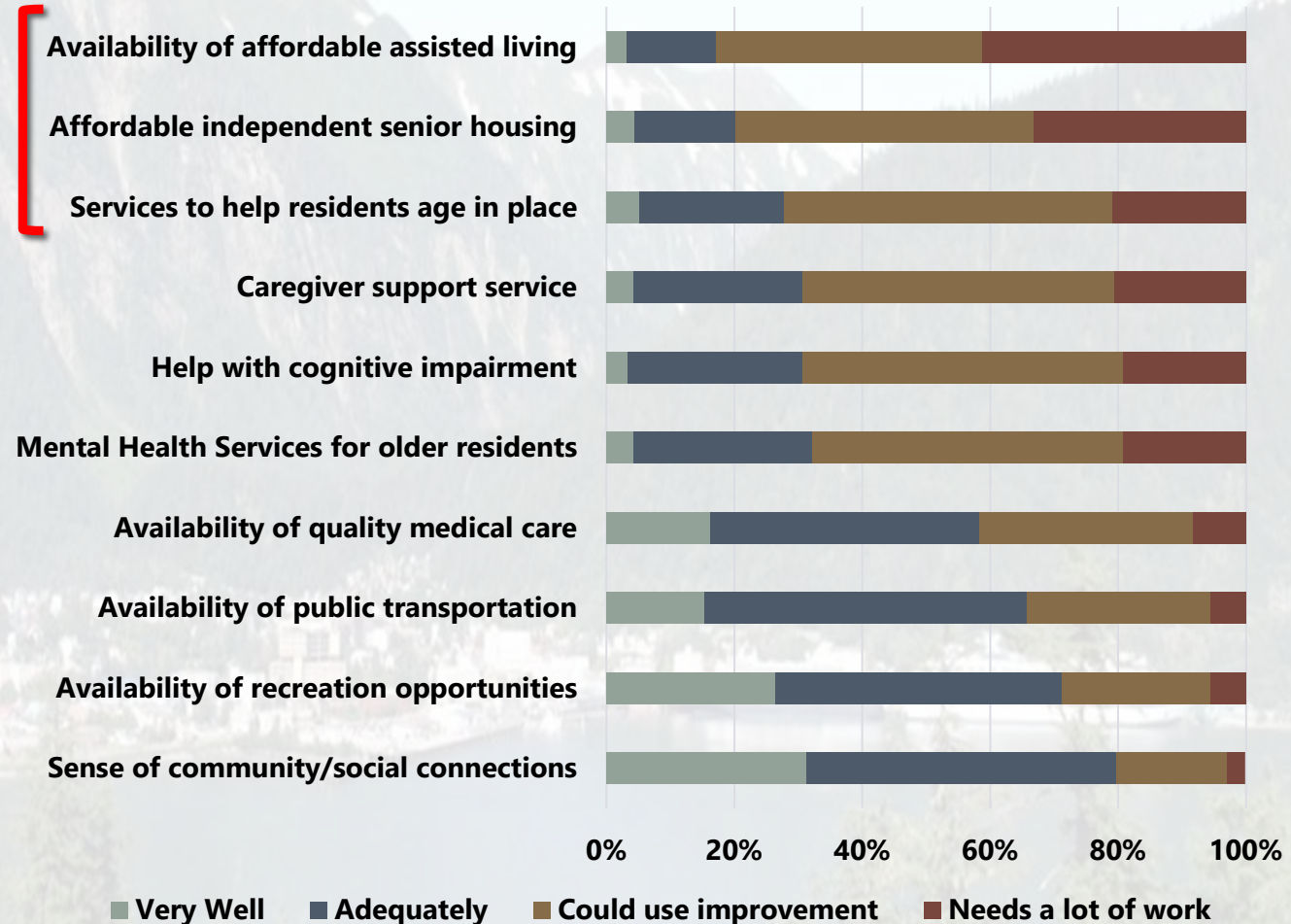


Affordable, Senior-friendly Housing

- Seniors (55+) are currently 25% of Juneau's population
 - Consistently grown for 20+ years
- Survey shows seniors think Juneau housing needs work
 - Top three areas that need work are housing related

JCOA Recommendations:

- Encourage developers to build senior friendly housing
- Respond to diverse housing needs with diverse senior housing: tiny homes, one floor condos...



Medical Services Specializing in Elder Care

- Half of Seniors had trouble finding medical care in Juneau
 - Ophthalmology and Pulmonary are most commonly not found
 - Older seniors need to travel for treatment more often
- Bartlett has been responsive to community needs

JCOA Recommendations:

- Work with UAS to train secondary and tertiary personnel
- Work with Bartlett to expand specialist availability – geriatric specialist?

Conditions	55-64	65-74	75+
None	65%	47%	33%
Any other conditions	13%	18%	15%
Cataracts	4%	13%	26%
Cancer	8%	10%	71%
Heart disease	5%	10%	17%
Arthritis	6%	9%	11%
High blood pressure	7%	7%	11%
Hearing impairment	4%	5%	13%
Glaucoma	3%	4%	8%
Allergies or asthma	5%	5%	3%
Diabetes	4%	3%	4%
Macular Degeneration	1%	3%	4%
Chronic lung problems	2%	2%	4%
Stroke	1%	2%	2%
Dementia	1%	1%	1%
Alzheimer's disease	0%	0%	1%

High Cost of Living

- 114 of the Additional Comments identified cost of living as an issue
- Affordability of housing is a big issue for seniors
- 66 Additional Comments expressed disappointment in the 2015 Senior Sales Tax Exemption changes

JCOA Recommendation:

- Continue supporting seniors via tax exemptions, especially low-income seniors
- Update “essential purchases” guidelines

“Not mentioned are the CBJ programs for property tax relief which I think are very important to my ability to financially deal with living here.”

“If anything pushes me to leave Juneau it will be medical issues that require specialty care or the overall cost of living here. I can cope with most anything else.”

“(I’m) concerned about the ability to continue living in Juneau as I age, due to income.”

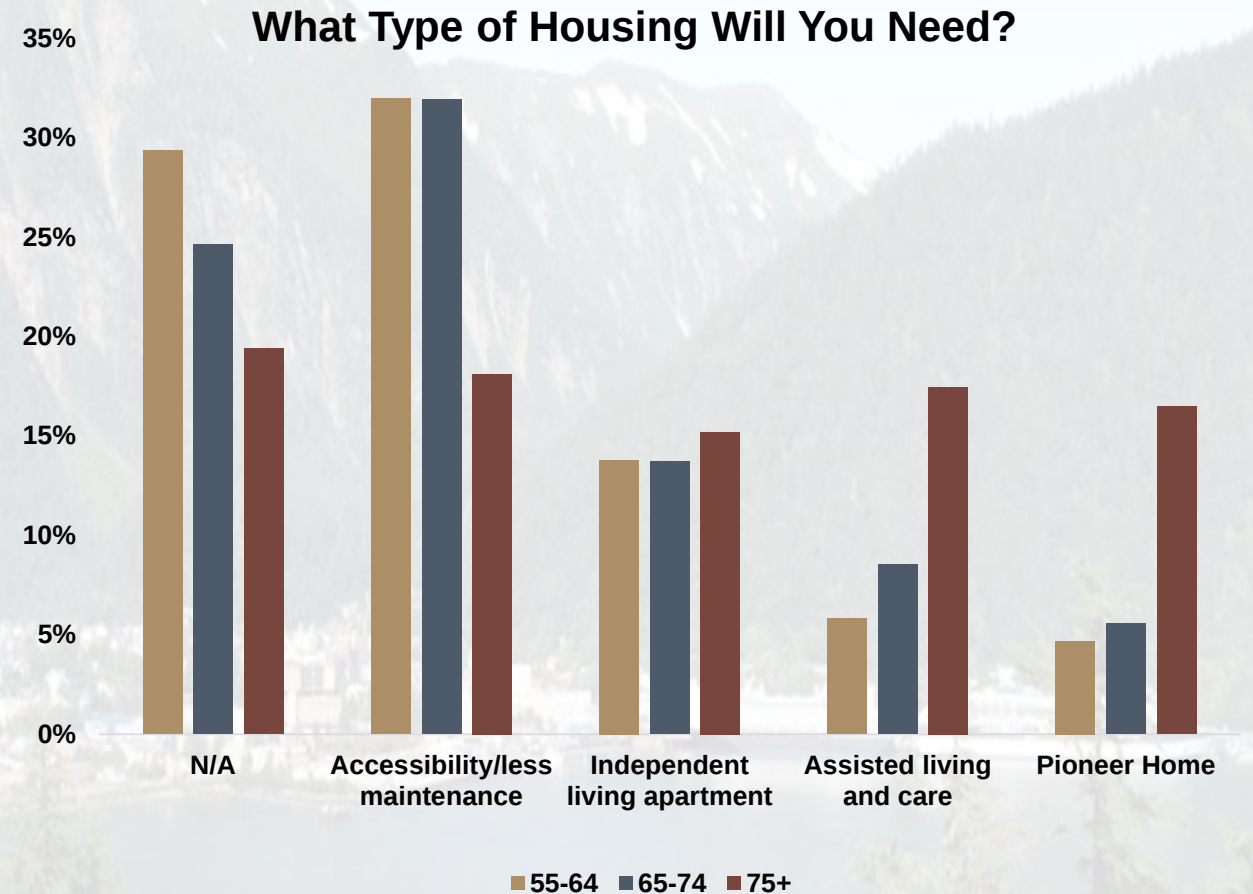
“The cost of decent housing as I age will be one of the issues that may force me to move out of Juneau.”

Lack of Support Services

- 70+% of seniors need a change in living situation
 - 35% of those 75+ will require an assisted living situation

JCOA Recommends:

- Encouraging collaboration between ASHNA and Bartlett
- Encourage UAS to continue to offer CNA program
- HEARTS program for CNAs



Amendment 1: Designate Certain CBJ Property for use of fireworks

Insert 36.80.025 Designated Public Property

“36.80.025 Designated Public Property.

(a) As depicted in the “CBJ Fireworks Map” dated May xx, 2021, the following City and Borough of Juneau property is designated for use of fireworks as further limited below:

- (1) Eaglecrest.
- (2) Outer Point area of North Douglas.
- (3) Montana Creek area near the archery range and rifle range.
- (4) Amalga Meadows area
- (5) The Breadline, between Cohen Drive and the Shrine of Saint Therese
- (6) Sunshine Cove
- (7) Western tip of Spuhn Island”

Amendment 2: Simplify use of fireworks rules

Two parts:

Part 1: Strike 36.80.020(b)(1)-(3), insert new (b)(1), and renumber

Part 2: Amend the definition of New Year’s and Fourth of July

“36.80.020 Fireworks prohibition and exceptions.

(a) General Prohibition. Except as specifically provided below, the use of a firework is prohibited within the City and Borough of Juneau.

(b) Exceptions.

(1) A person may use fireworks on New Year’s and Fourth of July as defined by this chapter.

~~(1) Concussive Fireworks. A person may use concussive fireworks for personal use when all three conditions are met: (i) on private property with the permission of the property owner or on designated public property, (ii) outside the fire service area, and (iii) only on New Year's and Fourth of July as defined by this chapter.~~

~~(2) Holiday Fireworks. A person may use holiday fireworks on private property with the permission of the property owner or on designated public property (i) inside the fire service area only on New Year's and Fourth of July as defined by this chapter; or (ii) outside the fire service area year round from 10:00 AM to 10:00 PM.~~

~~(3) Allowable Fireworks. A person may use allowable fireworks on private property with the permission of the property owner or on designated public property (i) on New Year's and Fourth of July as defined by this chapter, or (ii) year round from 10:00 AM to 10:00 PM.~~

(24) Year-round Outside the Road Service Area. A person may use concussive, holiday, and allowable fireworks for personal use on private property with the permission of the property owner or on designated public property outside the road service area.

(35) Public Display. A person or entity holding a valid firework display permit issued by the City and Borough of Juneau and the State may provide a public display of fireworks consistent with the permit.

(46) Official Use. Employees, contractors, and permittees of the City and Borough of Juneau, State, or any federal agency may use fireworks in the interest of public safety or wildlife control, including at the solid waste facility and the Juneau International Airport.

(c) Violations. A violation of this section is an infraction."

“36.80.070 Definitions.

For the purposes of this chapter, the following definitions apply:

...

New Year’s and Fourth of July are defined as follows:

New Year’s	
December 31	6:00 p.m. 10:00 am – midnight (<u>6 14</u> hours)
January 1	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (<u>14</u> hours)
Fourth of July	
July 3	6:00 p.m. 10:00 am – midnight (<u>6 14</u> hours)
July 4	Midnight – 1:00 am (1 hour), and 6:00 p.m. 10:00 am – 11:59 pm (<u>6 14</u> hours)

”

...