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

July 8, 2019, 6:00 PM.
Assembly Chambers - Municipal Building

AGENDA

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. Assembly Committee of the Whole DRAFT Minutes, April 29, 2019

IV. AGENDA TOPICS

A. Centennial Hall & New JACC Discussion

B. Pederson Hill Subdivision Update and Lot Sale Method Discussion

C. Ordinance 2019-29 An Ordinance Amending the CBJ Code to Allow for the Consumption of Marijuana by Smoking and Edibles in Licensed Marijuana Retail Facilities with an Onsite Consumption Endorsement

D. CBJ Staff Report on Impacts from Governor's Vetos-[Handouts will be provided at the meeting.]

V. EXECUTIVE SESSION

A. Appeal 2019-01: Terraces at Lawson Creek v CBJ Assessor

Deliberations concerning administrative appeals shall be in executive session unless the Assembly votes to deliberate in open session. CBJC 01.50.140(b)(3). The Alaska Open Meetings Act does not apply when the Assembly deliberates on administrative appeal matters. AS 44.62.310(d)(1).

The City Attorney recommends the Assembly move into executive session to deliberate on a pending matter in Appeal 2019-01.

VI. 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

DRAFT

ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
April 29, 2019, 6:00 PM.
Assembly Chambers - Municipal Building

MINUTES

I. ROLL CALL

Mayor Weldon called the meeting to order at 6:01p.m.

Assemblymembers present: Beth Weldon, Mary Becker, Loren Jones, Wade Bryson, Carole Triem, Maria Gladziszewski (telephonic), Michelle Hale, Alicia Hughes-Skandijs, and Rob Edwardson

Assemblymembers absent: None.

Staff present: City Manager Rorie Watt, City Attorney Rob Palmer, Deputy Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Fire Chief Rich Etheridge, Library Director Robert Barr, Engineering/Public Works Director Mike Vigue, Community Development Director Jill Maclean, Finance Director Bob Bartholomew, Incoming Finance Director Jeff Rogers, Lands Manager Greg Chaney, Deputy Lands Manager Dan Bleidorn, Chief Housing Officer Scott Ciambor, Housing and Homelessness Coordinator Irene Gallion, BRH Hospital Administrator Chuck Bill, and BRH Chief Behavioral Officer Bradley Grigg

II. APPROVAL OF AGENDA

Mr. Watt added an new item "F" to provide a report on state legislative matters.

III. APPROVAL OF MINUTES

A. February 4, 2019 Assembly Committee of the Whole

MOTION by Ms. Becker to approve the minutes with corrections. *Hearing no objections, the minutes of the Feb. 4, 2019 COW meeting were approved with corrections.*

IV. AGENDA TOPICS

A. Business Case for new City Hall

Packet items include:
- Executive Summary
- NorthWind Analysis
- Powerpoint Presentation

Mr. Watt provided a white paper in the packet and gave an overview of the business case for a new City Hall. Northwind Architects, LLC was hired to provide a study on the concept of a new City Hall. There are three options listed in the white paper and although there are lots of questions about the future state funding landscape, it is still a good idea to look at this project/concept.

Mr. Watt commented that this is a good idea, whether it was a good idea last year, this year or next, it is still a good idea. He did not expect the Assembly to make a decision at this meeting. If the Assembly does choose to move forward with this idea, there would be a substantial amount of resources that would be put into it and it would compete with other city projects for funding.

After the Assembly has digested the information and decides to move forward with this idea, the next steps would entail a robust public process. At this point, it has advanced as far as it can receiving feed back from the Assembly and public. His recommendation for this meeting is for members to ask as many questions as they have tonight and staff would then begin to engage the public in a series of meetings with community groups to seek comment and feedback.

Mr. Bryson asked about the operating efficiencies and currently how often does a staff member in one building have to visit those in other buildings. Mr. Watt responded that it happens all the time and that said, not enough. He said we need to get out of our buildings, stop communicating by email and start meeting face to face. Mr. Bryson asked about any potential position eliminated due to the efficiencies of departments being in cross proximity to each other. Mr. Watt said that is not anticipated anytime soon. Over time, they may be able to share resources better and sharing of conference rooms, equipment and other pieces may provide efficiencies over time.

Ms. Triem asked about the relationship between CBJ and its various landlords that the city currently rents from. Mr. Watt said we have good relationships with landlords. He said if they were to look at the use of CBJ offices in the Marine View building and were planning for the placement of City Hall today, it would not make sense to locate them in that building due to the prime location directly across from the cruise ship docks that are such a large economic force in our community. He said,with the current location of City Hall, between the economic and civic cultural waterfront center and the Alaska Heritage Center, Seward Street makes for a very interesting economic corridor and people may be interested in purchasing this current building.

Assemblymembers asked a number of other questions of Mr. Watt about the economic projections in the packet. Mr. Watt responded that when you are in a business in which the business model is to be in business forever (i.e. government serving the public), it makes sense to own your own building. Concerns were raised regarding the upkeep of the new building. Mr. Watt explained that the business model takes into account the maintenance and upkeep of whatever buildings we occupy.

Mr. Jones expressed his concern regarding the timing of this and if it is something they wanted to put before the public at this upcoming October 2019 election, the public meeting/outreach would need to be greatly accelerated but if this is something they would be looking at for an October 2020 election, this proposed timeline would work.

Mr. Watt said he would like to be sensitive to the public feeling like this may be pushed too hard and too fast and said that while he knows how this looks to staff, he doesn't know how this looks to the Assembly. If the Assembly reads this and says green light, two thumbs up and we should advance this and move it along expeditiously or if the Assembly is going to look at this and say there are a lot of goals and this should be looked at within that context.

Mr. Edwardson said he is two thumbs up. He said the simple reason is that if they look at this 10-20 years from now, the need and cost will not be any less. He doesn't think the financial forecasts will be any more accurate then than they are now so this is a good time to start looking at this even if none of the current Assembly is around long enough to have a meeting in there.

Ms. Gladziszewski said she had hoped to have a more financial cost benefit to this but she agrees with the City Manager that CBJ will be in business 50 years from now and should be in a location owned by the municipality. Ms. Gladziszewski said this model went directly to two floors above the parking garage but there may be other alternatives and while she thinks it would be good to have the new City Hall downtown it would very expensive to build above the parking garage. She explained the reason that parking garage would be able to built upon was due to the previous proposal of a new Capitol Building in that location which has been in the plan for at least the past 50 years. She said that will likely never happen in her lifetime but that was the purpose of that hill for decades. She asked if there were other sites downtown that might be cheaper and/or other sites in the community since that question will come up right away during the public conversation on this.

Mr. Watt said that he does think the public will suggest other ideas and they will want to feel that CBJ takes those other ideas seriously. The most common site proposed is the former Wal-Mart building. However it is four times larger than we need, it was built as a box store and it couldn't easily be renovated to office space, it has high ceilings with challenging acoustics for an office environment.

He said people need to have a chance to understand and appreciate the thinking behind why that isn't a viable option. He said there will likely be other ideas out of the downtown core and the Assembly would need to take those ideas seriously. CBJ is a big employer and a big creator of activity and maintaining a downtown vibrancy in patronage of the businesses downtown is also important. Whenever the other options are proposed, we are a public institution and are public process driven so if someone has an idea, we should take those ideas into account and look at those pros and cons. For that reason, he would be concerned that they may be appearing to be going too fast on this. That said, if the Assembly put this on the ballot this year, bond counsel would need to draft a ballot ordinance and it would come before the Assembly in July. This is the end of April and 2-3 months of public involvement may or may not be sufficient.

Mr. Jones echoed Ms. Gladziszewski's concerns regarding the location. The manager spoke about challenges to customers and accessibility to the public and he doesn't see those needs being met by trekking up to City Hall on the top of the parking garage. He spoke about accessibility issues and how it might be restructured. He also shared his concerns and questions that the public is likely to want to weigh in on. He also talked about the timing of when this would or would not go onto the ballot.

Mr. Watt said they kept their current efforts focused on the Assembly's goal of looking at the "Business Case" for a new City Hall. They did not do an architectural design review with the layout of offices or spend a lot of time on access and circulation or look at those design elements in depth. He said they have been economical in the funding for this study and they could engage the architectural team to help detail some of those issues more over the next couple of months. If the Assembly didn't object to advancing the architectural piece, that is a step they would be able to take.

Additional discussion took place regarding details as found in the packet, the number of apartments that would be freed up in the Marine View Building, the parking needs and locations as well as potential alternative locations/ideas that have been discussed. Ms. Hale brought up the bus and transit system and how park and ride services may reduce the need for parking downtown. Mr. Watt explained that they plan on giving an updated report regarding the Valley Transit project at the May 20 COW.

Members were very much in favor of having public discussions about this. The members had a wide variety of opinions on whether this needed to be located in the downtown area and a number of members also expressed a desire to have a non-downtown option on the table for discussion. Mr. Edwardson and Ms. Gladziszewski agreed that a valley location needed to be on the table and that this topic will need to be discussed in much further detail before going to the voters. Ms. Gladziszewski said she did not feel it would be ready to put anything on the ballot for this fall's election.

The COW unanimously agreed to direct the City Manager to go forth and seek additional public input on this proposal and for him to bring that back to the committee for additional review.

B. Senior Housing Land Purchase

Chief Housing Officer Scott Ciambor gave a presentation regarding a potential Senior Housing Land Purchase. Mr. Ciambor addressed both the Senior Housing Land Purchase and the Senior Housing Tax Abatement concepts.

This has been an ongoing discussion for many years. In accordance with the Housing Action Plan, the proposal for Senior Housing Land Purchase was discussed at the Lands Committee. There have been a number of agencies and individuals pushing this project up the hill for a decade or longer. Mr. Ciambor, in his slide show, identified Lots 31 through 38 in the Vintage II Subdivision as the land being considered for purchase. Through this process so far, it has identified two key points for Assembly consideration: 1) Whether the Assembly would approve the purchase of the land, and 2) The feasibility to undergo a competitive process for use of the property by a senior housing provider.

Mr. Ciambor pointed out that in discussions with Torrey Pines/Bayshire Senior Living, they are willing to relinquish their option for this land which is currently under a Purchase and Sales Agreement with Bauer Estates.

Committee members had questions for Mr. Ciambor and Mr. Watt regarding the timing of this project and if it would be in jeopardy if it were referred to the Assembly Finance Committee and placed on the pending items list. Mr. Watt explained that it would be best for the Assembly to consider this alongside all other financial needs/requests as it undergoes the budget review process. He also explained that anything the Assembly ultimately decides on this would be done by way of an appropriating ordinance which would take at lease two Assembly meetings before adopted. He noted that the final number on the appraisal is expected sometime in mid-May.

Hearing no objection, this request was moved to the Assembly Finance Committee pending items list.

C. Senior Housing Tax Abatement

Mr. Ciambor provided information about the tax abatement options which might apply to senior housing, downtown housing, and workforce housing and he noted that a table was provided in the packet. In 2017, the State of Alaska passed SB100 which allowed municipalities to implement tax abatement locally. At a COW meeting in August 2018, this topic was discussed and staff was tasked with bringing back additional information and potential proposals. Mr. Ciambor also pointed out that Anchorage implemented its own tax incentives for housing in its downtown area.

The table provided in the packet gives a comparison of Anchorage's downtown housing tax abatement program alongside three concepts for Juneau: 1) Downtown Housing, 2) Senior Housing, and 3) Workforce Housing. Mr. Watt had instructed Mr. Ciambor to make all the comparables different so the Assembly got an idea that these are entirely conceptual and can be mixed and matched using different scenarios to fit what the Assembly may be interested in doing.

Mr. Ciambor said the next step was for the Assembly to look at making key decisions regarding potential tax abatement. 1) Did they wish to provide tax abatement to address the needs identified in the Housing Action Plan? 2) If so, what sort of housing is eligible for a tax abatement incentive?

Anchorage put into place any new residential units with a minimum of 4, in the downtown housing district, is eligible for tax abatement. He said one of the key concerns the Municipality of Anchorage has is the public is asking for more housing downtown and has been asking for a long time. The private market has suggested there is a feasibility gap. The other piece comes into negotiations with grocery chains and Walgreens and Rite Aide types of proprietors who have been unwilling to locate their businesses in the downtown core unless there was more year-round downtown housing.

Committee members discussed the ins and outs of the different scenarios. They asked staff a variety of questions and Mr. Edwardson pointed out that in order to meet the legal definition in this law to meet the designation of an "Economic Development Property" it needed to create more jobs and bring more people in, not just have a new place for people who are currently here. They discussed the idea of property tax abatement in detail and asked a wide range of questions. Some of the members expressed preferences to look at just the senior housing purchase and tax abatement for senior housing while others expressed a desire to keep the two separate and do the minimum amount the city would have to fund while still making it an incentive for developers to bring new housing to Juneau.

Mr. Ciambor explained the feasibility gap and how that translated with the senior housing projects previously proposed for senior housing. Mr. Watt answered questions to address some of the concerns expressed by Assemblymembers about the overall process. Mr. Watt said they are trying to figure out what the minimum amount needed to be done by CBJ while still providing an incentive that would entice a developer to take on a project needed by the community. He said that the key elements relate to how patient we are in relation to the incentives. The more urgent the need, the more incentives will be needed to accomplish the process. He said this can be a tricky process, he thinks it is worthy but he also expects a lot of scrutiny which is as it should be.

Mr. Edwardson spoke in favor of the senior project but said that the tax incentives under SB100 are for economic development properties and to call it economic development properties is not quite accurate.

Mr. Palmer said with respect to Mr. Edwardson's question relating to the SB100 definition, regarding economic development property, it may be a stretch to call Senior Housing an economic development exemption but this may be something that could fit around the edges.

Members went into a deeper discussion on the senior housing portion of the tax abatement question. Ms. Hale expressed a hope to see the Assembly focus on that project at this time with the next steps being 1) purchase land, 2) provide the tax abatement program, and 3) go through with the competitive process for the senior housing abatement process. Mr. Ciambor explained that would be a similar process to the one they use for the Affordable Housing Fund. Ms. Hughes-Skandijs said she appreciated the information and the worksheet and she is especially interested in looking at the "affordability" option.

After further discussion, Mr. Watt suggested that maybe the balancing on this might be done with a one time tax subsidy now rather than a tax abatement into the future. He encouraged them to really scrutinize this action as the consequences will come home over the years.

In answer to questions from the Assembly, Mr. Ciambor explained the language of the Housing Action Plan which includes tax abatement language and language specific to senior housing. Members discussed the changing demographics of Juneau's population shifting to a senior population and the myriad of ripples that causes in our Juneau economy. They talked about the Tier I retirees and other seniors who are leaving Juneau and are taking their hard earned retirements with them as they look for senior housing and this is a significant economic impact on the community.

Ms. Gladziszewski said she would like to see the Assembly focus on the senior tax assessment.

Mayor Weldon asked questions about the Trillium Landing project and how many of those were low income. Mr. Ciambor explained that the Trillium Landing project is an independent housing project with some considered "affordable housing" units while others are non-assisted units.

Mayor Weldon also asked if the CBJ could purchase the land but with an agreement in the terms of sale that the assisted living facility buy the land back from the city at some future date so it could be a long range economic development factor. Mr. Ciambor stated that was possible to include language to that effect in the purchase and sale agreement. He said the two previous developers were interested in a long term purchase and hold as opposed to a long term lease like the Housing First model.

Mayor Weldon said that she is getting the sense that the members are in favor of exploring this further and to focus primarily upon the senior housing/assisted living piece.

MOTION by Mr. Bryson for staff to continue developing all three concepts with an emphasis on the senior housing concept getting the highest priority for the future discussion.

Mayor Weldon asked if that is something staff can do in a timely manner. Mr. Watt said they will report back to the COW on May 20. He said he was just given a copy of the language from the Juneau Economic Plan which highlights one of their goals is to build the senior economy. He said he would like to not commit to how much of a work product they will have at the May COW. He said they will move forward with the understanding that the Assembly's priority is with the senior issue.

Mayor Weldon shout out to SCSSI (Senior Citizens Support Services, Inc.) and their continued efforts to push the rock up the hill.

D. Sleep Off Update

Ms. Cosgrove provided an update from the last discussion at the COW. She noted that there have been a number of converging factors that convinced the manager's office to consider transferring these services from Bartlett Regional Hospital (BRH) to Capital City Fire Rescue (CCFR). Those factors include:

- BRH not wishing to continue to have a non-medical use on it's campus;
- BRH has another medical use for those same facilities; and
- A large volume of the CCFR response is responding to health related calls as opposed to fire related calls.

Ms. Cosgrove's memo addressed the hours of operation as well as the budget details and the conversion of sleep off clients to RRC (Rainforest Recovery Center) clients. She noted that the budget is in transition and they will and do manage whatever funds are given to the program in an efficient manner. They are proposing the Assembly transfer $800,000 of the $900,000 currently budgeted for the BRH service. Those costs would likely go down in the second year but they want to make sure their staffing levels are sufficient. CCFR has experienced a shortage in ambulance collected revenues. She noted the funding sources are liquor and tobacco taxes and some of the members had asked for more budget number details. She noted that this doesn't give them a blue sky budget but rather a conservative budget.

Mayor Weldon asked for someone to provide a comparison on what the current climate is today vs. when she was employed with CCFR.

BRH Chief Behavioral Officer Bradley Grigg answered members' questions. He said they continue to receive a good number of calls with the primary calls for pick-up coming in after last bus has done its route and their highest number of calls are for individuals who end up being transported to Housing First. He reported that overall usage of the sleep off center is at approximately 20% which equals out to approximately one patron a day.

COW members discussed their concerns about the Housing First - taxi 911 model and Mr. Bryson asked about taking people to Housing First vs. sleep off and if there was a better way to transport those individuals to Housing First without having to use the CCFR or RRC staff. They discussed the need for medical evaluation that goes with responses.

Chief Etheridge and Mr. Watt talked about the need for medical review of the individuals who are being picked up. It is unknown what the addictions of the future will require but the need for medical evaluation is still an important piece of this process. Chief Etheridge also explained the CARES program and how that would be implemented. He said the CARES program assessments under the direction of Dr. Quiggly Peterson.

Mr. Bryson expressed his concerns regarding the need for a larger discussion to address a wide variety of needs of the homeless community on so many different levels and that the money being used for just 285 in this program could be put to use for a greater segment of the population.

Additional discussion took place and when asked by Mayor Weldon what the next steps should be, Ms. Cosgrove said staff needs direction from the Assembly on which way to continue to move on this issue.

MOTION by Ms. Hale that the Deputy City Manager bring the move of the sleep off program from BRH to CCFR back to the Assembly for consideration during the budget process for the future discussion.

Ms. Weldon asked for clarification on the requested amount and whether they are asking for $800,000 or for $702,800. Ms. Cosgrove clarified that the request is for $800,000.

E. Child Care Committee's Report

Mayor Weldon noted that this matter is on the agenda for introduction purposes only so the members have a chance to review the materials. She asked Mr. Jones if he cared to speak to the matter. Mr. Jones said he would stick with the transmittal memo that sums up the 5 actions the committee came together with. The report does contain some dollar numbers and some of those are already in the Assembly Finance Committee pending items and increment lists. The Child Care Committee came up with a plan with some proposed action steps and if the Assembly moves forward on those, they can move the bar forward on this.

Ms. Hale asked what were the next steps and if this would be coming back to the COW.

Mayor Weldon said that it is coming back to COW. She asked Mr. Jones about the piece that he mentioned that was already in the budget and if that was the HEARTS AEYC piece.

Mr. Jones said they added the $60,000 to the current pending item list for the Manager to help develop the policy. The request to double the amount for the HEARTS funding from the previous year is on the increment list. They moved the $300,000 for Pre-K funding to the pending list. The $150,000 that was put on the increment list as a capital item was for money to go to JEDC for the revolving loan fund. That totals four items from this report for this year's budget with the larger dollar amount showing up for next year and future budgets.

Members discussed the timing of this report as well as the timing need to pass the school budget and whether it will be on the AFC or COW meetings.

Mayor Weldon offered many thanks to the Child Care Committee for its work.

V. ADJOURNMENT

ITEM F. ADDED - Funding of School Debt

Mr. Watt distributed a memo on School Debt Scenarios and acknowledge that there are a wide varieties of options being considered by the state at the Senate, House and Governor's level. He said that the Senate has held to full school funding so far. He provided this as an informational item to read and mull over for future discussions.

Mr. Jones said this only deals with mill rate. He asked if we are in a position where, rather than change the mil rate right away, they can bond over this to get a better rate with a refinancing of the total $23 Million debt. That would be another avenue to explore.

Mr. Watt said the short answer is yes but at this time there are many unknowns. He said they need to be in a position where they can figure out the smartest way forward depending on which way the state ends up going.

Additional discussion took place regarding potential options including refinancing, timing, bonding, using savings, or increasing the mill rate if need be. If the state ceases to fund school bond reimbursements, CBJ's repayment amount would be approx $23 Million paid over the next 5 years.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,
Beth McEwen, MMC
Municipal Clerk

CITY & BOROUGH ASSEMBLY
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MEMORANDUM

Date: July 3, 2019

To: Maria Gladziszewski, Chair, Committee of the Whole

From: Michelle Hale, Chair, Public Works and Facilities Committee

Re: New JACC and Centennial Hall referrals

The City and Borough of Juneau Public Works and Facilities Committee at its July 1, 2019 meeting moved the discussion of partial CBJ funding of the New Juneau Arts and Culture Center (New JACC) to the Committee of the Whole (COW). At that same meeting, the PWFC Committee moved a discussion of Centennial Hall upgrades to the COW.

Please find enclosed a letter from the New JACC Partnership requesting $7.5 million in funding from the CBJ Assembly. This letter describes the history of the funding request as well as provides information about the status of the New JACC project. Additionally, please find enclosed a summary prepared by MRV Architects of Centennial Hall upgrades, ordered by priority, with cost estimates.

Action Requested
My intent as Chair was that the PWFC forward specific recommendations to the COW. However, PWFC members instead preferred that the full Assembly meeting as the COW consider both topics. If the COW so desires, direction could be given to staff at the July 8 meeting to draft an ordinance or ordinances to be introduced at the July 22 Assembly meeting.

History
Beginning in March 2019 the PWFC held a series of Special Meetings to discuss the New JACC. The committee hosted presentations, and a panel discussion with representatives from CBJ Parks and Recreation, the New JACC Partnership, Travel Juneau, and the Juneau Chamber of Commerce. In these meetings it became clear that while much was known about the needs of the New JACC, much less work had been undertaken to define the needs of Centennial Hall.

CBJ hired MRV Architects to conduct a Needs Assessment and Preliminary Design of Centennial Hall upgrades. This was a rapid assessment with an abbreviated public process. The results draw upon CBJ work conducted approximately a decade earlier as well as significant input from frequent users of Centennial Hall. The results of this process are included in this packet and can inform the Assembly now, and could be the basis for an expanded public process should that be desired in the future.

The series of meetings concluded with presentations on the New JACC and Centennial Hall upgrades at the June 25 Special PWFC Meeting, a follow-up on the Centennial Hall upgrades at the regular July 1 PWFC meeting, and the forwarding of both projects to the Committee of the Whole.

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

CENTENNIAL HALL BUILDING COMPONENTS (DRAFT JULY 1, 2019)

Item #	Construction Element	Quanity	U/M	Unit Price	Estimate		Comment
1	**Mechanical and Electrical System Mods**						
	Replace air-source heating pump units	1	Allowance	200,000.00	200,000.00		Replace four existing primary units, serving extg spaces
	Ducting modifications and extensions	1	Allowance	150,000.00	150,000.00		building-wide, refurbishment at existing portions
	General power and panel upgrades	1	Allowance	200,000.00	200,000.00		building-wide
	New data backbone, WIFI	1	Allowance	75,000.00	75,000.00		building-wide
	Building controls, automation	1	Allowance	200,000.00	200,000.00		building-wide
	Admin, supervision, support, profit				346,500.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$1,171,500.00**		
			Running Total		1,171,500.00		$1,641,000 with 40% Total Project Cost multiplier
2	**Major reno, ballroom upgrades**						Floors, oper walls, acoustic panels, finishes, lighting
	New Flooring	12700	SF	10.00	127,000.00		
	Repair Existing Operable Wall	1	Allowance	100,000.00	100,000.00		
	Acousical Panels	1	Allowance	50,000.00	50,000.00		Combination of custom reflecting and absorbing panels
	Finishes	12700	SF	12.00	152,400.00		
	Lighting	1	Allowance	250,000.00	250,000.00		Includes theatre lighting and house lighting component, controls
	New A/V package	1	Allowance	350,000.00	350,000.00		
	ME&P	12700	SF	12.00	152,400.00		Sprinkler heads, ducting, diffuser mods
	Admin, supervision, support, profit				496,356.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$1,678,156.00**		
			Running Total		2,849,656.00		$3,990,000 with 40% Total Project Cost multiplier
3	**New Construction, foyer expansion, entry**						New ftgs, slab, roof, doors, hardware, floor and ceiling
	Excavation and removal	510	CY	25.00	12,750.00		existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	510	CY	40.00	20,400.00		shot rock structural fill over geotech fabric
	Site/Civil	2,450	SF	7.00	17,150.00		
	Foundation	2,450	SF	35.00	85,750.00		
	Exterior Wall Envelope	675	SF	45.00	30,375.00		
	Glazed Curtain Walls	400	SF	95.00	38,000.00		
	Roofing Assembly	2,450	SF	30.00	73,500.00		
	Interior Build Out	2,450	SF	60.00	147,000.00		
	ME&P	2,450	SF	45.00	110,250.00		
	New A/V package	1	Allowance	20,000.00	20,000.00		New A/V package

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

	Admin, supervision, support, profit				233,173.50	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$788,348.50**	
			Running Total		3,638,004.50	$5,093,000 with 40% Total Project Cost multiplier
4	**Major reno, foyer extg portions**					Demo, new finishes, ceiling grid, ducting
	Demo Existing Interior	2870	SF	18.00	51,660.00	
	Demo Existing Exterior Wall Assembly	4300	SF	5.00	21,500.00	
	Interior Build Out	2870	SF	60.00	172,200.00	
	ME&P	2870	SF	35.00	100,450.00	
	New A/V package	1	Allowance	20,000.00	20,000.00	New A/V package
	Admin, supervision, support, profit				153,640.20	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$519,450.20**	
			Running Total		4,157,454.70	$5,820,000 with 40% Total Project Cost multiplier
5	**Major renovation, north-west break-out rms**					Demo, new partitions, finishes, ceilings, lighting, ducting
	Excavation and removal	320	CY	25.00	8,000.00	existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	320	CY	40.00	12,800.00	shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	1,000.00	1,000.00	
	Site/Civil	475	SF	25.00	11,875.00	
	Foundation	475	SF	55.00	26,125.00	
	Demo Existing Exterior Wall Assembly	1,040	SF	8.00	8,320.00	
	Demo Existing Interior Walls	1340	SF	18.00	24,120.00	
	Exterior Wall Envelope	1,900	SF	45.00	85,500.00	
	Roofing Assembly	475	SF	35.00	16,625.00	
	Interior Build Out	475	SF	120.00	57,000.00	At new portions
	ME&P	475	SF	70.00	33,250.00	At new portions
	Interior Build Out	1340	SF	80.00	107,200.00	At reno portions
	ME&P	1340	SF	35.00	46,900.00	At reno portions
	New A/V package	1	Allowance	35,000.00	35,000.00	
	Admin, supervision, support, profit				198,960.30	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$672,675.30**	
			Running Total		4,830,130.00	$6,765,000 with 40% Total Project Cost multiplier
6	**Major renovation,west corridor, bus.center**					Demo, new walls, doors, finishes, ceilings, lighting, ducting
	Temp Barriers and Protections	1	LS	5,000.00	5,000.00	
	Demo Entry and Exterior Wall, Meeting Room	1	LS	15,000.00	15,000.00	
	Demo Ramp	1	LS	7,500.00	7,500.00	
	Demo Existing	1540	SF	18.00	27,720.00	

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

	Interior Build Out	1540	SF	60.00	92,400.00		
	Exterior Wall Envelope	1530	SF	45.00	68,850.00		
	Glazed Curtain Walls	1530	SF	95.00	145,350.00		
	Roofing Assembly	1540	SF	30.00	46,200.00		
	ME&P	1540	SF	35.00	53,900.00		
	Admin, supervision, support, profit				194,006.40		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$655,926.40**		
			Running Total		5,486,056.40		$7,680,000 with 40% Total Project Cost multiplier
7	**New Construction, Conf, Hospit, RR, Office**						New ftgs, slab, roof, services, finishes, A/V, plumbing
	Excavation and removal	350	CY	25.00	8,750.00		existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	350	CY	40.00	14,000.00		shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	2,000.00	2,000.00		
	Site/Civil	1,400	SF	7.00	9,800.00		
	Foundation	1,400	SF	35.00	49,000.00		
	Exterior Wall Envelope	1,850	SF	45.00	83,250.00		
	Glazed Curtain Walls	480	SF	95.00	45,600.00		
	Roofing Assembly	1,400	SF	30.00	42,000.00		
	Interior Build Out	1,400	SF	75.00	105,000.00		
	ME&P	1,400	SF	50.00	70,000.00		
	New A/V package	1	Allowance	25,555.00	25,000.00		New A/V package
	Admin, supervision, support, profit				190,848.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$645,248.00**		
			Running Total		6,131,304.40		$8,585,000 with 40% Total Project Cost multiplier
8	**New Construction, Large meeting room**						New ftgs, slab, roof, services, finishes, oper. partition, A/V
	Excavation and removal	370	CY	25.00	9,250.00		existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	370	CY	40.00	14,800.00		shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	2,000.00	2,000.00		
	Site/Civil	1,975	SF	7.00	13,825.00		
	Foundation	1,975	SF	35.00	69,125.00		
	Exterior Wall Envelope	1,200	SF	45.00	54,000.00		
	Glazed Curtain Walls	1,200	SF	95.00	114,000.00		
	Roofing Assembly	1,975	SF	30.00	59,250.00		
	Interior Build Out	1,975	SF	60.00	118,500.00		
	ME&P	1,975	SF	45.00	88,875.00		
	New A/V package	1	Allowance	50,000.00	50,000.00		New A/V package

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

	Admin, supervision, support, profit				249,322.50	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$842,947.50**	
				Running Total	6,974,251.90	$9,764,000 with 40% Total Project Cost multiplier
9	**New Construction, Office perimeter**					New ftgs, slab, roof, services, finishes, glazing
	Site/Civil	280	SF	25.00	7,000.00	
	Foundation	280	SF	55.00	15,400.00	
	Demo Existing Exterior Wall Assembly	2,700	SF	8.00	21,600.00	
	Exterior Wall Envelope	1,792	SF	45.00	80,640.00	
	Glazed Curtain Walls	912	SF	95.00	86,640.00	
	Roofing Assembly	280	SF	35.00	9,800.00	
	Interior Build Out	280	SF	120.00	33,600.00	
	ME&P	280	SF	70.00	19,600.00	
	Admin, supervision, support, profit				115,197.60	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$389,477.60**	
				Running Total	7,363,729.50	$10,310,000 with 40% Total Project Cost multiplier
10	**New Construction, SE Entry, Offices, Gift Shop**					New ftgs, slab, roof, doors, hardware, glazing
	Site/Civil	90	SF	35.00	3,150.00	
	Foundation	90	SF	75.00	6,750.00	
	Demo Existing Walls and Glazing	1745	SF	20.00	34,900.00	
	Exterior Wall Envelope	1,000	SF	45.00	45,000.00	
	Glazed Curtain Walls	480	SF	95.00	45,600.00	
	Roof skylight element, E entry	1	LS	100,000.00	100,000.00	Glazed roof element, 16' x 50', $125 sf
	Interior Build Out	1300	SF	90.00	117,000.00	
	ME&P	1300	SF	50.00	65,000.00	
	Roofing Assembly	90	SF	35.00	3,150.00	
	Interior Build Out	90	SF	120.00	10,800.00	
	ME&P	90	SF	70.00	6,300.00	
	Admin, supervision, support, profit				183,813.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$621,463.00**	
				Running Total	7,985,192.50	$11,180,000 with 40% Total Project Cost multiplier
11	**Existing Exterior Wall Upgrades**					
	Walls: rigid insulation, metal siding	14950	SF	50.00	747,500.00	Focus on extg walls to remain, Willoughby Ave, NW, high ballroom
	Penthouses at roof	1400	SF	75.00	105,000.00	Modifications of extg penthouses, new structure, roof, walls
	Admin, supervision, support, profit				358,050.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$1,210,550.00**	

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

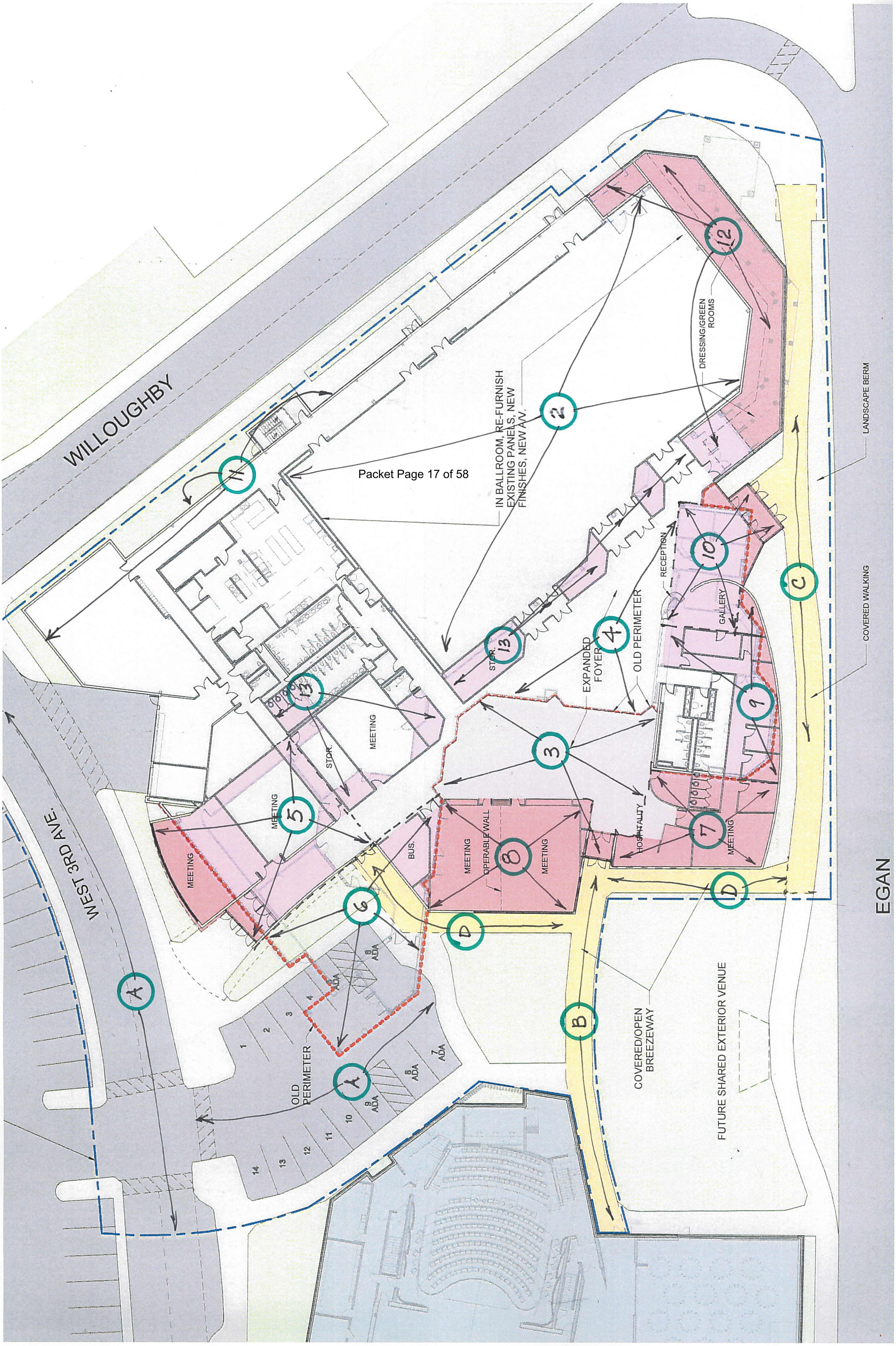
			Running Total		9,195,742.50		$12,875,000 with 40% Total Project Cost multiplier
12	**New Construction, Green rm, rr, storage**						New ftgs, slab, roof, doors, hardware, plumbing
	Excavation and removal	215	CY	25.00	5,375.00		existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	215	CY	40.00	8,600.00		shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	1,000.00	1,000.00		
	Sewer, water connections to dressing	1	allowance	20,000.00	20,000.00		
	Site/Civil	2,215	SF	7.00	15,505.00		
	Foundation	2,215	SF	35.00	77,525.00		
	Exterior Wall Enevelope	3,100	SF	45.00	139,500.00		
	Roofing Assembly	2,215	SF	30.00	66,450.00		
	Interior Build Out	2,215	SF	70.00	155,050.00		
	ME&P	2,215	SF	45.00	99,675.00		
	Admin, supervision, support, profit				247,245.60		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$835,925.60**		
			Running Total		10,031,668.10		$14,045,000 with 40% Total Project Cost multiplier
13	**Major reno, traps, kitch, stor, coat, RR**						New walls, finishes, ceilings, lighting, ducting, doors, rr plumbing
	Demo Existing	1170	SF	20.00	23,400.00		
	Interior Build Out	1170	SF	85.00	99,450.00		
	New doors and hardware, vestibules	1	Allowance	30,000.00	30,000.00		
	ME&P	1170	SF	40.00	46,800.00		
	Kitchen Hood Replacement	1	Allowance	30,000.00	30,000.00		existing kitchen system replaced, better efficiency
	General LED lighting conversion, extg rms	1	Allowance	50,000.00	50,000.00		misc. kitchen, storage rooms, hallways not otherwise modified
	Admin, supervision, support, profit				117,453.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$397,103.00**		
			Running Total		10,428,771.10		
	Total Project Cost (40% multiplier on construction cost total)				**$14,600,000.00**		Reflects design, administration, furnishings, contingency

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

Item #	Construction Element	Quanity	U/M	Unit Price	Estimate		Comment
	SITE AND CIVIL CONSTRUCTION ELEMENTS						
A	**West 3rd Avenue Portion, Parking Lot for 14**						curbs, gutter, 4' walk, 7' walk, 3" asphalt, 24' roadway
	Misc Demo	17,000	SF	1.50	25,500.00		existing asphalt, walkways and misc along 3rd Ave
	Base Course for Asphalt and Walkways	18,500	SF	2.00	37,000.00		
	Curb and Gutter	675	LF	40.00	27,000.00		
	Sidewalks	600	SY	100.00	60,000.00		
	Asphalt	240	Tons	195.00	46,800.00		
	Pavement Markings	1	Allowance	5,000.00	5,000.00		
	Misc Signage	1	Allowance	2,500.00	2,500.00		
	Electrical	1	Allowance	20,000.00	20,000.00		Street lighting, parking lot lighting
	Admin, supervision, support, profit				93,996.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$317,796.00**		
			Running Total		317,796.00		$445,000 with 40% Total Project Cost multiplier
B	**Covered Canopy, Centennial to JACC**						10' fin walkway, 12' shed roof structure, glass wind break W side
	Canopy and Foundation	1872	SF	150.00	280,800.00		
	Walkway	175	SY	100.00	17,500.00		
	Glass Windbreak	1250	SF	55.00	68,750.00		
	Electrical	1	Allowance	10,000.00	10,000.00		
	Admin, supervision, support, profit				158,361.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$535,411.00**		
			Running Total		853,207.00		$1,195,000 with 40% Total Project Cost multiplier
C	**Covered canopy, Egan Drive along Centenn.**						8' fin walkway, 10' shed roof structure
	Canopy and Foundation	2400	SF	150.00	360,000.00		
	Walkway	215	SY	100.00	21,500.00		
	Electrical	1	Allowance	10,000.00	10,000.00		
	Landscaping, Egan frontage	2,600	SF	8.00	20,800.00		raised berm along walkway canopy, Egan/Willoughby crossing
	Admin, supervision, support, profit				173,166.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$585,466.00**		
			Running Total		1,438,673.00		$2,015,000 with 40% Total Project Cost multiplier
D	**Covered canopy, S portions along Centenn.**						8' fin walkway, 10' shed roof structure
	Canopy and Foundation	1400	SF	150.00	210,000.00		
	Walkway	125	SY	100.00	12,500.00		

Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-25-19

	Electrical	1	Allowance	10,000.00	10,000.00		
	Landscaping, south Centennial frontage	2,700	SF	5.00	13,500.00		landscape exterior to lg mtg room, new extended entry foyer
	Admin, supervision, support, profit				103,320.00		GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				**$349,320.00**		
			Running Total		1,787,993.00		
	Total Project Cost (40% multiplier on construction cost total)				**$2,503,190.20**		Reflects design, administration, furnishings, contingency


WILLOUGHBY
WEST 3RD AVE.
EGAN
IN BALLROOM, RE-FURNISH EXISTING PANELS, NEW FINISHES, NEW A/V.
DRESSING/GREEN ROOMS
LANDSCAPE BERM
COVERED WALKING
RECEPTION
GALLERY
OLD PERIMETER
EXPANDED FOYER
STOR.
STOR.
MEETING
MEETING
MEETING
MEETING
OPERABLE WALL
MEETING
HOSPITALITY
MEETING
BUS.
OLD PERIMETER
COVERED/OPEN BREEZEWAY
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MRV ARCHITECTS
ARCHITECTURE · PLANNING · INTERIORS

OVERALL SITE PLAN

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

THE NEW JACC

JUNEAU ARTS & CULTURE CENTER
Inspired by Nature, Driven to Create

June 21, 2019

Ms. Michele Hale, Chair
Assembly Public Works & Facilities Committee
155 S. Seward Street
Juneau, Alaska 99801

Dear Michele,

I write on behalf of the Partnership board of directors respecting CBJ funding for the New Juneau Arts and Culture Center.

We request that the Public Works & Facilities Committee recommend to the Assembly—through the Committee of the Whole—the adoption of an ordinance appropriating $7.5 million toward the construction of the arts and culture center.

We derived this figure as the recommended minimum public share (25-30%) of this public-private partnership. Repeatedly our major potential funders have asked for a strong demonstration of support from the CBJ. The role that public expenditure plays in securing private sector and foundation matching funds — leveraging private donations at about a 3:1 ratio — cannot be overstated. And until we reach at least the 50% threshold of total funding (estimated last year at $26.4 million) we will not be able to secure these matching funds.

The $7.5 million would place us close to that 50 percent threshold. It is the amount we urged upon the Assembly last year and which was included in Ordinance 2018-40 (which failed on a 4-3 vote; 5 affirmative votes being required by municipal charter). We understand that these are uncertain fiscal times, but remain firmly of the conviction that this is a project that is both long overdue and one that will serve our community in countless ways in the decades to come.

We understand that there may be reticence to proceed to a direct appropriations ordinance without an opportunity for the public to vote. If it is the sense of the Public Works & Facilities Committee (and the Assembly) that a public advisory vote take place, then we urge you to consider the following framework: Adopt the ordinance appropriating the $7.5 million (or other dollar amount), but make the effective date contingent upon an affirmative vote of the public at the October 1, 2019 municipal election. This approach will expedite our ability to meet with other potential funders. Doing the reverse—that is, placing an advisory vote on the ballot and, if it passes, introducing and later adopting the appropriating ordinance—delays the effort by two or three months.

Finally, we understand that any appropriations ordinance would include language that would not permit transfer of CBJ funds directly to the project until some threshold amount of other funding is demonstrably pledged to the undertaking. That might be expressed as 75 or 80 percent of the total project cost of $26.4 million or a specific dollar amount.

We look forward to answering your questions at the June 25, 2019 committee meeting.

Sincerely yours,

Bruce Botelho
For the Partnership

Memorandum

FROM: Greg Chaney
Lands and Resources Manager
TO: Assembly Committee of the Whole
DATE: July 3, 2019
RE: Pederson Hill Stage 1A Lot Sale Proposal

Greg Chaney

Project History

The preliminary plat for the 86 lot Pederson Hill Subdivision was approved by the Planning Commission on February 28 2017. In order to build the project in manageable sections, the subdivision was separated into 3 stages later that year. The first stage consists of 17 lots and is anticipated to be completed this summer. Once the plat is recorded and authorizing ordinance is approved, lots can be offered for sale.

CBJ§53.09.200(e) requires lots be sold for fair market value. Minimum lot prices will be established by appraisal. City financing will be made available for all lots sold.

Based on discussions with the Affordable Housing Commission, Planning Commission and the Assembly Lands Committee, three methods are proposed for this land sale as shown in Figure 1:

Sealed Competitive Bid – 5 Lots

Minimum bids are the appraised value of the lot. Bids are submitted in sealed envelopes by a deadline. The lot is sold to the highest bidder. This method has been used for all recent CBJ property sales. Based on data from the Lena Subdivision, on average, lots sold for about 30% above appraised value.

Block Sale – 6 Lots in One Unit

The Pederson Hill Subdivision will provide the opportunity for homebuilders to build several new houses. It is often more efficient for builders to work on several adjacent lots simultaneously. Therefore, a block of six lots will be sold as a unit using the sealed competitive bid process described above.

Fixed Price Lottery – 6 Lots

Since one of the Assembly's goals has been to stabilize lot prices, staff is proposing a new method for selling lots. This would involve allowing people to enter a lottery for the opportunity to purchase lots at the appraised value.

Over the Counter Sales

Any lots not sold by the above methods will be available for the appraised price on a first come first served basis.

Staff Recommendation

Motion to the full Assembly recommending the lot sale strategy proposed in this memo.

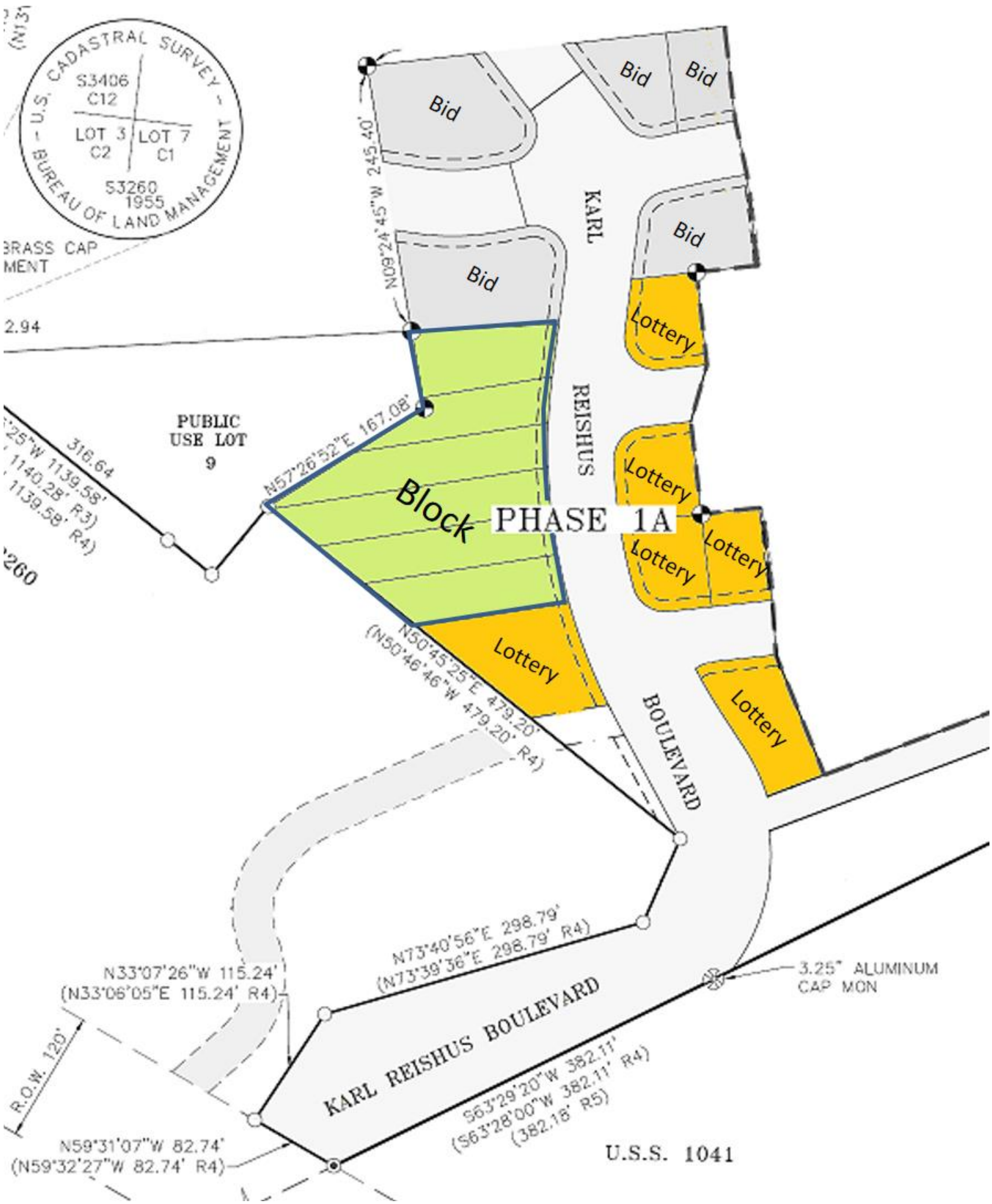

Figure 1. Proposed distribution of lot sale methods within the Pederson Hill IA Subdivision.

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

DATE: July 8, 2019

TO: Maria Gladziszewski, Chair, Assembly Committee of the Whole

FROM: Mila Cosgrove, Deputy City Manager

RE: Onsite Consumption of Marijuana

At the June 10th Committee of the Whole meeting, the Assembly deliberated about the extent to which onsite consumption of marijuana products will be allowed by city ordinance. During that deliberation, there was discussion about the potential impacts of allowing onsite consumption. Staff researched the issue and provides the following summary as an aid to further discussion.

Adopt onsite consumption ordinance w/smoking + edibles

Both non-smoking members of the public and retail employees would in theory be protected from second hand smoke (SHS) exposure under the proposed regulations requiring a separately ventilated room with a secure door.

In practice, this separately ventilated room concept seems likely to limit rather than eliminate SHS exposure. Whether this limitation would be sufficient to care for the health of non-smokers is uncertain; to date, no other municipality in Alaska or the U.S. has implemented such a space for marijuana smoking[1]. According to the CDC, indoor ventilation is ineffective for tobacco smoke[2] and likely similarly ineffective for marijuana smoke[3].

As a simple function of time exposed, employees would face a higher health risk than non-smoking members of the public. A systematic review[4] of 15 peer reviewed research papers indicated broadly that, "exposure to second-hand marijuana smoke leads to cannabinoid metabolites in bodily fluids, and people experience psychoactive effects after such exposure…" and that, "On a molecular level, marijuana smoke has chemical components similar to those of tobacco smoke, although they are present in different amounts." Among its conclusions and given the current state of knowledge, this study recommended that public policy focus on coherent approaches to smoking of any type.

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[1] Fairbanks has adopted regulations that permit licensed retail marijuana stores to obtain an onsite consumption endorsement. As of 7/2/19, one store has applied, but has not yet been granted, the endorsement. The store in question is applying for an outdoor consumption space.
[2] https://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/protection/ventilation/index.htm
[3] https://www.cdc.gov/marijuana/faqs/secondhand-smoke.html
[4] Health Effects of Exposure to Second- and Third-hand Marijuana Smoke: a Systematic Review. Hannah Holitzki, Laura Dowsett, Eldon Spackman, Tom Noseworthy, Fiona Clement. 24 Nov 2017. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5741419/

Reconciling CBJ 36.60.010 with this option is fairly straightforward from a public health perspective. Removing section (a)(6) would lead to increased exposure for employees and non-smoking members of private clubs.

Modifying the onsite marijuana consumption ordinance to limit consumption to onsite outdoor areas would resolve the conflict with 36.60.010 and likely presents the lowest risk smoking-based option, from a public health perspective, for onsite consumption. The MCB regulations in this area, relative to the rest of AAC 306, provide broad discretionary implementation authority to the MCB. The only specific requirement not subject to discretion is the construction of a sight-obscuring wall or fence around the marijuana consumption area.

In researching this issue, staff did not find any neutral, research based sources that would support a compelling public health focused argument to treat marijuana smoking differently than tobacco smoking.

Adopt onsite consumption ordinance for marijuana (edibles only)

The Municipality of Anchorage adopted an ordinance to this effect on June 18th, 2019 (AO 2019-66). There would be no SHS exposure risk for employees or non-smoking members of the public under this option. From a public health perspective, the only apparent risk comes from intoxication-related behavior resulting from marijuana consumption.

Presented by: The Manager
Introduced: 6/24/2019
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-29

An Ordinance Amending the CBJ Code to Allow for the Consumption of Marijuana by Smoking and Edibles in Licensed Marijuana Retail Facilities with an Onsite Consumption Endorsement.

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. CBJC 36.60.010 Smoking prohibited, is amended to read:

36.60.010 Smoking prohibited.

(a) <u>Except as provided in CBJ 36.60.030, smoking</u> ~~Smoking~~ is prohibited:

(1) In enclosed public places;

(2) In enclosed areas that are places of employment;

(3) In vehicles and enclosed areas owned by the City and Borough of Juneau, including the Juneau School District;

(4) In commercial passenger vehicles regulated by the City and Borough under CBJ 20.40;

(5) In bus passenger shelters;

(6) In private clubs that are licensed by the State of Alaska to sell marijuana or alcoholic beverages, or that offer food for sale, regardless of the number of employees;

(7) In indoor or outdoor areas designated by "No Smoking" signs meeting the requirements of CBJ 36.60.035;

(8) Outdoors within ten feet of playground equipment located at a public or private school or a state or municipal park while children are present;

(9) Outdoors within ten feet of an entrance to a bar or restaurant that serves alcoholic beverages;

(10) Outdoors within 20 feet of an entrance, open window, or heating or ventilation system air intake vent of any building area within which smoking is prohibited by this chapter; and

(11) Outdoors within a reasonable distance, as determined by the owner or operator, of an entrance, open window, or heating or ventilation system air intake vent of:

(i) A vessel covered by this chapter; or

(ii) A long term care facility as defined in A.S. 47.62.090.

...

Section 3. Amendment of Section. CBJC 36.60.030 Exceptions; areas where smoking is not prohibited, is amended to read:

36.60.030 Exceptions; areas where smoking is not prohibited.

(a) Unless otherwise prohibited by ~~S~~state or ~~F~~federal law, smoking is not prohibited in the following places:

(1) Private residences, including those used as a place of employment, provided this exception does not apply at any time the private residence is open for use as a child care, adult care, or health care facility;

(2) An establishment licensed under AS 17.38 that is freestanding if the consumption is in accordance with regulations adopted by the Marijuana Control Board created under AS 17.38.080~~Reserved~~;

(3) Private enclosed areas in nursing homes or assisted living facilities;

(4) Reserved;

(5) Performers smoking as part of a stage performance;

(6) Reserved;

(7) Reserved;

(8) Federal or state property, or those portions of buildings leased by the federal or state government; and

(9) Private property used for residential incarceration under contract to a federal or state correctional agency.

(b) The owner, operator, or manager of property may by permanently affixing a sign thereon, waive any exception provided in subsection (a) of this section.

Section 4. Amendment of Section. CBJC 42.20.230 Consumption of marijuana in a public place prohibited, is amended to read:

42.20.230 Consumption of marijuana in a public place prohibited.

(a) Consumption of marijuana in a public place is prohibited.

(b) For purposes of this section:

(1) Consumption means ingesting, inhaling or otherwise introducing marijuana into the human body.

(2) Marijuana has the same meaning as in Alaska Statute 17.38.900.

(3) Public place means a place, enclosed or unenclosed, to which the public or a substantial group of persons has access, including, but not limited to:

(A) Public streets, alleys, sidewalks, easements, trails or other ways dedicated or held for public vehicular or pedestrian use, including parking lots owned or operated by the municipality;

(B) Transportation facilities;

(C) Schools;

(D) Places of amusement or business;

(E) Parks;

(F) Playgrounds;

(G) Correctional facilities; and

(H) The common areas of public or private buildings and facilities.

<u>(4) Public place does not mean an establishment licensed under AS 17.38 that is freestanding if the consumption is in accordance with regulations adopted by the Marijuana Control Board created under AS 17.38.080.</u>

(c) Consumption of marijuana in a public place is an infraction.

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

Adopted this ________ day of ________________________, 2019.

____
Beth A. Weldon, Mayor

Attest:

____
Elizabeth J. McEwen, Municipal Clerk

Submitted by: Mayor Berkowitz, Assembly Chair Rivera and Assembly Member Petersen
Prepared by: Municipal Clerk's Office, Planning Department, Office of Economic and Community Development, and Assembly Counsel
Reviewed by: Department of Law
For reading: May 7, 2019

Municipal Clerk's Office
Approved
Date: June 18, 2019

ANCHORAGE, ALASKA
AO No. 2019-66

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY MAKING TECHNICAL CORRECTIONS TO MUNICIPAL MARIJUANA LICENSING AND ALLOWING ON-SITE CONSUMPTION OF EDIBLE MARIJUANA PRODUCTS AT LICENSED, FREESTANDING RETAIL MARIJUANA STORES THAT HAVE A MUNICIPAL ENDORSEMENT BY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 10.80 AND AMENDING SECTION 14.60.030 FOR CORRESPONDING CIVIL FINES.

THE ANCHORAGE ASSEMBLY ORDAINS:

<u>Section 1.</u> Anchorage Municipal Code section 10.80.010 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.010 License restrictions.

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<u>F.</u> <u>A licensed marijuana retail establishment may not allow on-site consumption unless it has a current and valid municipal on-site consumption endorsement.</u>

(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 1, 4-25-17; AO No. 2017-95(S) , § 1, 5-1-17)

<u>Section 2.</u> Anchorage Municipal Code section 10.80.020 is hereby amended to read as follows:

10.80.020 Application for new<u>, renewal or transfer of</u> license–State application forms incorporated.

An applicant for a new<u>, renewal or transfer of a municipal</u> marijuana establishment license must have submitted [TO THE STATE MARIJUANA CONTROL BOARD] a[N] <u>state marijuana establishment license</u> application <u>in accordance with 3 AAC 306.020 and that application must be</u> deemed complete[D] by the <u>director of Alcohol & Marijuana Control Office</u> [BOARD FOR A STATE MARIJUANA ESTABLISHMENT LICENSE, AND MUST FILE WITH THE MUNICIPAL CLERK A COPY OF ALL MATERIALS THE

APPLICANT SUBMITTED TO THE MARIJUANA CONTROL BOARD IN ACCORDANCE WITH 3 AAC 306.020].

(AO No. 2016-16(S), § 1, 2-9-16)

Section 3. Anchorage Municipal Code section 10.80.021 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.021 Application for new license-Supplemental municipal marijuana establishment license application.

In addition to confirmation from the state of a deemed complete application as [THE MATERIALS] required by section 10.80.020, an applicant for a new municipal marijuana establishment license must submit to the planning department [MUNICIPAL CLERK] a municipal marijuana establishment license application, which shall be submitted on a form prescribed by the municipal clerk, and which shall provide the municipality with all information necessary to ensure that the applicant complies with supplemental standards contained in this chapter. Such information shall include, without limitation:

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(AO No. 2016-16(S), § 1, 2-9-16)

Section 4. Anchorage Municipal Code section 10.80.026 is hereby amended to read as follows:

10.80.026 Municipal application procedure for new license or endorsement.

A. An applicant must initiate a new marijuana establishment license application only after submitting to the state Alcohol and Marijuana Control Office [MARIJUANA CONTROL BOARD] a complete application for a related state marijuana establishment license.

B. If an applicant for a new municipal marijuana retail store license or the holder of a valid municipal marijuana retail store license is applying for a municipal endorsement for on-site consumption, the application shall contain the information required by section 10.80.306D. [RESERVED].

C. The applicant must pay to the Municipality the application and licensing fees set out in section 10.80.100.

D. New application: When [THE MUNICIPAL CLERK RECEIVES] an application for a new marijuana establishment license and special land use permit is received, the director of the planning department [MUNICIPAL CLERK] shall determine if the application is complete. If the director [MUNICIPAL CLERK] determines the application is complete, the director [MUNICIPALITY] shall as soon as is practicable give written notice to:

1. The applicant; and
2. Reserved.
3. The community council in which the proposed licensed premises is located;
4. Reserved.

E. If an application for a marijuana establishment license is incomplete, the director of the planning department [MUNICIPAL CLERK] shall notify the applicant by electronic mail at the address provided by the applicant, and

1. Return an incomplete application in its entirety to the applicant; or
2. Request the applicant to provide additional identified items needed to complete the application.

F. When the director of the planning department [MUNICIPAL CLERK] informs an applicant that its application is incomplete as provided in subsection E., the applicant must complete the application not later than 90 days after the date of the director's [MUNICIPAL CLERK'S] notice. If an applicant fails to complete its application during the 90-day period after the director's [MUNICIPAL CLERK'S] notice, the applicant must file a new application.

(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 3, 4-25-17)

Section 5. Anchorage Municipal Code section 10.80.036 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.036 Municipal application for renewal of license or endorsement; failure to timely renew results in potential closure; expiration results in termination of license, endorsement and special land use permit.

A. On or before May 1 of each year, the municipal clerk shall send notice that a marijuana establishment with a license in active and operating status must file a renewal application not later than June 30 of the current year. Renewal applications filed after that date are delinquent and subject the marijuana establishment to potential closure pending approval of the application as described in subsection G. Renewal applications for the next license period will be accepted by the municipal clerk's office only between May 1 and August 31, inclusive.

B. A marijuana establishment's renewal application must include:

1. Identification of the license sought to be renewed by license number, endorsement, license type, establishment name, and premises address;

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G. Expiration. All marijuana establishment licenses and endorsements expire at 12:00 midnight on August 31 of each year, unless a different date is set in the assembly resolution approving the license or endorsement.

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(AO No. 2016-16(S), § 1, 2-9-16 ; 2017-71(S) , § 4, 4-25-17; AO No. 2017-95(S) , § 2, 5-1-17)

Section 6. Anchorage Municipal Code section 10.80.045 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.045 Application for License Transfer. Procedures for change in or transfer of a controlling interest in a license issued to non-natural persons, for a transfer of license, transfer of a license with an endorsement, and for temporary operation following the death of an individual.

A. *General provisions.* Except as otherwise provided in this section, a person may not receive or transfer a marijuana establishment license or controlling interest in a marijuana establishment license issued to a partnership, including a limited partnership, a limited liability company, or a corporation, without applying for the transfer and receiving the written consent of the assembly. Transfer of a controlling interest in a license includes a sale of all or part of the interest of an individual owner, and numerous separate transfers that in the aggregate amount to more than 50 percent of the ownership interest or the voting shares of a corporation.

B. Exceptions.

1. A transfer of a license with or without any associated endorsement issued to an individual as a sole proprietor to a limited liability company or a corporation with a single member or shareholder whom is the same individual may be approved by the municipal clerk. Any procedure in this section for a public hearing or assembly consideration or action is not applicable.

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C. *Procedure.* An application for transfer with or without any associated endorsement must be filed in writing on a form the municipal clerk prescribes within 10 days of the effective date of an agreement or contract for such a transfer, in compliance with the application procedure set out in section 10.80.026. Regardless of any private agreement terms, a transfer of the license or of a controlling interest in a license is not effective until after approval. The application must name the current holder(s) of the marijuana establishment license and the proposed transferee(s), including all persons listed in 3 AAC 306.020 if a transferee is a partnership, limited liability company, or a corporation. The application must contain:

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4. A municipal on-site consumption endorsement may only be transferred to another person if the license for which the endorsement was issued is also transferred to that person.

D. *Action by the municipal clerk.* When the municipal clerk receives a complete application for a transfer of a license with or without any associated endorsement to another person, the municipal clerk shall immediately:

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 6, 4-25-17; AO No. 2017-95(S) , § 3, 5-1 17; AO No. 2018-96(S), 11-7-18)

Section 7. Anchorage Municipal Code section 10.80.061 is hereby amended to read as follows:

10.80.061 Protest to State Marijuana Control Board by municipality.

A. The municipal clerk shall protest a state marijuana establishment license or endorsement application if:

1. The applicant proposes to operate a marijuana establishment within the municipality, and

2. Does not possess all licenses, permits and approvals needed to operate a marijuana establishment or endorsement activity within the municipality.

B. The assembly may recommend that the State Marijuana Control Board approve an application for a new state license, renewal of a state license, [OR] transfer of a state license with or without an associated endorsement to another person, or application for a new endorsement subject to a condition or conditions. In such circumstances, the municipal clerk shall request that a protest to the State Marijuana Control Board be lifted upon fulfillment of such condition or conditions.

(AO No. 2016-16(S), § 1, 2-9-16; AO No. 2018-96(S), 11-7-18)

Section 8. Anchorage Municipal Code section 10.80.065 is hereby amended to read as follows:

10.80.065 Public participation.

A person may comment on an application for a new license, renewal of a license, transfer of a license, [OR] transfer of a controlling interest in a license with or without any associated endorsement, or application for a new endorsement by submitting a written statement to the municipal clerk. If a public hearing is held, a person may also give oral testimony at the public hearing held in accordance with section 10.80.071.

(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 8, 4-25-17; AO No. 2018-96(S), 11-7-18)

<u>Section 9.</u> Anchorage Municipal Code section 10.80.071 is hereby amended to read as follows:

10.80.071 Public hearing.

<u>A.</u> The assembly will hold a hearing to ascertain the reaction of the public to a new application for a marijuana establishment. The hearing will be consolidated with the hearing required by section 21.03.105 on the applicant's associated application for a special land use permit.

<u>B.</u> The assembly may hold a hearing to ascertain the reaction of the public to an application for a renewal of a license, transfer of a license, or transfer of a controlling interest in a license. [THE MUNICIPALITY WILL SEND NOTICE OF A HEARING TO EACH COMMUNITY COUNCIL IN THE AREA OF THE PROPOSED PREMISES.]

<u>C.</u> <u>The assembly will hold a hearing to ascertain the reaction of the public to a new application for an on-site consumption endorsement. The hearing may be consolidated with the hearing required for a new application for a marijuana establishment license under A. of this section. The assembly may hold a hearing to ascertain the reaction of the public to an application for renewal of an on-site consumption endorsement.</u>

<u>D.</u> <u>If a hearing is held pursuant to this section, the municipality shall send notice of a hearing to each community council within 1000 feet of the proposed premises.</u>

(AO No. 2016-16(S), § 1, 2-9-16; AO No. 2018-96(S), 11-7-18)

<u>Section 10.</u> Anchorage Municipal Code section 10.80.076 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.076 Procedure for action on license <u>or endorsement</u> application; commencement of operations.

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B. The assembly will consider any written objection, suggested condition, or petition, and any testimony received at a public hearing held under section 10.80.071 when it considers the application. The municipal clerk will retain the written objection, suggested condition, or petition as part of the record of the assembly's review of an application.

1. On an application for renewal of a license<u> or endorsement</u>, the assembly may add, remove, or modify conditions of the license.

2. On an application for transfer of a license, with or without any associated endorsement, or transfer of a controlling interest in a license, the assembly may add, remove, or modify conditions of the license, including conditioning its grant of the transfer on satisfaction of any such conditions of the transfer or imposed on the transferees.

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 10, 4-25-17; AO No. 2017-95(S) , § 5, 5-1-17; AO No. 2018-96(S), 11-7-18)

Section 11. Anchorage Municipal Code section 10.80.080 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.080 Denial of [LICENSE] application.

A. After review of the application, including the applicant's proposed operating plan and all relevant information, the assembly will deny an application for a new license or endorsement if the assembly finds that:

1. The application is not complete as required under the applicable standards sections 10.80.020—10.80.056, or contains any false statement of material fact;

2. The license or endorsement would violate any restriction in section 10.80.010 or 10.80.011 or 3 AAC 306;

3. The license or endorsement would violate any restriction applicable to the particular license type authorized under this chapter;

4. The license or endorsement is prohibited by municipal code;

5. The assembly finds that the operating plan does not adequately demonstrate that the applicant will comply with applicable standards of this chapter; or

6. Issuance of the license or endorsement will adversely impact the health, welfare or public safety of the neighborhood in which the marijuana establishment is proposed to be located, or otherwise would not be in the best interests of the public.

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D. If the assembly denies an application for a new license, renewal of a license, transfer of a license, transfer of a controlling interest in a license, or a new or renewal of an endorsement, the municipal clerk will, not later than 15 days after the meeting at which the application was denied, furnish a written statement of issues to the applicant, explaining the reason for the denial in clear and concise language, and identifying any statute or regulation on which the denial is based. The notice of denial will inform the applicant of the right to appeal under section 10.80.095.

(AO No. 2016-16(S), § 1, 2-9-16; AO No. 2018-96(S), 11-7-18)

Section 12. Anchorage Municipal Code section 10.80.095 is hereby amended to read as follows:

10.80.095 Appeals.

An applicant or marijuana establishment license or endorsement holder aggrieved by a final decision of the assembly regarding an application for a new license, a license renewal, or a transfer may appeal to the superior court.

(AO No. 2016-16(S), § 1, 2-9-16; AO No. 2018-96(S), 11-7-18)

Section 13. Anchorage Municipal Code section 10.80.100 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.100 Fees; refund.

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D. The annual license operating fee to be paid with each application for a new marijuana establishment facility license and each license renewal application is $0, except as further described in this subsection. If the state Marijuana Control Board fails to issue a timely response to an application as described in AS 17.38.210(f), and the municipality acts on the application, the applicant must pay an annual license operating fee to the municipality as follows:

1. For a marijuana retailer license, $0;

2. For an on-site consumption endorsement, $0; [RESERVED]

3. For a marijuana cultivation facility license, $0;

4. Reserved.

5. For a marijuana product manufacturing facility license, $0;

6. For a marijuana testing facility license, $0.

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 11, 4-25-17; AO No. 2017-95(S) , § 6, 5-1-17)

Section 14. Anchorage Municipal Code section 10.80.305 is hereby amended to read as follows:

10.80.305 Retail marijuana store privileges.

A. A licensed retail marijuana store is authorized to:

1. Sell marijuana purchased from a licensed marijuana cultivation facility, packaged and labeled as required under section 10.80.345, 3 AAC 306.470, and 3 AAC 306.475, in an amount not exceeding the limit set out in section 10.80.355, to an individual on the licensed premises for consumption off the licensed premises;

2. Sell a marijuana product purchased from a licensed marijuana product manufacturing facility, packaged and labeled as required under section 10.80.345, 3 AAC 306.565 and 3 AAC 306.570, in a quantity not exceeding the limit set out in section 10.80.355, to an individual on the licensed premises for consumption off the licensed premises;

3. Store marijuana and marijuana products on the licensed premises in a manner consistent with sections 10.80.710—10.80.720;

4. <u>Apply for an on-site consumption endorsement under section 10.80.306</u> [RESERVED FOR ON-SITE CONSUMPTION].

B. This section does not prohibit a licensed marijuana retail store from refusing to sell marijuana or a marijuana product to a consumer.

(AO No. 2016-16(S), § 1, 2-9-16)

<u>**Section 15.**</u> Anchorage Municipal Code chapter 10.80 is hereby amended by adding a new section 10.80.306 to read as follows:

10.80.306 On-site consumption endorsement for retail marijuana stores.

A. Unless prohibited by local or state law, a freestanding licensed retail marijuana store with an approved on-site consumption endorsement is authorized to:

1. Sell marijuana and marijuana products, excluding marijuana concentrates, to patrons for consumption on the licensed premises at the time of purchase in compliance with this section and sections 21.05.055 or 21.50.420, as applicable.

2. Sell for consumption on the premises:

a. Reserved.

b. Edible marijuana products in quantities not to exceed 10 mg of THC to any one person per day.

3. Sell food or beverages not containing marijuana or alcohol for consumption on the premises.

4. Allow a person to remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided it is packaged in accordance with section 10.80.345.

B. A licensed retail marijuana store with an approved on-site consumption endorsement may not:

1. Sell marijuana concentrate for consumption in the marijuana consumption area or allow marijuana concentrate to be consumed in the marijuana consumption area;

2. Allow any licensee, employee, or agent of a licensee to consume marijuana or marijuana product, including marijuana concentrate, during the course of a work shift;

3. Allow a person to consume tobacco or tobacco products in the marijuana consumption area;

4. Allow a person to bring into or consume in the marijuana consumption area any marijuana or marijuana product that was not purchased at the licensed retail marijuana store;

5. Sell, offer to sell, or deliver marijuana or marijuana product at a price less than the price regularly charged for the marijuana or marijuana product during the same calendar week;

6. Sell, offer to sell, or deliver an unlimited amount of marijuana or marijuana product during a set period of time for a fixed price;

7. Sell, offer to sell, or deliver marijuana or marijuana product on any one day at prices less than those charged the general public on that day;

8. Encourage or permit an organized game or contest on the licensed premises that involves consuming marijuana or marijuana product or the awarding of marijuana or marijuana product as prizes; or

9. Advertise or promote in any way, either on or off the premises, a practice prohibited under this section.

C. A marijuana consumption area shall have the following characteristics:

1. The consumption area shall be isolated from the other areas of the retail marijuana store, separated by walls and a secure door, and shall have access only from the retail marijuana store;

2. A smoke-free area for employees to monitor the marijuana consumption area; and

3. If consumption by inhalation or smoking is to be permitted, a ventilation system that directs air from the marijuana consumption area to the outside of the building through a filtration system sufficient to remove visible smoke, consistent with all applicable building codes and ordinances, and adequate to eliminate odor at the property line.

D. An applicant for an on-site consumption endorsement must file an application on a form prescribed by the municipal clerk, including the documents and endorsement fee set out in this section, which must include:

1. The applicant's operating plan, in a format the planning department prescribes, describing the retail marijuana store's plan for:

a. Security, in addition to what is required for a retail marijuana store, including:

i. Doors and locks;

ii. Windows;

iii. Measures to prevent diversion; and

iv. Measures to prohibit access to persons under the age of 21;

b. Ventilation, if consumption by inhalation or smoking is to be permitted, ventilation plans must be:

i. Signed and approved by a licensed mechanical engineer;

ii. Designed so there is no visible smoke in the retail area or at the lot line; and

iii. Consistent with all applicable building codes and ordinances.

c. If any of the marijuana consumption area is outdoors, compliance with sections 21.05.055 or 21.50.420, as applicable.

d. Monitoring overconsumption;

e. Controlling unconsumed marijuana, by disposal or by packaging in accordance with section 10.80.345; and

f. Preventing introduction into the marijuana consumption area of marijuana or marijuana products not sold by the retail marijuana store, and marijuana or marijuana products not sold specifically for on-site consumption.

E. The retail marijuana store holding an on-site consumption endorsement under this chapter shall:

1. Destroy all unconsumed marijuana left abandoned or unclaimed in the marijuana consumption area in accordance with the operating plan and section 10.80.740;

2. Monitor patrons in the marijuana consumption area at all times, including for overconsumption;

3. Display all warning signs required under sections 10.80.360 and 10.80.365 within the marijuana consumption area, visible to all consumers;

4. Provide written materials containing marijuana dosage and safety information for each type of marijuana or marijuana product sold for consumption in the marijuana consumption area at no cost to patrons;

5. Package and label all marijuana or marijuana product sold for consumption on the premises as required in section 10.80.345; and

6. Comply with any conditions imposed by the assembly or placed on the endorsement by the State Marijuana Control Board.

F. The holder of an on-site consumption endorsement must apply for renewal annually at the time of renewal of the underlying retail marijuana store license.

Section 16. Anchorage Municipal Code section 10.80.310 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.310 Acts prohibited at retail marijuana store.

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B. A licensed retail marijuana store may not:

1. Conduct business on or allow a consumer to access the retail marijuana store's licensed premises during times prohibited by title 21;

2. Allow a person to consume marijuana or a marijuana product on the retail marijuana store's licensed premises except as authorized by a municipal endorsement;

3. Allow overconsumption of marijuana or marijuana product in an authorized on-site consumption area;

4. Offer or deliver to a consumer, as a marketing promotion or for any other reason,

a. Free marijuana or marijuana product, including a sample; or

b. Alcoholic beverages, free or for compensation; or [.]

5. Allow intoxicated or drunken persons to enter the licensed premises.

(AO No. 2016-16(S), § 1, 2-9-16)

Section 17. Anchorage Municipal Code section 10.80.355 is hereby amended to read as follows:

10.80.355 Limit on quantity sold.

A. A retail marijuana store may not sell to any one person per day [IN A SINGLE TRANSACTION]:

1. More than one ounce of usable marijuana;

2. More than seven grams of marijuana concentrate for inhalation; or

3. Marijuana or marijuana products, if the total amount of marijuana, marijuana products, or both marijuana and marijuana products sold contains more than 5,600 milligrams of THC.

B. These limits include marijuana or marijuana product sold for on-site

<u>consumption under section 10.80.306A.2.</u>

(AO No. 2016-16(S), § 1, 2-9-16)

<u>**Section 18.**</u> Anchorage Municipal Code section 10.80.805 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.805 Report or notice of violation.

A. The municipal clerk, a sworn Peace Officer, a Code Enforcement Officer, or a Health Department Officer may issue an inspection report, an advisory report, or a notice of violation before taking action to initiate suspension or revocation of a marijuana establishment license <u>or endorsement</u>.

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 19, 4-25-17)

<u>**Section 19.**</u> Anchorage Municipal Code section 10.80.810 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.810 Suspension or revocation of license <u>or endorsement</u>, certain civil fines.

A. The municipal clerk will suspend or revoke a marijuana establishment license <u>or endorsement</u> issued under this chapter if any licensee is convicted of violating any provision of law listed in section 10.80.010D.2., or if the municipal clerk becomes aware that a licensee did not disclose a previous such conviction.

B. The assembly may, in addition to other provisions of this chapter setting forth grounds for such action, suspend, revoke, or otherwise restrict a license <u>or endorsement</u> issued under this chapter for the reasons set forth in this section.

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 20, 4-25-17)

<u>**Section 20.**</u> Anchorage Municipal Code section 10.80.815 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.815 Suspension or revocation based on act of employee.

A. If, in a proceeding to suspend or revoke a marijuana establishment license under sections 10.80.810 and 10.80.820, <u>or an endorsement,</u> evidence shows that an employee or agent of a licensed marijuana establishment was responsible for an act that would justify suspension or revocation of the marijuana establishment's license if committed by a licensee, the Administrative Hearings Officer may find that licensee knowingly allowed the act if:

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(AO No. 2016-16(S), § 1, 2-9-16)

Section 21. Anchorage Municipal Code section 10.80.821 is hereby amended to read as follows:

10.80.821 Procedure for action on license <u>or endorsement</u> suspension or revocation.

Except for the municipal clerk's action set forth in subsection 10.80.810A. or section 10.80.825, a proceeding to suspend or revoke a license <u>or endorsement</u> must be initiated by service of an accusation on the marijuana establishment in compliance with section 3.60.025 and conducted in accordance with chapter 3.60 of the Anchorage Municipal Code.

(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 21, 4-25-17)

Section 22. Anchorage Municipal Code section 10.80.825 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

10.80.825 Summary suspension to protect public health, safety, or welfare.

A. If the municipal clerk finds that a person holding a marijuana establishment license<u> or endorsement</u> has acted and appears to be continuing to act in a way that constitutes an immediate threat to the public health, safety or welfare, the municipal clerk may issue an order immediately suspending the license of that person, and ordering an immediate stop to the activity that constitutes the threat to the public health, safety, or welfare.

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(AO No. 2016-16(S), § 1, 2-9-16)

Section 23. Anchorage Municipal Code section 10.80.846 is hereby amended to read as follows:

10.80.846 Appeal.

A person aggrieved by a final decision of the Assembly suspending, revoking, or restricting a license <u>or endorsement </u>under this chapter, or imposing a civil fine, may appeal to the superior court.

(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-71(S) , § 23, 4-25-17)

Section 24. Anchorage Municipal Code section 10.80.850 is hereby amended to read as follows:

10.80.850 Surrender or destruction of license<u> or endorsement</u>.

A license or endorsement issued under this chapter must be surrendered to the municipal clerk, sworn Peace Officer, Code Enforcement Officer, or Health Department Officer if the municipal clerk or Administrative Hearings Officer so orders. A license or endorsement issued under this chapter must be surrendered not later than ten days after the marijuana establishment loses or vacates the licensed premises. If a license is destroyed, the marijuana establishment shall promptly notify the municipal clerk.

(AO No. 2016-16(S), § 1, 2-9-16)

Section 25. Anchorage Municipal Code section 10.80.990 is hereby amended to add the following definitions (*the remainder of the section is not affected and therefore not set out)* [*NOTE to Code Revisor: remove numbering of each defined term in this section, and add the following new definitions inserted in alphabetical order*]:

10.80.990 Definitions.

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B. In this chapter, unless the context requires otherwise:

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"consumption" has the meaning given in AS 17.38.900(3);

"drunken person" has the meaning given in AS 04.21.080(b)(9);

"freestanding" has the meaning given in AS 18.35.301(i)(1);

"intoxicated" has the meaning given in AS 11.81.900(b)(35);

"marijuana consumption area" means a designated area within the licensed premises of a retail marijuana store that holds a valid on-site consumption endorsement, where marijuana and marijuana products, excluding marijuana concentrates, may be consumed.

"overconsumption" means, in relation to consumption of marijuana or marijuana product, (1) more than the amount allowed for on-site consumption under section 10.80.306A.2., or (2) consumption of an amount that results in the person being affected by marijuana or marijuana products to the point where the person's physical or mental conduct is substantially impaired.

"retail marijuana store premises" means an area encompassing both the retail marijuana store and any marijuana consumption area.

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(AO No. 2016-16(S), § 1, 2-9-16 ; AO No. 2017-95(S), § 8, 5-1-17; AO No. 2017-150 , § 2, 10-11-17)

Section 26. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out)*:

14.60.030 - Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
***	***	***
10.80.306B.	Violate prohibitions for on-site marijuana consumption areas	300.00
10.80.306E.	Required on-site operating requirements	300.00
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10.80.310B.2.	Allow consumption on retail premises with no endorsement	500.00
10.80.310B.3.	Allow overconsumption while in on-site consumption area	300.00
10.80.310B.4[3].	Offer/deliver alcohol or free marijuana	100.00
10.80.310B.5.	Allow drunken or intoxicated person to enter premises	300.00
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(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO

No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12; AO No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; AO No. 2014-137(S), § 3, 11-18-14; AO No. 2015-23(S) , § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-15 ; AO No. 2015-54, § 1, 5-26-15 ; AO No. 2015-65, § 4, 6-9-15 ; AO No. 2015-111(S-1), § 2, 1-1-16 ; AO No. 2016-16(S), § 4, 2-9-16 ; AO No. 2016-76(S), § 7, 7-12-16 ; AO No. 2016-81(S), § 4, 8-25-16 ; AO No. 2016-83(S), § 9, 7-26-16 ; AO No. 2016-82 , § 3, 8-9-16; AO No. 2016-116 , § 2, 10-18-16; AO No. 2016-115(S) , § 2, 11-15-16; AO No. 2016-124(S) , § 11, 12-20-16; AO No. 2017-26 , § 2, 5-1-17; AO No. 2017-29(S) , § 61, 6-1-17; AO No. 2017-30 , § 3, 3-21-17; AO No. 2017-31(S) , § 5, 5-26-17; AO No. 2017-119(S) , § 4, 11-9-17; AO No. 2017-101 , § 2, 2-5-18; AO No. 2017-161(S) , § 3, 2-27-18)

Section 27. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 18th day of June, 2019.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 343-2019

Meeting Date: May 7, 2019

From: **MAYOR**

Subject: **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY MAKING TECHNICAL CORRECTIONS TO MUNICIPAL MARIJUANA LICENSING AND ALLOWING ON-SITE CONSUMPTION OF EDIBLE MARIJUANA PRODUCTS AT LICENSED, FREESTANDING RETAIL MARIJUANA STORES THAT HAVE A MUNICIPAL ENDORSEMENT BY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 10.80 AND AMENDING SECTION 14.60.030 FOR CORRESPONDING CIVIL FINES.**

On March 12, 2019, the State of Alaska filed permanent regulations for regulating Marijuana On-site Consumption effective April 11, 2019. (Specifically new section 3 AAC 306.370, and conforming amendments to existing regulations.) This ordinance proposes to adopt many of the State's Marijuana On-site Consumption regulations, as well as make technical corrections to current Anchorage Municipal Code contained within AMC chapter 10.80.

A team of personnel from the Municipal Clerk's Office, Office of Economic and Community Development, Planning Department, Department of Law, and Assembly Counsel's Office worked collaboratively to produce this ordinance, including revisions after presenting it to the Assembly's Community and Economic Development Committee at three separate meetings.

This ordinance proposes to adopt marijuana on-site consumption regulations <u>only</u> for the consumption of edible marijuana products. Consumption by inhalation or smoking is not included at this time, and will remain prohibited until such time as the Assembly decides to allow consumption by inhalation or smoking in the future.

However, this ordinance does include some provisions that would be applicable to onsite consumption by inhalation or smoking, such as requirements about the ventilation system in marijuana consumption areas if inhalation or smoking is to be permitted in the future. (See new AMC subsections 10.80.306C.3. (p. 11 line 4), and 10.80.306D.1.b. (p. 11 line 32).) This ordinance includes provisions that would be applicable to onsite consumption by inhalation or smoking now so that the public and licensees can foresee how it will be reviewed and regulated within the Chapter 10.80 framework.

This ordinance proposes:

- Establishing a municipal on-site consumption endorsement option for licensed retail marijuana store establishments;
- Adds the endorsement to the relevant code provisions throughout AMC ch. 10.80 that are related to new applications, renewals or transfers, public hearings, modifications, revocations, or expirations of marijuana licenses;
- Defines prohibited activities for on-site consumption;
- Defines the required characteristics of on-site consumption areas;
- Details the requirements for the on-site consumption endorsement application, operating plan, and annual renewal;
- Prohibits overconsumption of marijuana product in authorized on-site consumption areas, and limits the quantity to be sold; and
- Establishes new fines for violations of this chapter.

Additionally, this ordinance proposes a number of technical corrections to existing code, including amendments to the application process that reflect current practices; assigning intake and review responsibilities form the Clerk's Office to the Planning Department for licenses; and updates to key definitions.

Finally, because administering on-site consumption endorsements will be absorbed by current staffing levels, and revenues are not expected to increase, a summary of economic effects is not included.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by:	Christopher M. Schutte, Director, Office of Economic & Community Development
Concur:	Lance Wilber, Director, Office of Management and Budget
Concur:	Alexander Slivka, CFO
Concur:	Deitra L. Ennis, Acting Municipal Attorney
Concur:	William D. Falsey, Municipal Manager
Respectfully submitted:	Ethan A. Berkowitz, Mayor Felix Rivera, Assembly Chair Pete Petersen, Assembly Member-District 5

3 AAC 306.370. Onsite consumption endorsement for retail marijuana stores. (a) Unless prohibited by local or state law, a freestanding licensed retail marijuana store with an approved onsite consumption endorsement is authorized to

(1) sell marijuana and marijuana products, excluding marijuana concentrates, to patrons for consumption on the licensed premises at the time of purchase only in an area designated as the marijuana consumption area and separated from the remainder of the premises, either by a secure door and having a separate ventilation system, or by being outdoors in compliance with (c)(4) below;

(2) sell for consumption on the premises

(A) marijuana bud or flower in quantities not to exceed one gram to any one person per day;

(B) edible marijuana products in quantities not to exceed 10 mg of THC to any one person per day; and

(C) food or beverages not containing marijuana or alcohol; and

(3) allow a person to remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided it is packaged in accordance with 3 AAC 306.345.

(b) A licensed retail marijuana store with an approved onsite consumption endorsement may not

(1) sell marijuana concentrate for consumption in the marijuana consumption area or allow marijuana concentrate to be consumed in the marijuana consumption area;

(2) allow any licensee, employee, or agent of a licensee to consume marijuana or marijuana product, including marijuana concentrate, during the course of a work shift;

(3) allow a person to consume tobacco or tobacco products in the marijuana consumption area;

(4) allow a person to bring into or consume in the marijuana consumption area any marijuana or marijuana product that was not purchased at the licensed retail marijuana store;

(5) sell, offer to sell, or deliver marijuana or marijuana product at a price less than the price regularly charged for the marijuana or marijuana product during the same calendar week;

(6) sell, offer to sell, or deliver an unlimited amount of marijuana or marijuana product during a set period of time for a fixed price;

(7) sell, offer to sell, or deliver marijuana or marijuana product on any one day at prices less than those charged the general public on that day;

(8) encourage or permit an organized game or contest on the licensed premises that involves consuming marijuana or marijuana product or the awarding of marijuana or marijuana product as prizes; or

(9) advertise or promote in any way, either on or off the premises, a practice prohibited under this section.

(c) A marijuana consumption area shall have the following characteristics:

(1) the consumption area shall be isolated from the other areas of the retail marijuana store, separated by walls and a secure door, and shall have access only from the retail marijuana store;

(2) a smoke-free area for employees to monitor the marijuana consumption area;

(3) a ventilation system that directs air from the marijuana consumption area to the outside of the building through a filtration system sufficient to remove visible smoke, consistent with all applicable building codes and ordinances, and adequate to eliminate odor at the property line;

(4) if outdoors, be found by the board to be compatible with uses in the surrounding area through evaluation of

(A) neighboring uses;

(B) the location of air intake vents on neighboring buildings;

(C) a sight-obscuring wall or fence around the outdoor marijuana consumption area;

(D) objections of property owners, residents, and occupants within 250 linear feet or the notification distance required by the local government, whichever is greater; and

(E) any other information the board finds relevant.

(d) An applicant for an onsite consumption endorsement must file an application on a form the board prescribes, including the documents and endorsement fee set out in this section, which must include

(1) the applicant's operating plan, in a format the board prescribes, describing the retail marijuana store's plan for

(A) security, in addition to what is required for a retail marijuana store, including:

(i) doors and locks;

(ii) windows;

(iii) measures to prevent diversion; and

(iv) measures to prohibit access to persons under the age of 21;

(B) ventilation. If consumption by inhalation is to be permitted, ventilation plans must be

(i) signed and approved by a licensed mechanical engineer;

(ii) sufficient to remove visible smoke; and

(iii) consistent with all applicable building codes and ordinances;

(C) monitoring overconsumption;

(D) unconsumed marijuana, by disposal or by packaging in accordance with 3 AAC 306.345; and

(E) preventing introduction into the marijuana consumption area of marijuana or marijuana products not sold by the retail marijuana store, and marijuana or marijuana products not sold specifically for onsite consumption;

(2) the applicant's detailed diagram of the marijuana consumption area which must show the location of

(A) the licensed premises of the retail marijuana store;

(B) serving area or areas;

(C) ventilation exhaust points, if applicable;

(D) the employee monitoring area;

(E) doors, windows, or other exits; and

(F) access control points;

(3) the title, lease, or other documentation showing the applicant's sole right of possession of the proposed marijuana consumption area, if the area is not already part of the approved licensed premises for the retail marijuana store;

(4) an affidavit that notice of an outdoor marijuana consumption area has been mailed to property owners, residents, and occupants of properties within 250 linear feet of the boundaries of the property on which the onsite consumption endorsement is proposed, or the notification distance required by the local government, whichever is greater.

(e) The retail marijuana store holding an onsite consumption endorsement under this chapter shall

(1) destroy all unconsumed marijuana left abandoned or unclaimed in the marijuana consumption area in accordance with the operating plan and 3 AAC 306.740;

(2) monitor patrons in the marijuana consumption area at all times, specifically for overconsumption;

(3) display all warning signs required under 3 AAC 306.360 and 3 AAC 306.365 within the marijuana consumption area, visible to all consumers;

(4) provide written materials containing marijuana dosage and safety information for each type of marijuana or marijuana product sold for consumption in the marijuana consumption area at no cost to patrons;

(5) package and label all marijuana or marijuana product sold for consumption on the premises as required in 3 AAC 306.345; and

(6) comply with any conditions set by the local government or placed on the endorsement by the board.

(f) The holder of an onsite consumption endorsement must apply for renewal annually at the time of renewal of the underlying retail marijuana store license. (Eff. 4/11/2019, Register 230)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.990(b) is amended to add the following subsections:

(41) "drunken person" has the meaning given in AS 04.21.080(b)(9);

(42) "freestanding" has the meaning given in AS 18.35.301(i)(1);

(43) "intoxicated" has the meaning given in AS 11.81.900(b)(34);

(44) "marijuana consumption area" means a designated area within the licensed premises of a retail marijuana store that holds a valid onsite consumption endorsement, where marijuana and marijuana products, excluding marijuana concentrates, may be consumed.

(45) "retail marijuana store premises" means an area encompassing both the retail marijuana store and any marijuana consumption area.

(46) "sight-obscuring wall or fence" means a wall or fence, including any gates, constructed of solid material and a minimum of six feet in height. (Eff. 2/24/2015, Register 213; am 2/21/2016, Register 217; am 10/11/2017, Register 224; am 8/11/2018, Register 227; am 4/11/2019, Register 230)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

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

DATE: July 8, 2019

TO: Maria Gladziszewski, Chair, Assembly Committee of the Whole

FROM: Mila Cosgrove, Deputy City Manager

RE: Potential Impact of Governor's Vetoes

Direct Impacts in FY20:

The following vetoes will have a direct impact on CBJ finances in FY20.

Veto	Fiscal Impact	Response Strategy
50% veto on School Bond Debt reimbursement	$3,700,000	Short Term: recommend Protected Budget Reserve with a plan to increase mil rate to pay back the fund. Should look at remaining debt obligations in considering overall plan.
Medicaid Cuts - BRH	$1,500,000	BRH may need to raise service fees to cover loss of funding.
Medicaid Cuts – CCFR	Undetermined	Medicaid is 30% of ambulance revenues. Reductions will likely result in needing additional general fund support.
OWL/Live homework help - Library	$10,000	Program would likely have to be cut.
State Travel cuts	Undetermined	Airport: reduced state travel will impact AIP (annual entitlement dollars) and Passenger Facility Charges (PFC).
Local Emergency Planning Council	$16,000	The LEPC coordinates local and regional emergency preparedness.
Total Direct Impact	$5,226,000+	

Immediate Indirect Impacts:

The following vetoes have the potential to impact the community through job losses, economic contraction and/or reduction or elimination of services. The financial impact on CBJ is harder to predict but could result in lower sales and property tax revenues as well as increased grant requests to CBJ to provide baseline services.

Veto	Anticipated Impacts
41% cut to the University of Alaska UAA, UAF and Statewide operations	While funding for UAS remained intact, the Juneau campus is home to UAF and UAA faculty and Statewide employees. Loss of jobs will impact the economy. Loss of statewide educational

	opportunities will impact workforce readiness and ability to recruit and retain workforce from out of state.
Cuts to Homelessness and Housing services	Three key programs were cut - Homeless Assistance Program (HAP), Human Services Community Matching Grants (HSCMG), and Community Initiative Matching Grant Program (CIMBP). Glory Hall is reporting that 25% of their operating funds come from the areas that have been vetoed. They are looking at service cuts to accommodate. Other providers will likely follow suit. Total impact to community is $913,918. See Table A below for more detail.
Senior Benefits	There are 321 senior citizens in Juneau that qualify for this program.
Early Childhood Education (See Table B)	Up to 100 children may lose early learning support, an estimated 10 jobs, plus 600 children with less literacy support. This will further adversely impact the existing childcare capacity issue in Juneau. We are still trying to verify if there will be a $150,000 reduction to JSD for the Kinder Ready program.
Behavioral Health Treatment and Recovery Grants	The following are local Juneau organizations that receive these grant funds: • Gastineau Human Services • Hope Community Resources • Juneau Alliance for Mental Health, Inc. (JAHMI Health and Wellness) • Juneau Youth Services, Inc. • Rainforest Recovery Center • Southeast Alaska Regional Health Consortium With the proposed reduction in Medicaid funding, the housing and homelessness cuts and the 5% overall reduction of behavioral health rates, it is likely there will be significant adverse impact on local providers and the clientele they serve.
Cuts to Public Broadcasting – Radio and T.V.	Total extent of impact unknown at this time, has potential to adversely impact legislative coverage through gavel to gavel.
DEC Air Quality Monitoring	Cuts to the DEC Air Quality program could compromise CBJ's ability to administer the Mendenhall Valley Air Quality Monitoring program. DEC maintains the air quality sensor that our program uses to determine when to call an Air Emergency. Without DEC's monitoring station, we won't be able to manage the program. But since the descriptions of the cuts are general, it's hard to tell what the proposed cuts will mean for the program
Staffing for Public Defender Agency	Veto of increment for Public Defender Agency leaving current staffing in place.
Eliminate Law Office Assistant	This position was proposed to assist with the backlog of work on the DA's office. Continued triage and backlog of cases is anticipated.
Alaska Legal Services	Reduces funding for legal services to low income and other vulnerable individuals.
Eliminate State Council on the Arts	Program elimination will reduce arts programing in Juneau.

Repeal Ocean Rangers Program	Reduces environmental monitoring on cruise ships.
Civil Air Patrol	Will reduce response readiness in the community.
State Recorders Office in Juneau Closing	May need Ordinance revisions to Title 49

FY21 Impacts:

The following vetoes should be monitored to understand the impact on the community.

Veto	Anticipated Impacts
Capitalize Community Assistance Fund	Will not impact FY20 funding but may impact FY21 funding.
K12 Education	No immediate impact, may cause difficulties for school district in FY21 funding.

Table A

Program	BHAP	HSCMG/CIMGP	AHFC Match	Total
Alaska Coalition on Housing and Homelessness			$133,711	$133,711
AWARE		$50,000	$18,919	$68,919
Gastineau Human Services, Glory Hall, AWARE, Alaska Housing Development Corporation, St. Vincent DePaul	$636,450			$636,450
Juneau Cooperative Christian Ministry		$50,000		$50,000
St. Vincent De Paul SRA			$24,838	$24,838
Totals				$913,918

Table B

Notes from Joy Lyon at AEYC

Head Start:
Based on statewide projections, Southeast Alaska could potentially lose 3 classrooms, 50 children, and 9 jobs. Tlingit and Haida serves 10 communities in Southeast, so it is unknown yet which communities would see reduced services.

PreK:
1.2 million cut. There is some question about whether the upcoming year will still be paid to 9 grantees including Juneau for a final year. Bridget Weiss would be the best person to know about Juneau School District impacts, but potentially 2 Kinder Ready classrooms, 30 children, 4-5 jobs. The local CBJ investment will really help buffer the impacts this year.

Parents As Teachers:
$474,700 cut eliminates all state funding for the program. For Juneau that is a reduction of $90,000 for home visiting support for 35 children, 1.5 jobs. AEYC will continue to offer reduced services through the STEPS grant with Association of Alaska School Boards, and an Alaska Children's Trust grant.

Best Beginnings:
AEYC receives an annual matching grant to serve nearly 1200 Juneau children on the Imagination Library. We will need to raise an additional $15,000 per year to continue enrollments, at $25 per child per year for this all volunteer run program. Or we would need to reduce enrollment to 600 Juneau children (7,200 fewer books delivered per year).

Child Care Assistance and thread Alaska services are primarily federal pass through funds. Since there was a federal funding increase last year, the State Child Care Program Office has proposed increases in child care assistance rates and increased parent eligibility that will hopefully be implemented by October. Parents will then be better able to afford the cost of licensed child care. Many, if not most, states supplement the federal child care assistance funds to increase services, but Alaska only contributes the minimum match to draw down the funds. In spite of the federal increase, AEYC still received a 5% reduction of thread funds this year, and we eliminated a half time position for the child care assistance program.