

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**
February 10, 2020, 6:00 PM.
Assembly Chambers - Municipal Building

AGENDA

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. December 9, 2019 Assembly Committee of the Whole Minutes

IV. AGENDA TOPICS

A. Sealaska Heritage Institute (SHI) Arts Campus Project

B. Ordinance 2020-02 An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices

C. Historic & Cultural Preservation Plan

Electronic copy of the plan is available online at
https://3tb2gc2mxpvu3uwt0l20tbhq-wpengine.netdna-ssl.com/wp-content/uploads/2020/01/Historic-Preservation-and-Cultural-Plan_Final-Version-w-Draft.pdf

D. Franklin Dock Lease Request and Seawalk Update

V. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org



**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE**
December 9, 2019, 6:00 PM.
Assembly Chambers - Municipal Building

MINUTES

I. ROLL CALL

Deputy Mayor Maria Gladziszewski called the meeting to order at 6:00 p.m. in the Assembly Chambers.

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

Assemblymembers Absent: None.

Staff present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Assistant City Attorney Emily Wright, Library Director Robert Barr, Museum Director Beth Weigel, Community Development Director Jill Maclean, CDD Senior Planner Beth McKibben, CDD Senior Planner Irene Gallion, Port Director Carl Uchytel, Code Compliance Officer Nate Watts, Chief Housing Officer Scott Ciambor

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

Ms. Hale requested approval of the minutes with one small correction. *Hearing no objection, the minutes were approved.*

Ms. Hale commented that in the August 26, 2019 minutes, it mentioned that staff anticipated bringing back the successful bid proposal for the senior housing development to the COW on December 9 and she was impressed that they did just that.

- A. July 29, 2019 Assembly COW Minutes**
- B. August 26, 2019 Assembly COW Minutes**
- C. September 23, 2019 Assembly COW Minutes**
- D. December 2, 2019 Assembly COW Minutes**

IV. AGENDA TOPICS

A. Chronic Nuisance Property Ordinance 2019-30, Public Testimony

Mr. Watt explained that there is a memo from Lt. Weske summarizing the ordinance along with memos from the Law Department that had previously been before the COW and the purpose of tonight's meeting was to take public testimony on the draft ordinance.

Public Comment

Brock Tabor, a resident of 7th Street: Mr. Tabor thanked the Assembly for taking this up and said the Assembly has heard from him numerous times over the years about this issue. He said it is very important that the Assembly put some time and thought into this tool. He reviewed 20 public nuisance ordinances from around the country and this one is extremely well written, thoughtful, and he commended Mr. Palmer and Lt. Weske for their work on putting this together. He said they addressed right up front some of the major concerns that people have raised such as domestic violence and ensuring that victims are not negatively affected by the ordinance. He said the biggest thing is that it add accountability to property owners which is incredibly important, especially after living just blocks from the Bergman and witnessing what had gone on there. He said he hates to see city resources used in a way that ties their hands. He said he thinks that this ordinance will give CBJ and JPD another tool to address chronic property issues in our community.

Cathy Swanson, a resident of Aurora Court: Ms. Swanson said she was wondering what would constitute a "nuisance property" and if the local crack houses fall in that category. She said this is fine for properties that have a lot of cars or police calls but she thinks we need to look at something a little stronger than that for these other instances. She said she could take them on a tour and show them where all the stolen property ends up, especially the firearms. She said it is traded between these houses, usually for drugs. She said that she is a property investor and she has been trying to sell a property on Nugget Drive up from the local house there. She commended Nate Watts for all that he has done. She said there is not a whole lot that he can do and he needs some more tools in his tool box. She said this may help with police calls but a lot of times, if you are neighbors with those people, you don't want to call the police because you don't want them mad at you. She said she has a lovely home that is going for well under market value due to the neighbors four doors up. She is going to end up moving into it because people won't buy it. She went on to describe the neighboring house and its condition and the health hazards that were posed by the behaviors of the people coming and going to that property.

Ms. Gladziszewski thanked those who came to testify and there being no further individuals wishing to testify, she closed public testimony on this ordinance. She asked committee members if they wished to take action to forward this ordinance as is or if they had any comments, questions for staff, or changes they wished to make to the ordinance.

MOTION by Ms. Hale to forward this ordinance 2019-30 to the Assembly for public hearing and action and asked for unanimous consent.

Mayor Weldon objected for purposes of a question. She said that Ms. Swanson asked a question and she asked if page 3 of the ordinance, line 7 that refers to violations of A.S. Title 11, Criminal Law would address some of Ms. Swanson's concerns on whether they could call on a house with suspicious activity.

Mr. Palmer responded that is correct that lines 5 and 6 on that page referencing violations of the CBJ Penal Code and violations of Alaska Statute Criminal provisions would generally capture the prior testimony.

Mayor Weldon thanked Mr. Palmer and withdrew her objection.

Hearing no other objections, the motion passed.

Ms. Gladziszewski noted that it will be coming before the Assembly for action and it will again have an opportunity for Public Hearing when it comes to the Assembly.

B. Non-Conforming Ordinance 2019-37

The following additional documents related to this ordinance are linked at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>

- August 27, 2019 Planning Commission Meeting Minutes
- September 17, 2019 Planning Commission Minutes
- October 15, 2019 Planning Commission Minutes
- For copies of the staff reports with attachments please follow the online link above to the October 15, 2019 Planning Commission meeting.

Ms. Maclean gave a presentation regarding the background of the ordinance, and what "Non-Conforming" means in the context of Juneau's properties, the process that they went through to come up with the proposed ordinance and how it compares with the code that is currently in place at this time. Some of the key points covered included the following:

- A "Conforming" property is one that is totally compliant with the current code as is.
- "Non-compliant" means that the property is illegal or has an illegal use. She gave the example of an illegal car junk yard on River Road that is an illegal use in a residential zoning district and it has never been permitted legally.
- "Non-Conforming" is a bit of a twist on the above two. Non-conforming means that there was a use or a structure that were platted, created, or established in a time that you met the zoning that was in place or you were not prohibited by any law that was in place. She gave examples such as the flats neighborhood in which most of those lots and structures met the zoning at the time they were platted.

Ms. Mclean said she would give examples of a few well known properties for illustrative purposes so they can understand what this ordinance is all about.

She said that one non-conforming use would be the Amerigas propane store that is located on the Mendenhall Loop Road. It is now in a D-5 zoning district which only allows for single-family residential but it is non-conforming because when it was established and obtained its building permits, it was a legal use at that time and the zoning was different. The zoning changed in 1987 and so it became non-conforming. She said that isn't to say it is bad, they are a good neighbor and there have not been any complaints, it is only to say they are currently a non-conforming use.

She gave the example of a non-conforming residential density property which is Aurora Arms. They were constructed in the early 1980's, they met the zoning at that time, it allowed for many more units to be constructed than currently exists. In 1987 when CBJ rezoned that area as well, it was rezoned to D-5, and the density of the number of units on that property exceeds the number of units that would be allowed today.

Ms. Maclean explained that the flats neighborhood would be a good example of ones that were not prohibited by law. The law didn't exist when the flats were constructed and platted. Those lots were platted before subdivision regulations existed. The structures and houses themselves were constructed when we did not have building codes, no fire codes, no set backs, or any zoning.

Ms. Maclean then explained that the current code stipulates that if a home sustains damage and the cost to rebuild it exceeds more than 75% (excluding the foundation cost), you can't reconstruct what you have today. Ms. Maclean explained that 75% is a standard cut off across the nation. The idea is that zoning should shape the built environment and should shape what the community wants to look like and the zoning should encourage the types of development that you want. If you have become non-conforming, the idea is that those are uses, structures, or lot sizes that the community no longer wants to see in that area.

Ms. Triem asked why a standard is based on the value of cost to rebuild. Ms. Maclean said that if you are having to rebuild and put in a significant amount of money to reconstruct, then you should really just conform to what is current with code today and become what the community envisioned it to be. If it is a lesser amount such as 10% or 20%, that would not necessarily trigger the need to make it conforming. She said they were looking at other communities and many of them have the threshold at 50% rather than the 75% that CBJ has. She said that in some instances, some cities don't base it on the value and rather, they require properties to come into compliance within a certain time frame such

as conforming within 5 years of a code change. She said they are not proposing that for Juneau, they haven't heard from the community that they want to go that way and the driving force for CBJ to change the code was the banking and financing world. Juneau's code hasn't changed in many years related to non-conforming but after the recession, the banks looked at things differently. When they were reviewing the 75% cost to reconstruct, CDD was finding and hearing that places like Aurora Arms and others could not get mortgage or financing to buy and sell those units because they couldn't be reconstructed if there was an accidental or natural disaster.

Title 49 is not currently user friendly. Ordinance 2019-37 has many other sections at the beginning of the ordinance to make sure all affected code sections are also updated when it touches non-conforming code.

Ms. Maclean then explained situations under which properties can and cannot reconstruct as allowed with the proposed ordinance. She then went on to explain two separate processes that someone might go through to apply for either a non-conforming status review or a non-conforming situation review and the differences between the two, if the ordinance passes as is.

Ms. Maclean closed by outlining the public process that this ordinance has gone through. They have been working on it for a couple of years and the Planning Commission (PC) at the committee level held public testimony on it three times. The PC Committee of the Whole heard it a couple of times. There were numerous Title 49 Committee meetings, although no public testimony was taken at those meetings. She said they met with various community groups such as realtors, real estate agents, bankers and real estate appraisers to get their input on this ordinance. She also spoke before the Southeast Alaska Building Industry Association (SEABIA) to give them a heads up of what was coming. For the most part, they have received support of the ordinance as it is written. She said they believe it will solve the issues that the residential developments have been having with the density. She said she also thinks that the way this ordinance is laid out, it is much more clear and user friendly. If things do continue to change in the private sector with banking, the ordinance as drafted would allow for subsequent changes to be made more quickly.

Ms. Maclean then answered a number of questions from Assemblymembers on a variety of scenarios if the ordinance is adopted as is.

MOTION by Mayor Weldon to forward Ordinance 2019-37 to the Assembly for action and asked for unanimous consent. *Hearing no objection, the motion passed.*

Ms. Gladziszewski and Ms. Maclean thanked staff for all their work on bringing this ordinance about.

C. Senior Housing Assisted Living Sealed Competitive Bid Results

Mr. Watt said the packet contained a memo written by Mr. Ciambor. Mr. Watt said they put out an RFP to find a developer of the land in Vintage Park that CBJ recently acquired for purposes of developing a senior assisted living and memory care facility.

Mr. Watt said they received two proposals and he was advising the Assembly that he intends to proceed with negotiations with the best bidder (Torrey Pines Development Group) under the sealed competitive bid section of our code 53.09.250(b) post-bid negotiations. Mr. Watt said that they don't often use that code section. However, they are using that section of the code because a significant factor in the award of the bid is the development proposal made by the bidder.

Mr. Watt said staff is notifying the Assembly of the selection and reminding them of the process. He is advising them that he hopes to come back with the best negotiated solution that he is able to reach with that bidder. He said he anticipates two possible outcomes should the Assembly decide that it wants to proceed.

- 1) An ordinance authorizing a land sale; and
- 2) An appropriation of grant funding.

He said he hopes they can complete the post-bid negotiations soon although that can sometimes take awhile.

Ms. Gladziszewski thanked the Manager and staff for their work on this and the Assembly looks forward to that process completion once it is done.

D. Waterfront Museum Concept/Downtown Waterfront Improvements Phase 1 Update

Mr. Watt provided a memo in the packet along with several images and attachments. He said that he has been busy trying to come up with the concept in the event that the Assembly will provide him with direction on whether this concept of relocating the City Museum to the waterfront for inclusion of the Morris Alaska art collection is one that he should pursue or not pursue further.

He provided an update on the Downtown Waterfront Improvement (Archipelago) project, Phase I, which is currently underway. The contractor is presently working on the deck over project and currently pouring the concrete retaining wall which is the interface between the private property and the to-be-constructed public deck. Mr. Watt said that Mr. Uchytel and his staff envision a second phase of that work going out to bid in late spring, complete with development of a waiting shelter and restroom area as well as other amenities on the deck. Mr. Watt provided a brief history of the timeline related to the complicated land purchase and sale agreement negotiated in January 2019.

In looking at the big picture, Mr. Watt said he wants to explore the construction of a new City Museum on the waterfront. The goals would be multiple:

- 1) To improve and expand the Capitol Campus with the current City Museum across the street from the Capitol;
- 2) To put the museum in a location where it could be cost neutral and not require general fund support;
- 3) To meet some of the downtown revitalization goals by activation of the waterfront for year-round uses; and
- 4) To partner with the cruise industry together in things within both our interests.

Mr. Watt said he met with CLIAA executives and executives from the member lines and pitched this idea and they like the concept and see a lot of upside to it. They think their passengers would enjoy something like this with a lower cost tour option in the downtown area. By having this in the downtown area, it also lessens the burden of tourist transportation to locations outside the downtown area.

The final goal would be to showcase Mr. Morris' collection of Alaskan art in the museum's display.

Mr. Watt elaborated on how this concept originated during the negotiations of the Archipelago property and a discussion of the art collection came up. Mr. Watt had heard that Mr. Morris had acquired the property in the 1990s with the intent to open an art museum and during the negotiations he asked the architect about the art collection. Through several discussions, he learned more about the Morris family and how they had partnered in their hometown of Augusta, GA for the Morris Museum of Art in 1992 dedicated to southern art. He said that was the same concept they were thinking of for their Alaskan art and Mr. Watt provided a copy of Mr. Morris' speech from the Augusta, GA museum opening.

Mr. Watt said that Mr. Morris was quite enthusiastic to make a long term arrangement should we be able to proceed with some kind of project where we could properly care for and display the art. He said that he and Interim Engineering/Public Works Director Robert Barr discussed the concept with Mr. Boily and Mr. Bibb from Northwind Architects and came up with an option for how the museum might sit on the waterfront and penciled out some cost estimates. He said that this is just a start and one option but not necessarily the final option. The cost estimate is approximately \$8-9 million.

Mr. Watt said that he also included in the packet a summary of the Economic Plan and that this project hits a lot of notes on the Economic Plan. He said that the project would require a complicated

funding package and it would not all come from outside but that some of the funding could come from outside. He said he would like to work on this to see if he could advance it further as it is not a done idea and it needs more public process, proof testing, and a thumbs up or thumbs down from the Assembly. He compared it to the proposal for a new City Hall in that if we could figure out how to invest now, then we can have a long-term, infinitely better facility and visitation that would make it cost neutral.

Ms. Gladziszewski said that what Mr. Watt is looking for at this stage is a general green light to continue to pursue this further or not.

Mr. Watt answered questions from Assemblymembers regarding the concept and whether the Archipelago property owners would approve this. Mr. Watt said that they were enthusiastic about this concept.

Mr. Jones said his initial reaction would be to object to the proposal due to concerns about whether CBJ should be using public money to support the arts. His concern is that the recent ballot initiative failure was an indication that the community is not willing to put out a lot of public money on the arts.

Ms. Triem said she would be interested in hearing more about what might happen with the building on 4th and Main and if there would be any cost savings related to that if this concept goes through.

Ms. Hale said that at one time she lived directly across the street from that parcel of property and has a good sense of how empty that part of town gets when the tourism season ends. Rather than all the boarded up and papered windows, she likes the idea of bringing an exciting new city museum in that location especially right next to a parking garage. She said that it would be a great way to revitalize that part of downtown, which they have been discussing in the Blueprint Downtown process. She said that she likes the idea of exploring this idea. She said it would be important to have good collaborative conversations with the state museum on ways to balance the city vs. the state exhibits so they are not competing with one another.

Mr. Edwardson said that he goes back to his stance on the Archipelago project. It sounds like a fantastic project but it is just not a public project if it is going to be a private museum and charging people like a private museum. He said he is not in favor of this, especially with the additional \$8 million price tag. He likes the city museum where it is.

Mr. Bryson asked how much it costs to run the current City Museum. Mr. Watt noted those costs are listed on page 1 of his memo at \$475,000/year. He explained that the Morris art would be given on permanent loan to the city and it would still be operated as a public museum.

Mr. Bryson said that for the cost of development of waterfront property, he couldn't see the math pencil out to make it work as a for-profit private museum. He expressed his support for this project by the city.

Ms. Gladziszewski said the purpose of this is to ask questions rather than making statements. She asked to get everyone's questions they wish to ask of Mr. Watt and then decide how they want to proceed.

Mr. Smith said the city museum currently charges admission and he asked at what level of visitation it would take to get them to a cost neutral position. Mr. Watt explained that the city museum receives 24,000 visitors a year and takes in approximately \$64,000. He said that is due in part to the private contributions made by local citizens to underwrite the expense of winter admission. The current admission price is \$5 for seniors and \$6 for adults.

Mr. Smith asked about cost recovery estimates. Mr. Watt said that they have not yet developed a business plan for this new concept but he would anticipate that for this concept, it would be a different type of experience and would expect the fees to likely be in the \$20/person range.

He said there is a clear need for bathrooms and visitor information on the waterfront and some of those things could be bundled with the facility as well and that could help with the operating costs because there would be Marine Passenger Fee dependent activities in the facility. Additional discussion took place about possible funding sources, including corporate sponsorships and other revenue sources.

Ms. Hughes-Skandijs said she would like to see more information on the proposal for the new facility as well as more information on what would happen to the current city museum.

Ms. Gladziszewski asked if the Manager had any discussions regarding possible contributions by the Morris family to the construction of the facility. Is he suggesting that CBJ build it and he would provide the art or is he possibly looking at contributing money towards building it since it would in essence fulfill his 1992 vision to build a museum to showcase his art. Mr. Watt said he has not had those conversations. He said the conversations they have had were more along the lines of Mr. Watt understands what Mr. Morris' art collection is and what would it take to keep that art collection in Juneau and would Mr. Morris be interested in doing a deal with the city.

Mr. Watt said that it is one of the largest collections of oil paintings by Alaskan Masters 1850-1960 roughly. They are approximately 250 oil paintings but he would not characterize it as primarily Alaskan Native art but some of it is.

Ms. Hale requested that when Mr. Watt brings back information about the current city museum, if they could also include all the different ways that facility has been used over the years, including a children's library.

Mr. Edwardson said he is presuming his point will not prevail so one of the things he would like to see brought back is the life cycle replacement costs of the new building - how much it will cost over the next 50 and 100 years.

MOTION by Mayor Weldon to direct the City Manager to continue to develop the Waterfront Museum Concept/Downtown Waterfront Improvement, taking into account all the concerns expressed by members today.

Objection by Mr. Jones. Mr. Jones said that while he appreciates the comments and questions expressed, they haven't changed his mind. He said that while he is in favor of opening up South Franklin, he doesn't want to do that to the detriment of the downtown area. He said that one of the things that draws people from the cruise ships through the downtown area is the Capitol Building and the City Museum.

Additional discussion took place and Mr. Bryson and Ms. Gladziszewski spoke in favor of the project but asked for additional details as commented on above.

ROLL CALL VOTE on the motion for the City Manager to continue to develop the City Museum Concept/Downtown Waterfront Improvements project.

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

Nays: Edwardson, Jones

Motion carried. 7:2.

On a separate but related matter, Mr. Watt explained that Mr. Uchytel, in the urban waterfront plan that they brought forward, had a building that included restrooms and visitor waiting room. He said they need clear direction on whether he should proceed with that or hold. There are some underlying foundation issues that are embedded in the current construction project if that building is going forward. Mr. Watt said that Mr. Uchytel could speak further on that if they wish but that issue needs to be resolved as well.

Ms. Gladziszewski said they may want to have to back before the Assembly to look at in more detail because the most recent version she saw was a conceptual sketch and not an approved final plan.

Mayor Weldon said that she would say the waterfront/museum concept trumps that building, whatever it was, and maybe the buildings could be combined.

Ms. Triem asked if the building with restrooms was the one referred to in the bus waiting area. Mr. Watt said there is a site plan that he wished they had included in the packet that would show that building but it is not one that is before them to see at this time.

Ms. Gladziszewski said she thinks they would need look at this in more detail. Mr. Jones asked if the building referred to is the one mentioned at \$2.5 million in Mr. Watt's memo. Mr. Watt agreed that was correct.

Additional discussion took place regarding the structure, foundation, and the issue is that the best practices for building a building on an elevated deck would be to do a concrete slab and then the building would come up. If that building is not going in that location, they would not build that concrete slab and they would just put deck down for now.

Ms. Gladziszewski said they just voted to explore the museum concept further and that means that area is not yet done being designed. Mr. Watt said he would work with the Port Director and come up with a rational plan to bring back to the Assembly.

Mayor Weldon said that the Archipelago project was one example of an issue that the Assembly thought was significant enough to be dealt with at the Assembly level and once the Assembly was done with it, Docks and Harbors carried it out. She said the waterfront plan is similar to that. She said that as most people know, the Norwegian Cruise Line representatives would be in town this week if the fog lifts. She said that before we get ahead of ourselves too much, there is a lot of public scrutiny, there is a Visitor Industry Task Force they are waiting to hear from and she would like the Assembly to take the lead on this one. She said they will talk about any other similar issues at the joint meeting with the Docks and Harbors Board in January. To make this clear for this project going forward, she spoke with the Port Director today about this, she wanted to formally make the following motion.

MOTION by Mayor Weldon that the Assembly should be the body, and not the Docks and Harbors Board, that schedules and directs anything related to NCL purchase of the subport property. *Hearing no objection, motion carried.*

V. ADJOURNMENT

There being no further business to come before the body, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,
Beth McEwen, MMC
Municipal Clerk

A woodcarver with dark hair, wearing a dark blue hoodie, is focused on carving a large wooden sculpture. The sculpture is a stylized face, possibly of a Native Alaskan, with prominent features like a large nose and deep-set eyes. The carver is using a chisel to work on the lower part of the face. The background is dark and filled with wood shavings and other wooden pieces, suggesting a workshop environment.

Sealaska Heritage Arts Campus:

Promoting Arts &
an Economic Engine
for Southeast Alaska

City & Borough of Juneau Assembly

Feb. 10, 2020

Rosita Kaaháni Worl, Ph.D.

Sealaska Heritage Institute



SEALASKA
HERITAGE

INTRODUCTION

Yeidiklas'akw ka Kaaháni yóo xát duwasáakw

Ch'áak' naa áyá xát

Shungukeidí naax xat sitee

Kawdliyaayi Hítdáx áyá xát

Jilkáat kwáan áyá xát

Lukax.ádi dachxán áyá xát

My Tlingit name is Yeidiklas'akw. It is an ancient name that has been handed down through generations of our clan, and its meaning has been lost in antiquity.

My ceremonial name is Kaaháni, which means “Woman Who Stands in the Place of a Man.”

I am an Eagle of the Thunderbird clan and the House Lowered from the Sun from Klukwan in the Chilkat region.

I am a Child of the Sockeye clan.





Sealaska Heritage Arts Campus overview:

- approximately 6,000 square feet
- indoor and outdoor space for working artists
- classroom space, an art library, and capabilities for distance learning
- space for public performances and gatherings
- Native art markets and artists-in-residence areas
- five monumental bronze masks representing Alaska's major cultural groups called "Faces of Alaska"

SHI's goals for the campus are to:

1. Help ensure the survival and enhancement of ancient art forms and practices and their continued evolution;
2. Support Native artists through art markets and educational opportunities;
3. Offer a space where the public can learn about Alaska Native and Northwest Coast cultures, enhancing cross-cultural understanding; and
4. Help establish Juneau as the Northwest Coast art capital and economic engine for the region.



GOAL 1: Ensure perpetuation of ancient art forms

Northwest Coast (NWC) art evolved over thousands of years in the rich and complex Indigenous societies of the Pacific Northwest. It is based on ancient formline design principles and spatial relationships not seen elsewhere in the world. It also has the capacity for further innovation.

NWC artforms include monumental carvings such as totem poles and canoes; smaller carvings such as boxes and masks; many forms of jewelry; and unique, complex weaving traditions such as Ravenstail, Chilkat, and spruce-root.



GOAL 1, continued

Traditional Alaska Native artforms include skin-sewing, ivory carving, beadwork, and baleen basketry, among many others.

NWC and Alaska Native art play a significant role in maintaining the cultural diversity of the nation and the cultural survival of Indigenous populations.

In order to ensure perpetuation of these evolving traditions, some of which are endangered, the campus will:

- Provide indoor and outdoor spaces for artists to make monumental pieces, such as totem poles and canoes;
- Offer expanded Alaska Native and NWC art programming, artist-in-residence spaces, and a library.



GOAL 2: Support Native artists through art markets and classes

The arts campus will offer expanded Native art markets to artists in Juneau and beyond, which will:

- Contribute to creative and sustainable economies for individual artists and Alaska's rural communities;
- Grow the demand for arts in the region, already a \$58 million industry; and
- Create more global demand for Alaska Native and NWC art.





GOAL 2, continued

Artists will also benefit from educational opportunities. Through the campus SHI will:

- Offer art classes and workshops to ensure perpetuation of ancient art practices;
- Advance a plan with the University of Alaska Southeast and the Institute of American Indian Art in Santa Fe to create a four-year degree in Northwest Coast art by adding new space for classes.
- Develop and offer e-learning courses on Native art through the campus that provide options to earn high school credits, college credits, and dual credits for high school and college.

GOAL 3: Build cross-cultural understanding

The campus will support SHI's overarching goal of promoting cultural diversity and cross-cultural understanding. It will:

- Provide cultural experiences for residents and millions of annual cruise visitors to learn about Alaska Native and NWC art;
- Offer a new gathering space in downtown Juneau for the public to experience Alaska Native and NWC performing arts;
- Help educate students—Native and non-Native—about Alaska's Indigenous cultures.





GOAL 4: Establish Juneau as the NWC arts capital

NWC and Alaska Native art represent a major attraction for visitors and can provide untold sustainable social and economic benefits to the region and state.

The economic potential of NWC and Alaska Native art is currently under-utilized.

The potential can be realized by promoting Southeast Alaska and Juneau as the NWC/Alaska Native arts capital and economic engine for the region.

Benefits to Juneau

The Sealaska Heritage Arts Campus is a natural progression of Heritage Square and CBJ's vision for Juneau as the Capital of Alaska:

- Downtown revitalization, a priority of CBJ and SHI, pride in our city
- Workforce creation: SHI staff, contractors, educators, artists
- Science & research: epigenetics studies, archival facility, visiting scholars, lecture series, sea mammal and herring roe publications, UAS partnership
- Diversifying visitor experiences: cultural tourism, WSB and museum tours
- Opportunities for local residents: public plaza, lecture series, culture and history orientation, NWC arts degree, funding for education
- Sustainability: LEED Gold rating on WSB, biomass heating, Aan Latin -- our traditional values of responsibility and stewardship for our land



Cultural tourism is on the rise worldwide

Already a international destination with more than 1 million annual visitors, Juneau is poised to become a model for cultural heritage tourism, one of the fastest-growing sectors of the travel industry. A report published in 2014 by Partners for Livable Communities through Americans for the Arts noted:

“As far as its scale, there is no doubt that interest in cultural heritage tourism is already strong and growing stronger.

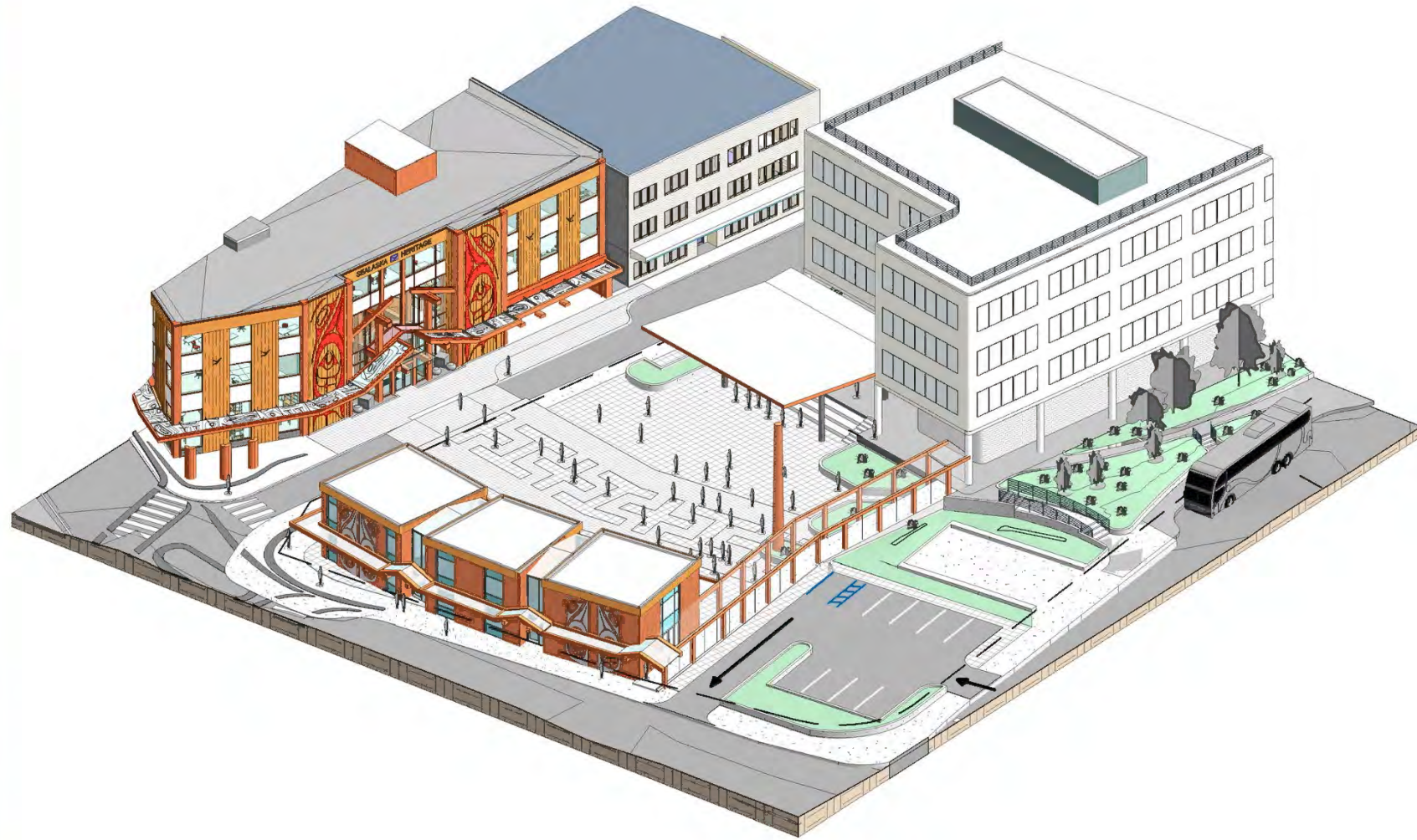
“Recent studies have shown that 78% of US tourists take part in a cultural heritage activity while traveling.”



Expanded community space

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- Visitors to Juneau spent an estimated \$1.6 million on accommodations, shopping, food and beverage, transportation, and other items.
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Financial highlights

2020 Estimated Economic Impact:*

- 2020 budget of \$18M
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The goal is to host a ceremonial groundbreaking on the project during Celebration 2020, which is scheduled June 10-13. The project will take an estimated 18 months to complete.

A feasibility study conducted by the McDowell Group that measured the impacts of facility construction found that the project will generate an estimated 55 total jobs in Juneau including direct and secondary employment. Labor income is projected to be \$5.6 million.





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In 2012, CBJ approved \$3 million in funding for construction of the \$20 million Walter Soboleff Building. Since that time, SHI has reciprocated the city's generosity with direct funding, services to the community, creation of new jobs and contributions to the economy and tax base.

We at SHI are grateful to the City and Borough of Juneau for your continued partnership, your leadership, and your commitment to artistic growth and collaboration.

Together we can continue to build the foundation for Juneau to become the Northwest Coast arts capital of the world.



Gunalchéesh, Háw'aa, T'oyaxsn



A high-angle photograph of a woodcarver with dark hair, wearing a dark blue hoodie, focused on carving a large wooden sculpture. The sculpture is a stylized face with prominent, curved features. The carver is using a chisel to work on the lower part of the face. The wood is light-colored with visible grain. The background is dark and cluttered with wood shavings and other carving tools.

Sealaska Heritage Arts Campus:

Promoting Arts &
an Economic Engine
for Southeast Alaska

City & Borough of Juneau Assembly

Feb. 10, 2020

Rosita Kaaháni Worl, Ph.D.

Sealaska Heritage Institute



SEALASKA
HERITAGE

INTRODUCTION

Yeidiklas'akw ka Kaaháni yóo xát duwasáakw

Ch'áak' naa áyá xát

Shungukeidí naax xat sitee

Kawdliyaayi Hítdáx áyá xát

Jilkáat kwáan áyá xát

Lukax.ádi dachxán áyá xát

My Tlingit name is Yeidiklas'akw. It is an ancient name that has been handed down through generations of our clan, and its meaning has been lost in antiquity.

My ceremonial name is Kaaháni, which means “Woman Who Stands in the Place of a Man.”

I am an Eagle of the Thunderbird clan and the House Lowered from the Sun from Klukwan in the Chilkat region.

I am a Child of the Sockeye clan.





Sealaska Heritage Arts Campus overview:

- approximately 6,000 square feet
- indoor and outdoor space for working artists
- classroom space, an art library, and capabilities for distance learning
- space for public performances and gatherings
- Native art markets and artists-in-residence areas
- five monumental bronze masks representing Alaska's major cultural groups called "Faces of Alaska" and a 30-foot totem pole
- designed for visitors to view Native art and crafting of art

SHI's goals for the campus are to:

1. Help ensure the survival and enhancement of ancient art forms and practices and their continued evolution;
2. Support Native artists through art markets and educational opportunities;
3. Offer a space where the public can learn about Alaska Native and Northwest Coast cultures, enhancing cross-cultural understanding; and
4. Help establish Juneau as the Northwest Coast art capital and economic engine for the region.



GOAL 1: Ensure perpetuation of ancient art forms

Northwest Coast (NWC) art evolved over thousands of years in the rich and complex Indigenous societies of the Pacific Northwest. It is based on ancient formline design principles not seen elsewhere in the world.

NWC artforms include monumental carvings such as totem poles and canoes; smaller carvings such as boxes and masks; many forms of jewelry; weaving traditions such as Ravenstail, Chilkat, and spruce-root basketry; skin-sewing; ivory carving; beadwork; and baleen basketry, among many others.



GOAL 1, continued

NWC and Alaska Native art play a significant role in maintaining the cultural diversity of the nation and the cultural survival of Indigenous populations.

In order to ensure perpetuation of these evolving traditions, some of which are endangered, the campus will:

- Provide indoor and outdoor spaces for artists to make monumental pieces, such as totem poles and canoes;
- Offer expanded Alaska Native and NWC art programming, artist-in-residence spaces, and a library.
- Provide opportunities for the public and visitors to learn about Native culture and arts.



GOAL 2: Support Native artists through art markets and classes

The arts campus will offer expanded Native art markets to artists in Juneau and beyond, which will:

- Contribute to creative and sustainable economies for individual artists and Alaska's rural communities;
- Grow the demand for arts in the region, already a \$58 million industry; and
- Create more global demand and market for Alaska Native and NWC art.





GOAL 2, continued

- Create two- and four-year certificate and degree in Northwest Coast art in partnership with University of Alaska and Institute of American Indian Arts in Santa Fe.
- Develop and offer e-learning courses on Native art through the campus that provide options to earn high school credits, college credits, and dual credits for high school and college.

GOAL 3: Build cross-cultural understanding

The campus will support SHI's overarching goal of promoting cultural diversity and cross-cultural understanding. It will:

- Provide cultural experiences for residents and millions of annual cruise visitors to learn about Alaska Native and NWC art;
- Offer a new gathering space in downtown Juneau for the public to experience Alaska Native and NWC performing arts;
- Help educate students—Native and non-Native—about Alaska's Indigenous cultures.





GOAL 4: Establish Juneau as the NWC arts capital

NWC and Alaska Native art represent a major attraction for visitors and can provide untold sustainable social and economic benefits to the region and state.

The economic potential of NWC and Alaska Native art is currently under-utilized. A major effort SHI is initiating is to promote cultural tourism in Juneau and beyond.

The potential can be realized by promoting Southeast Alaska and Juneau as the NWC/Alaska Native arts capital and economic engine for the region.

Benefits to Juneau

The Sealaska Heritage Arts Campus is a natural progression of Heritage Square and CBJ's vision for Juneau as the Capital of Alaska:

- Downtown revitalization, a priority of CBJ and SHI, pride in our city
- Workforce creation: SHI staff, contractors, educators, artists
- Science & research: epigenetics studies, archival facility, visiting scholars, lecture series, scientific publications, UAS partnership
- Diversifying visitor experiences: cultural tourism, WSB and museum tours
- Opportunities for local residents: public plaza, lecture series, culture and history orientation, NWC arts degree, funding for education
- Sustainability: Natural resource art products, LEED Gold rating on WSB, biomass heating, Aan Latin -- our traditional values of responsibility and stewardship for our land



Cultural tourism is on the rise worldwide

Already a international destination with more than 1 million annual visitors, Juneau is poised to become a model for cultural heritage tourism, one of the fastest-growing sectors of the travel industry. A report published in 2014 by Partners for Livable Communities through Americans for the Arts noted:

“As far as its scale, there is no doubt that interest in cultural heritage tourism is already strong and growing stronger.

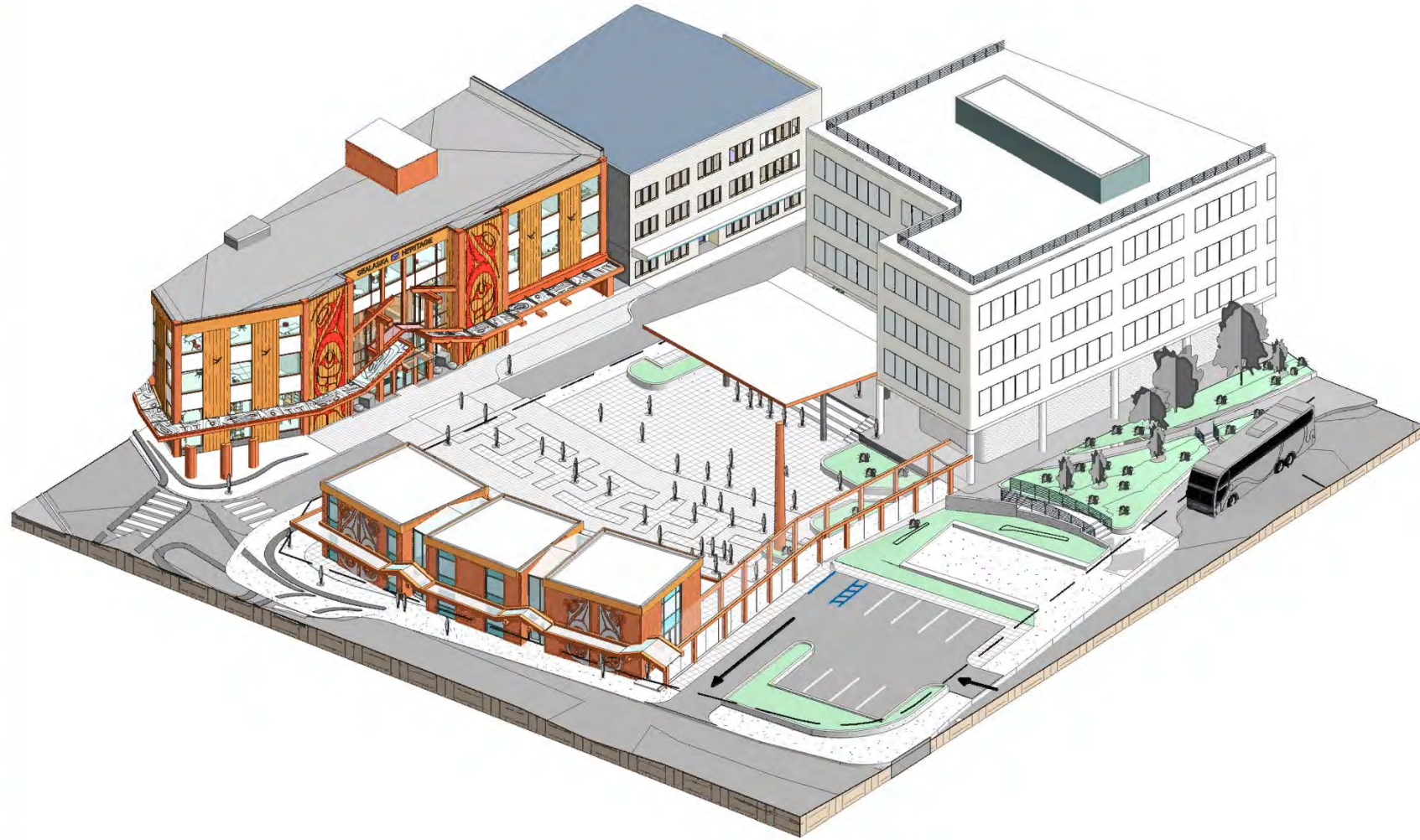
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Gunalchéesh, Háw'aa, T'oyaxsn



Presented by: The Manager
Introduced: 12/16/2019
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-02

An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

WHEREAS, the Assembly enacted Ordinance 2019-12, which temporarily prohibited the commercial rental or provision of dockless vehicles until February 1, 2020, to research how the City and Borough of Juneau should regulate these vehicles; and

WHEREAS, City and Borough of Juneau staff presented their research and recommendations to the Assembly Committee of the Whole on December 2, 2019; and

WHEREAS, the Assembly Committee of the Whole considered interests and concerns regarding the commercial rental of the devices, including, but not limited to, business interests, tourism, types of devices, topography, infrastructure design and capacity, parking, life-span of devices, device storage and disposal, accessibility, traffic congestion, and aesthetics; and

WHEREAS, when considering these factors, it was apparent that similar interests and concerns facing the deployment of dockless vehicles in Juneau were present with docked vehicles and commercial tours with micromobility devices; and

WHEREAS, consistent with the direction from the Assembly Committee of the Whole, the following regulatory structure best balances the economic, health, safety, and welfare concerns

1 related to commercial rental, provision, and use of micromobility devices in the City and
2 Borough of Juneau; and
3

4 WHEREAS, the Assembly recognizes micromobility device technology and the shared
5 economy market is rapidly changing such that the regulations created by this ordinance should
6 be reviewed as the need arises.
7

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

9 **Section 1. Classification.** This ordinance is of a general and permanent nature and
10 shall become a part of the City and Borough of Juneau Municipal Code.
11

12 **Section 2. Amendment of Title.** Title 20, Business Regulations, is amended by adding
13 a new chapter to read:
14

15 **Chapter 20.20**

16 **MICROMOBILITY DEVICES**

17 **20.20.010 Applicability of chapter.**

18 This chapter does not apply to the following:

- 19 (1) Use of a micromobility device on private property;
20 (2) A business located on private property within the area described in section
21 20.20.030 from renting or providing micromobility devices for use outside the area
22 described in section 20.20.030;
23 (3) A micromobility device provided to a person with a mobility disability;
24 (4) A person—unaffiliated with a commercial tour—using a micromobility device in the
25 area described in section 20.20.030;

- (5) A business that picks up or drops off customers provided no use of a micromobility device occurs in the area described in section 20.20.030;
- (6) Commercial passenger vehicles with a Class C endorsement pursuant to chapter 20.40; or
- (7) A permit issued pursuant to Title 19 or Title 49 related to use of private property.

20.20.020 Prohibitions.

(a) No permit, lease, license, or similar authorization may be issued from the City and Borough for locating or operating a business to rent, to provide, to offer or lead tours with, or to use micromobility devices on City and Borough property or right-of-ways in the area described in section 20.20.030. Any permit, lease, license or similar authorization related to micromobility devices is void.

(b) No person or business may

- (1) Rent or provide a micromobility device from a dockless or docked facility;
- (2) Offer or lead tours with micromobility devices; or
- (3) Engage in the commercial business of renting or providing for use a micromobility device

on public property or right-of-ways within the area described in section 20.20.030.

20.20.030 Commercial Micromobility Device Prohibition Area.

(a) The Commercial Micromobility Device Prohibition Area Map described in Exhibit A to Ordinance 2020-02 depicts the prohibition area as the public land, streets, parks, sidewalks, seawalk and similar public facilities bound between the following streets, including the outermost sidewalks, and Gastineau Channel of:

- (1) Jacobsen Drive from the AJ Dock to Mt. Roberts Street;
- (2) Mt. Roberts Street from Jacobsen Drive to Thane Road;
- (3) Thane Road at Mt. Roberts Street through Franklin Street to Fifth Street;
- (4) Fifth Street from Franklin Street to Main Street;
- (5) Main Street from Fifth Street to Egan Drive; and
- (6) Egan Drive from Main Street to 10th Street.

20.20.040 Penalty

Any person violating section 20.20.020(b) shall be subject to civil fine as follows:

- (1) First Offense: \$100
- (2) Second Offense: \$300
- (3) Third Offense and subsequent offense is the maximum fine imposed: \$500
- (4) Each day that a violation continues is a separate offense.

20.20.050 Definitions

The following words and phrases, when used in this chapter, shall have the meaning respectively ascribed to them in this section unless the context clearly indicates otherwise.

Bicycle shall have the same meaning as set under CBJ 72.28.010.

Commercial renting, using, or provisioning of a micromobility device means using a micromobility device, marking or otherwise apparently making available for use a micromobility device for the transportation of a person for compensation.

Electric assist means an electric motor affixed to a mobility unit that assists the efforts of the driver upon pedaling or steering the mobility unit.

Scooter shall mean a mobility unit consisting of a footboard mounted on two or more wheels that is designed to be stood upon when riding and that has handlebars.

Micromobility device means a bicycle, a bicycle with an electric assist, a scooter, a scooter with an electric assist, and similar micromobility devices.

Section 3. Amendment of Section. Section 03.30.070 Violations; civil fines, is amended by adding the following:

CBJ	Type of Violation	Civil Fine
<u>20.20</u>	<u>Micromobility Devices</u>	
<u>20.20.020(b)</u>	<u>Commercial rental, offer, tour, provision, or use of micromobility device in prohibited area</u>	
	<u>1st offense</u>	<u>100.00</u>
	<u>2nd offense</u>	<u>300.00</u>
	<u>3rd and subseq.</u>	<u>500.00</u>

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

EXHIBIT A
Ord. 2020-02





(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: January 6, 2020

TO: City and Borough Assembly

FROM: Allison Eddins, Planner II
Community Development Department

RE: *Juneau Historic and Cultural Preservation Plan* (draft)

BACKGROUND

The Comprehensive Plan identifies the need for a historic and cultural preservation plan for Juneau (see *Compliance with Comprehensive Plan* section below). The *Juneau Historic and Cultural Preservation Plan* is meant to guide efforts to preserve and protect the valuable historic and cultural resources in the community. The Plan establishes goals and action items that the community has determined to be important. The Plan is intended to guide CBJ's preservation activities for the next 20 years, with progress reviews taking place every two years and an update of the Plan taking place after 10 years. The development of the Plan was made possible through a Federal Historic Preservation Fund matching grant administered by the Alaska Office of History and Archaeology.

PUBLIC PROCESS

The process of developing the Plan began in late 2016, with a series of public meetings and focus groups. Participants were asked to share their vision for preservation in Juneau, identify issues and concerns regarding the preservation of historic and cultural resources in the community, and to identify goals for the future of preservation. For more details on the public process, see page one of the Plan.

The Planning Commission held two public hearings regarding the Plan on November 12 and 26, 2019. Public testimony was taken, and all who spoke were in favor of the Plan. The Planning Commission recommended minor changes to the draft Plan and those changes have been incorporated.

The Assembly has received two updates throughout the planning process. The first update was given at an Assembly Committee of the Whole meeting on August 26, 2016. This update was given to inform the Assembly on the upcoming public outreach efforts for 2016 – 2018. The second update was given on September 24, 2018 to present the public outreach data.

REGULATORY CONTEXT

In 1966, the United States Congress passed the National Historic Preservation Act in order to preserve historical and archaeological sites within the United States. This act created the National Register of Historic Places, the list of National Historic Landmarks and State Historic Preservation Offices (SHPO). A later amendment to the act created the Certified Local Government (CLG) program. The CLG program is way for states and the federal government to empower and support preservation efforts at the local level. Juneau became an Alaska CLG member in 1988. With this distinction comes numerous benefits including technical expertise from the Alaska SHPO, eligibility to apply for federal CLG earmarked funding and priority consideration for non-CLG grant funding. In order to maintain CLG status, CBJ must meet the following minimum requirements: 1) enforce appropriate state and local legislation for designation and protection of historic properties; 2) establish an adequate and qualified historic preservation review commission by local legislation; 3) develop a local historic preservation plan providing for identification, protection and interpretation of the area's significant cultural resources; 4) maintain a system for the survey and inventory of historic properties; 5) provide for adequate public participation in the local historic preservation program; and 6) satisfactorily perform the responsibilities delegated to it under the National Historic Preservation Act.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The 2013 Comprehensive Plan (Chapter 16) identifies the need to protect Juneau's historic resources and one of the best ways to do that is by adopting and implementing a preservation plan. The 2013 Comprehensive Plan states (page 221): *The existing policy regarding historic preservation, although a basic good start toward recognizing and protecting valuable historic resources, no longer provides the complete protections necessary given the dramatic rise of cruise ship tourism and the resulting pressure on historic resources from the heritage tourism trades. The CBJ government should update and adopt its draft version of the Historic and Cultural Preservation Plan, as well as continually evaluate its existing historic design standards and update its design review process, in order to better integrate preservation activities into broader community and land use planning efforts.*

Policy 16.1. To identify, preserve and protect Juneau's diverse historic and cultural resources, and to promote historic preservation and accurately represent Juneau's unique heritage through publications, outreach and heritage tourism.

Policy 16.2. To identify historic resources within the CBJ and to take appropriate measures to document and preserve these resources.

Policy 16.3. To increase public awareness of the value and importance of Juneau's archaeological and historic resources, and to educate, encourage, and assist the general public in preserving heritage and recognizing the value of historic preservation.

Policy 16.4. To preserve and protect the unique culture of Juneau's native peoples including buildings, sites, artifacts, totems, traditions, lifestyles, languages and histories.

Policy 16.5. To promote responsible heritage tourism that accurately represents Juneau's unique history while protecting the resources from overuse or harm.

Historic preservation is also mentioned in the Housing Element chapter of the Comprehensive Plan (Chapter 4) and the Economic Development chapter (Chapter 5).

Policy 4.7. To encourage preservation of residential structures that are architecturally and/or historically significant to the CBJ and which contribute to the historic and visual character and identity of the neighborhood.

Policy 5.5. To maintain and strengthen downtown Juneau as a safe, dynamic and pleasant center for government and legislative activities, public gatherings, cultural and entertainment events, and residential and commercial activities in a manner that complements its rich historic character and building forms.

If adopted, the *Historic and Cultural Preservation Plan* would be an addendum to the Comprehensive Plan. Where the preservation plan and the Comprehensive Plan conflict, or where the *Historic and Cultural Preservation Plan* is more specific, the preservation plan supersedes the Comp Plan.

COMPLIANCE WITH OTHER PLANS

CBJ currently has area plans adopted for the Auke Bay neighborhood and the Lemon Creek neighborhood. Both of these area plans include specific goals and actions that relate to preservation. See pages 18 and 19 of the draft *Historic and Cultural Preservation Plan* for the specific policies from each of the area plans.

Auke Bay Area Plan Chapter 3: Cultural and Historic Significance and Resources

Goal 1: Identify Auke Bay's historical sites and structures

Goal 2: Preserve and protect Auke Bay's history

Goal 3: Promote Auke Bay's rich culture and history

Lemon Creek Area Plan Chapter 2: Historic and Community Character

Goal 3: Recognize the Lemon Creek area's cultural diversity

Blueprint Downtown

CBJ is currently working on an area plan for Downtown Juneau. The study area includes eight of Juneau's nine historic neighborhoods, and many of Juneau's historic resources are located in this area. Blueprint Downtown will include a Historic Context chapter with goals and action items, many of which will likely be similar to the action items in this plan.

RECOMMENDATION

At its November 26, 2019 Regular meeting, the Planning Commission recommended that the Assembly review and adopt the Juneau *Historic and Cultural Preservation Plan*.



City and Borough of Juneau's

Historic & Cultural Preservation Plan

Community Development Department,
Planning Division



Historic & Cultural Preservation Plan

February 10, 2020

Preservation Planning

- A proactive way to preserve historic resources and character of our community
- Focus on public input to identify significant historic and cultural resources
- Identify challenges that come along with preserving historic and cultural resources
- Articulate goals and prioritize strategies to address challenges



Benefits

- Clearly articulated goals in an adopted plan will make CBJ more attractive to granting agencies
- Required to maintain Certified Local Government (CLG) status
- Recognizes the importance of local heritage, cultures, and the built environment



Public Process



WE WANT TO KNOW WHAT YOU THINK

TUESDAY, MAY 31
6:30 PM
The Boardroom
3rd Floor, Senate Building
175 Franklin Street
Juneau

The Juneau Historic Resources Advisory Committee wants to learn about the PLACES in Juneau THAT MATTER to you, and what actions you think are needed to preserve them

INU HPP Juneau Historic Preservation Plan

Organization of the Plan

Five Components:

1. Administration & Management Tools
2. Resource Inventory and Identification
3. Incentives and Benefits
4. Education and Interpretation
5. Advocacy and Partnerships

Each component has a vision, goals and prioritized action items

- Near-term action items: 1-5 years
- Long-term action items: 5-15 years

The plan will have a 20 year life span, be reviewed every two years with an update in 10 years.

Today Reactive

- Staffing and preparing the materials for the monthly HRAC meetings and sub-committee meetings
- CLG: Preservation through Partnerships
- Grant writing and management
- Assisting the public and other government agencies with local preservation issues
- Reviewing projects that impact historic or cultural resources for compliance with adopted plans, regulations and standards



Tomorrow Proactive

- Survey and inventory management
- Maintain survey and data systems
- Grant writing and management for national grants
- Neighborhood meetings and outreach events
- Information, publications and research



Compliance with the Comprehensive Plan

- Promote preservation and accurately represent Juneau's heritage
- Take appropriate measures to document and preserve these resources
- Increase public awareness of the value of archaeological and historic resources
- Preserve and protect the unique culture of Juneau's native peoples



Planning Commission Recommendation

The Planning Commission at their November 26, 2019 regular meeting recommended that the Assembly adopt the Historic & Cultural Preservation Plan as an addendum to the Comprehensive Plan.



Adopted by Ordinance

The Historic & Cultural Preservation Plan will replace the Historic District Development Plan that was adopted into the Comprehensive Plan in 1981.

Where the Historic & Cultural Preservation Plan and the Comprehensive Plan conflict, or where the Historic & Cultural Preservation Plan is more specific, the Historic & Cultural Preservation Plan supersedes the Comprehensive Plan.

Adopted by Resolution

The Historic District Development Plan (1981) remains an addendum of the Comprehensive Plan.

Where the Historic District Development Plan (1981) and the Comprehensive Plan conflict, or where the Historic District Development Plan (1981) is more specific, the Historic District Development Plan (1981) supersedes the Comprehensive Plan.

The Historic District Development Plan (1981) applies to the CBJ and the public.

The Historic & Cultural Preservation Plan would apply to the CBJ, but not the public.

Where the three plans conflict...

QUESTIONS

- Policy 16.1. To identify, preserve and protect Juneau's diverse historic and cultural resources, and to promote historic preservation and accurately represent Juneau's unique heritage through publications, outreach and heritage tourism.
- Policy 16.2. To identify historic resources within the CBJ and to take appropriate measures to document and preserve these resources.
- Policy 16.3. To increase public awareness of the value and importance of Juneau's archaeological and historic resources, and to educate, encourage, and assist the general public in preserving heritage and recognizing the value of historic preservation.
- Policy 16.4. To preserve and protect the unique culture of Juneau's native peoples including buildings, sites, artifacts, totems, traditions, lifestyles, languages and histories.
- Policy 16.5. To promote responsible heritage tourism that accurately represents Juneau's unique history while protecting the resources from overuse or harm.



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

DATE: February 7, 2020

TO: Deputy Mayor Gladziszewski and Assembly Committee of the Whole

FROM: Rorie Watt, City Manager

RE: Franklin Dock Proposed Floating Berth and Seawalk Negotiations

Three inter-related actions are possible for the southern area of the waterfront around the privately owned Franklin Dock. They are:

1. Should the CBJ acquire additional tidelands
2. Should the CBJ lease additional tidelands to the Franklin Dock to allow construction of a floating berth.
3. Should the CBJ negotiate for easements to allow extension of the waterfront seawalk.

My brief recommendations and comments are:

Acquisition of Additional Tidelands:

If there is to be a floating berth, then the CBJ should acquire tidelands for several reasons including:

- A. Local control of management of the waters on the downtown waterfront.
- B. Removal of a cross jurisdictional boundary. If CBJ does not acquire tidelands, then the Franklin Dock owner would have to lease tidelands from both the CBJ and the State (DNR).
- C. CBJ is preferred tideland manager for the private dock owner. We are able to be more responsive than the state.
- D. CBJ would receive additional leasing revenues.

Should CBJ Lease Tidelands for a floating berth:

The Assembly should consider the potential effect of leasing tidelands to allow a floating berth. The public has not commented on the proposal yet (or had the opportunity). There will likely be public comments centered around the issues of passenger growth and the work of the VITF.

I will paraphrase the applicant's view as follows:

A floating berth does not represent an expansion of berthing capacity. The larger ships in the cruise industry have already tied up to the existing fixed pier and regardless of whether a floating berth is installed, the industry will continue to switch out larger ships for smaller ones (many larger ships are already under construction). A floating berth allows for much more efficient unloading and loading of passengers which will allow for greater time for shore side commerce (tours and shopping). A floating berth would facilitate additional shore power connections if the shore power infrastructure is installed (and if power is available). When used, interruptible shore power creates a cost savings on our local

electricity bills. Franklin Dock is the only fixed pier dock in our port that is used by large cruise ships and is cumbersome for the current and projected fleet.

The Assembly can afford the public opportunity to comment through normal public hearing opportunities which would occur if the Resolution regarding tideland acquisition and/or an Ordinance authorizing tideland leases are advanced to the Assembly.

Seawalk:

Franklin Dock owns necessary tidelands for the extension of the seawalk to the National Guard Dock (small dock that was conveyed to the CBJ in 2006). Franklin Dock would like to exchange the value of tidelands that CBJ desires for use of the National Guard Dock. The details have not been worked out, it is a conceptual idea at this point.

Docks & Harbors has not found much interest in utilization of the National Guard Dock. It does, however, take boats of a size that do not fit in the harbor system. A major issue is that the Dock does not have supporting uplands and this fact diminishes its functional value. Secondly, the NGD comes with impractical access easements through Franklin Dock property. These impractical easements effectively carve up the private uplands and limit the development options of the property. Franklin Dock would like to remove these problematic easements.

The Assembly should conceptually consider the proposed exchange of land rights. Seawalk construction has advanced incrementally over the years, and in this scenario the seawalk would be extended, but would not reach the AJ Dock. My recommendation would be to attempt to extend the seawalk and support continued negotiations with Franklin Dock.

February 3, 2020

Mayor Beth Weldon
Members of the City and Borough of Juneau Assembly
155 South Seward Street
Juneau, Alaska 99801

Dear Members of the Assembly:

At the next Committee of the Whole (COW) meeting, there will be discussion of a proposed tidelands lease application for transfer of ownership from the State to the City and a concurrent tidelands lease application from Franklin Dock Enterprises (FDE) to the Harbor Board. Both applications involve some additional tidelands adjacent to existing CBJ and private tidelands surrounding the Franklin Dock.

FDE is seeking some additional tidelands needed to add a floating dock structure to its existing fixed dock. At the time the Franklin Dock was constructed in 1996 It became the third fixed cruise ship dock in Juneau, joining the two wood piling city docks. Today, there are four cruise ship docks of which Franklin remains the only fixed dock.

The purposes of the proposed project are threefold:

1. To increase the efficiency and safety of loading and unloading passengers at the dock. While we already have a full schedule of ships and can handle the largest of the ships, a floating structure allows people to get on and off the ship more easily, regardless of the tide levels without having to move the gangways 5 or 6 times a day.
2. To make the approach and departure from the dock safer for the ships as it would allow a shallower approach to the dock by bringing the dock face further out into the Channel, closer in alignment to the two city docks.

3. To allow ships to moor in either direction which could provide for increased use of our existing shore power system. Currently we can accommodate shore power on ships with port side connections but not starboard side connections. This floating berth would permit the use of a mobile shore power jib which would allow for both portside and starboard side connections.

The new proposed float would be 50 ft in width and 500 ft in length. It would be somewhat similar to the two new city floating berths, but would be positioned closer to the existing dock face to avoid having to drive all new mooring dolphins.

It would be designed for both passenger and vehicle access which would permit emergency vehicle access to the float.

The proposed dock would not increase the number of cruise ships coming to Juneau nor would it add an extra berth to our current port infrastructure. In 2019, Princess' largest ship, the Royal Princess docked successfully at Franklin Dock. A floating dock would simply mean quicker, safer and less expensive movement of passengers and would be particularly helpful to passengers with mobility challenges. It was for those same reasons that the city converted its fixed docks to floating berths.

FDE will not be requesting marine passenger fees to support the construction of the new float. It may, however, request marine passenger fees for the cost of expanding the existing shore power system to accommodate a greater number of ships.

The existing shore power system, which was the first in the world, was paid for over time, in part, by marine passenger fees.

At this point, we don't have an accurate cost estimate for the extension, but we doubt it would exceed \$500,000.

The reason for the request for concurrent consideration of the tidelands lease application is the time line for the project. We hope to start construction of the float in October of this year so it can be completed by May of 2021. The lead time to order materials and acquire permits requires that we know a tidelands lease

with CBJ will be consummated sometime next month. A conditional approval from CBJ, subject only to transfer of the tidelands from ADNR to CBJ or permission for early entry pending transfer should be sufficient.

I will be at the COW meeting on February 10th if you have additional questions.

Thank you for your consideration.

Sincerely,

Reed Stoops
Franklin Dock Enterprises

Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2878

**A Resolution in Support of the City and Borough of Juneau's
Application to Acquire Tideland from the State of Alaska.**

WHEREAS, A.S. 38.05.825 requires the Alaska Department of Natural Resources shall convey to a municipality tide or submerged land requested by a municipality that is occupied or suitable for occupation and development; and

WHEREAS, the City and Borough of Juneau (CBJ) intends on occupying and developing a triangle shaped area of tide and submerged land owned by the State of Alaska by extending the Seawalk and by improving the cruise ship docking area; and

WHEREAS, the CBJ constructed the Seawalk as a public walkway intended to provide a continuous pedestrian path along the downtown waterfront area; and

WHEREAS, the Seawalk currently extends from Marine Park to the Franklin Dock on South Franklin Street; and

WHEREAS, the CBJ desires to potentially extend the Seawalk from the Franklin Dock to the AJ Dock located on Jacobsen Drive; and

WHEREAS, in order to extend the Seawalk, the CBJ will need to acquire an interest in certain tide and submerged lands, which includes unsurveyed lands currently owned by the State of Alaska; and

WHEREAS, the CBJ has applied to the State of Alaska Department of Natural Resources to acquire the tide and submerged lands adjacent to ADL 108124 and ADL 106678, which are both owned by the CBJ; and

WHEREAS, the area requested for conveyance is depicted on Exhibit A; and

WHEREAS, acquiring these tide and submerged lands will further support the CBJ's current lease to Franklin Docks Enterprises of the southerly fraction of Block 87, ATS 3, which will improve cruise ship docking; and

WHEREAS, upon approval or conditional approval, the CBJ will conduct a survey of the area to provide legal boundaries; and

WHEREAS, the Assembly finds that upon balancing the interests, it would be in the public interest for the City and Borough to request and accept conveyance of the tide and submerged lands consistent with A.S. 38.05.825.

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

Section 1. The Assembly of the City and Borough of Juneau requests that the State of Alaska Department of Natural Resources approve the CBJ's application to acquire the tidelands depicted in Exhibit A.

Section 2. Upon conveyance by the State of Alaska, the Manager is authorized to accept any land identified in Exhibit A.

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

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

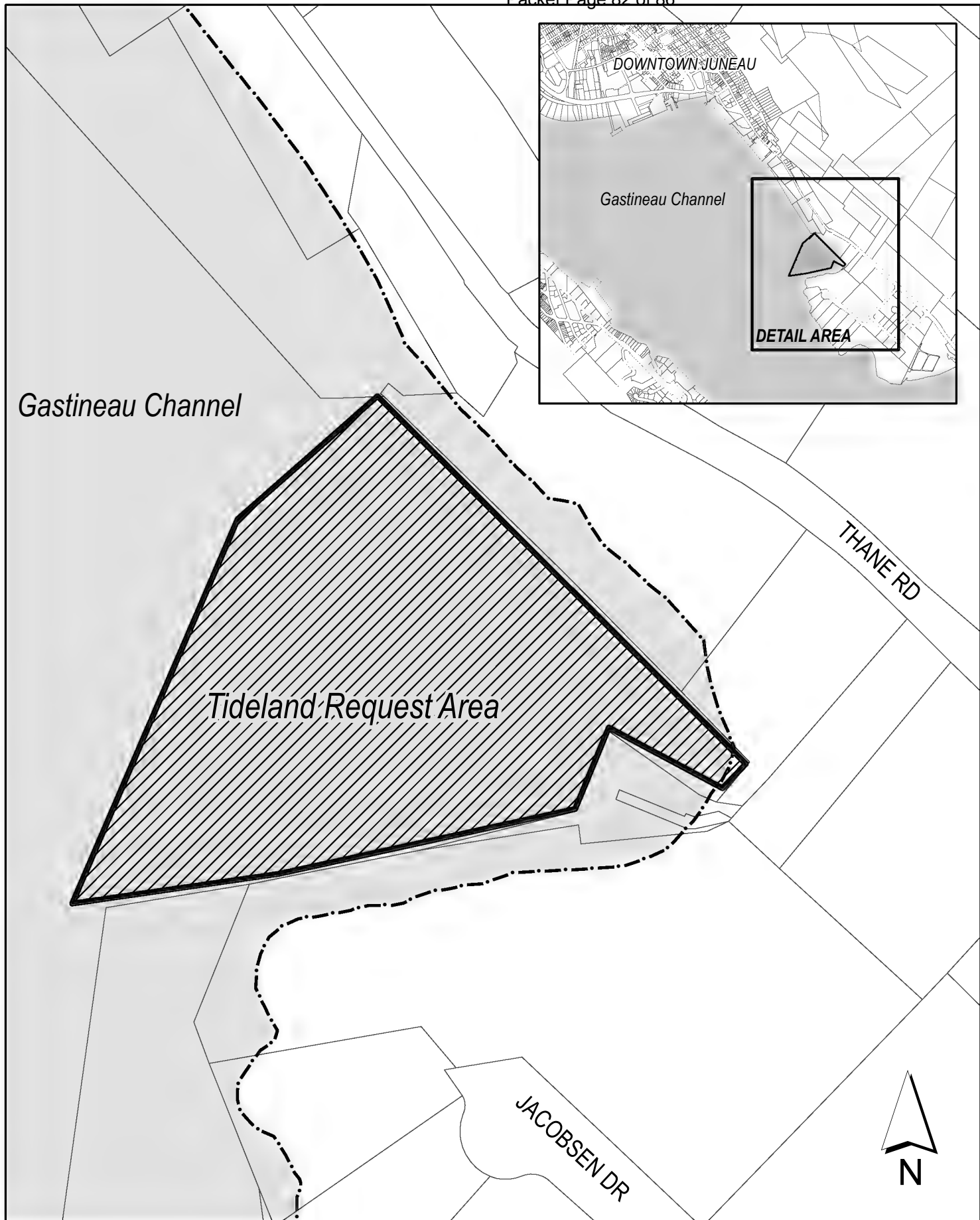
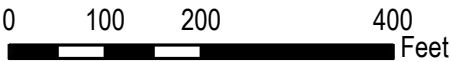
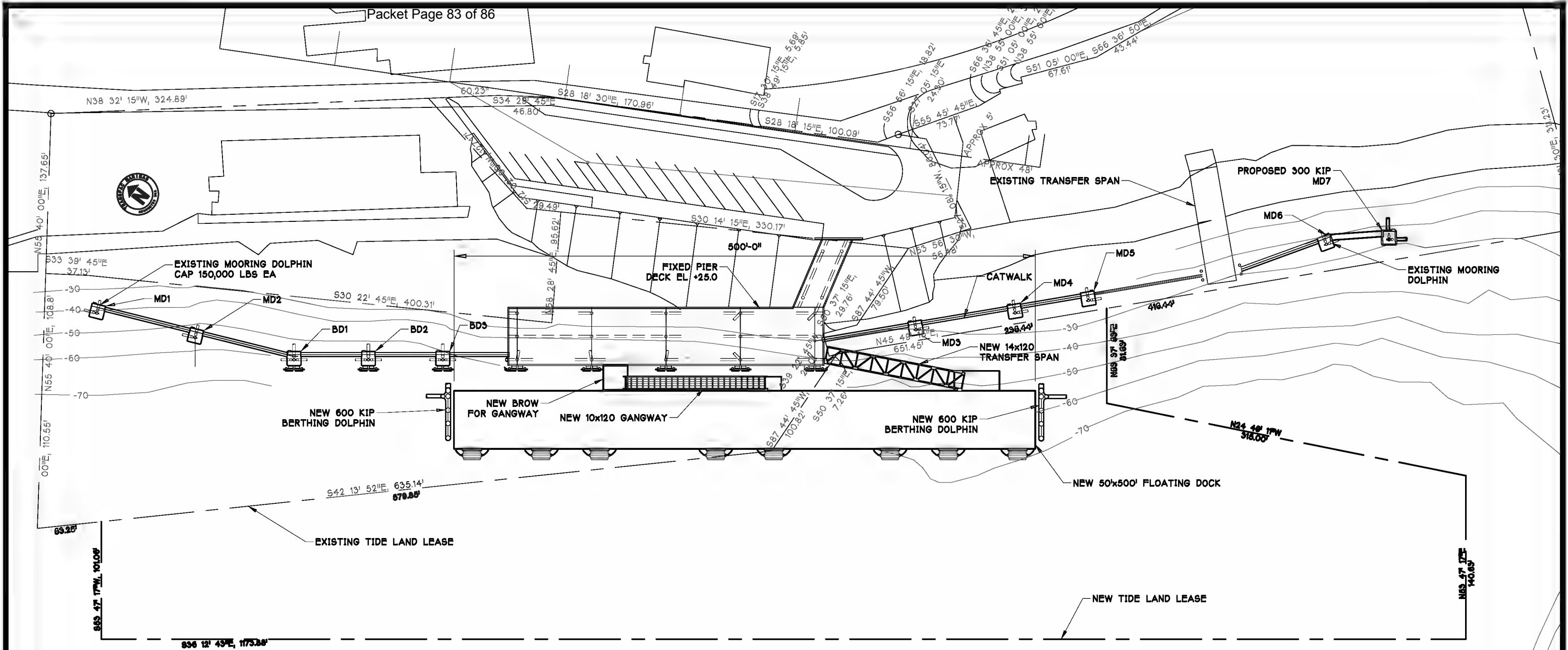


EXHIBIT A - Resolution 2878





12/31/2019

REV	BY	DATE	DESCRIPTION

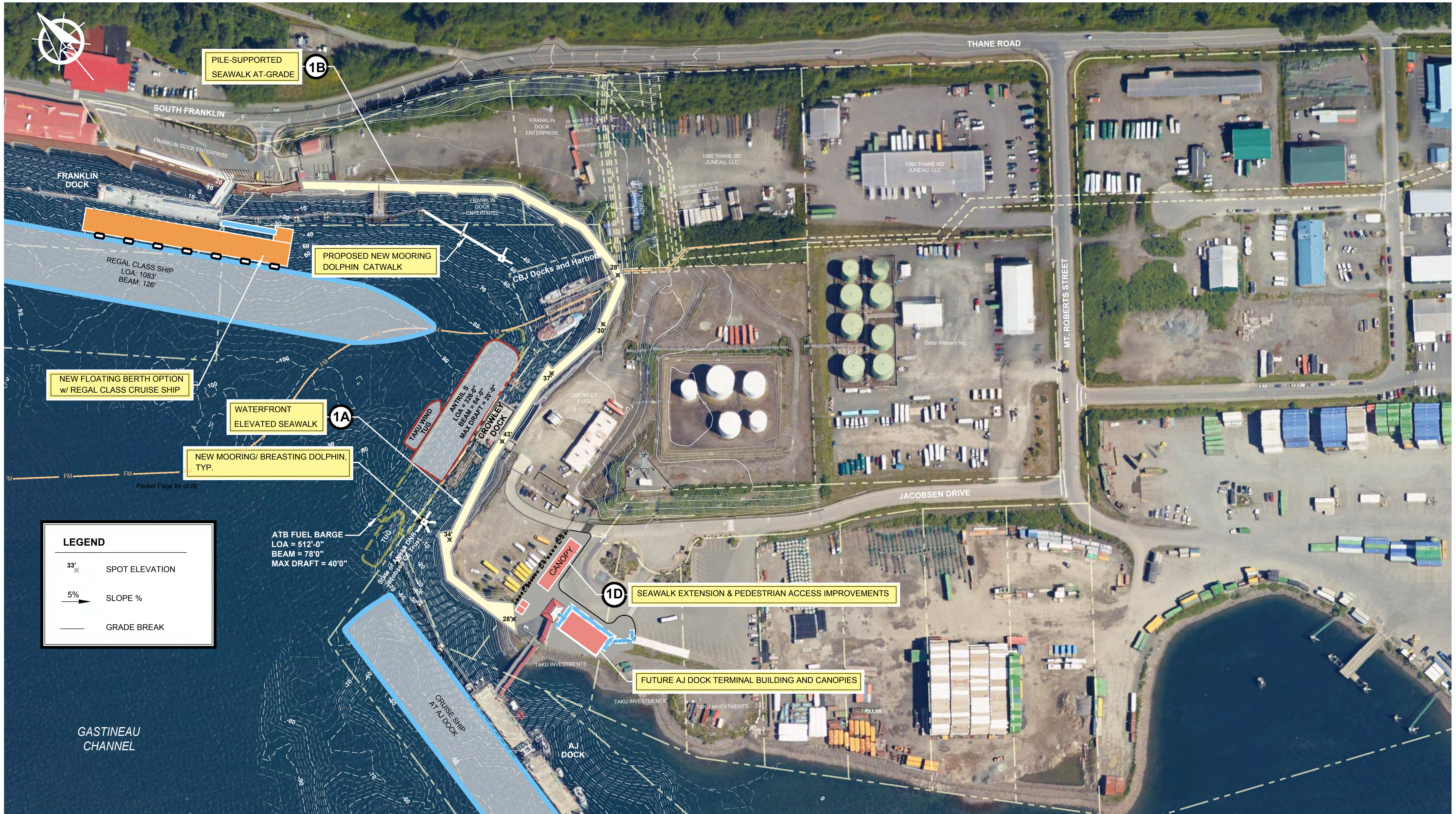


Turnagain
Marine Construction

SOUTH FRANKLIN CRUISE DOCK
JUNEAU AK
SITE PLAN - OPTION B
50'x500' FLOAT

DATE: MAR 2019	JOB NO. 19_114_A	SHEET: 1B OF	REVISED:
DRAWN BY: AJD	CHECKED BY:	APPROVED BY: DJJ	

DRAWING IS THE PROPERTY OF AND CONTAINS INFORMATION WHICH BELONGS TO TRANSPAC MARINAS, INC. IT IS BEING LOANED UNDERSTANDING THAT IT MAY NOT BE REPRODUCED OR USED IN ANY WAY THAT WOULD BE INJURIOUS TO TRANSPAC'S. DETAILS MAY BE PROTECTED UNDER ONE OR MORE OF THE FOLLOWING U.S. PATENTS: 4,709,647 -4,887,654 -4,940,021 -5,529,012 -6,450,737 -7,390,141 -8,136,468 -8,287,208 -8,308,397 -8,317,429 -8,506,205



REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.



9360 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pndengineers.com

DESIGN: CRS
DRAWN: PJD
CHECKED: CRS
APPROVED: CRS

SCALE: SCALE IN FEET
0 100 200 FT.

DATE: 8/7/19

SEAWALK DESIGN
FRANKLIN DOCK TO AJ DOCK

SHEET TITLE:

CONCEPT PLAN NO.1

PND PROJECT NO.:172110

C.A.N. NO.: AECC250

AS § 38.05.825 Conveyance of tide and submerged land to municipalities

(a) Unless the commissioner finds that the public interest in retaining state ownership of the land clearly outweighs the municipality's interest in obtaining the land, the commissioner shall convey to a municipality tide or submerged land requested by the municipality that is occupied or suitable for occupation and development if the

- (1) land is within or contiguous to the boundaries of the municipality;
- (2) use of the land would not unreasonably interfere with navigation or public access;
- (3) municipality has applied to the commissioner for conveyance of the land under this section;
- (4) land is not subject to a shore fisheries lease under [AS 38.05.082](#), or, if the land is subject to a shore fisheries lease, the commissioner determines it is in the best interests of the state to convey the land;
- (5) land is classified for waterfront development or for another use that is consistent or compatible with the use proposed by the municipality, or the proposed use of the land is consistent or compatible with a land use plan adopted by the municipality or the department; and
- (6) land
 - (A) is required for the accomplishment of a public or private development approved by the municipality;
 - (B) is the subject of a lease from the state to the municipality; or
 - (C) has been approved for lease to the municipality.

(b) The commissioner may not convey land under this section that has been designated by statute unless the commissioner determines that the proposed use is consistent or compatible with the purpose of the statutory designation. Land designated as a state game refuge, game sanctuary, or critical habitat area may not be conveyed unless the commissioner of fish and game also determines that the proposed use is consistent or compatible with the purpose of the designation. If land designated by statute is conveyed, uses of the land after conveyance are restricted to those uses determined by the commissioner of natural resources to be consistent or compatible with the purpose of the designation.

(c) Upon receipt of an application, the commissioner shall determine whether the requested conveyance meets the requirements of this section and issue a written decision regarding that determination. Upon a determination that the requirements have been met, the commissioner shall approve the conveyance of the land to the municipality. After conveyance to the municipality is approved, the municipality has management authority of the land and may lease the land, but may not sell it. The cost of the survey and all subdivision or other platting required for conveyance shall be borne by the municipality.

(d) A conveyance under this section may contain only those restrictions required by law, including [AS 38.05.127](#) and (b) of this section, or required to support a finding that the conveyance is in the best interest of the state. Land conveyed is subject to the public trust doctrine that may be enforced by the state in a court of competent jurisdiction. The municipality shall be required to ensure that reasonable access to public waters and tidelands is provided. The municipality may not lease land conveyed under this section for shore fisheries, but after conveyance, the land may be leased by the state for shore fisheries under [AS 38.05.082](#) if the commissioner determines that the lease is compatible with the municipality's use of the land. Title to land conveyed under this section that is retained by the municipality reverts to the state upon the dissolution of the municipality.

(e) This section does not enlarge or diminish the general grant land entitlement of a municipality under AS 29.65, nor is a conveyance under this section counted against the municipality's general grant land entitlement.

Credits

[SLA 1995, ch. 95, § 2](#); [SLA 2003, ch. 24, § 2](#).