

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**
June 6, 2016, 6:00 PM.
Municipal Building - Assembly Chambers

Assembly Worksession - No public testimony

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. **May 16, 2016 Committee of the Whole Meeting Minutes**

IV. AGENDA TOPICS

A. **Parks and Recreation Update**

B. **JPD Annual Report**

C. **Potential Ballot Measure - Extension of 3% Sales Tax**

D. **Potential Ballot Measure - Marijuana Taxation**

E. **CBJ Review of Proposed State Marijuana Consumption Regulations**

V. ADJOURNMENT

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

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

May 16, 2016, 6:00 PM.
Assembly Chambers - City Hall

I. ROLL CALL

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

Assemblymembers Present: Mary Becker, Jamie Bursell, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Mayor Ken Koelsch, Jerry Nankervis, Kate Troll and Debbie White.

Assemblymembers Absent: None.

Staff present: D. Rorie Watt, City Manager; Amy Mead, City Attorney, Mila Cosgrove, Deputy City Manager; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Bryce Johnson, Police Chief; Greg Chaney, Lands and Resources Manager; Matt Lillard, Ski Area Manager; Scott Ciambor, Chief Housing Officer; Patty Wahto, Airport Manager; Ken Nichols, Airport Engineer; Catherine Fritz, Airport Architect.

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved as presented.

III. APPROVAL OF MINUTES

A. April 25, 2016 Committee of the Whole Minutes

Hearing no objection, the minutes of the April 25, 2016 Committee of the Whole meeting were approved as presented.

IV. AGENDA TOPICS

A. Treadwell Arena Advisory Board Update

Liz Balstad, a member of the Treadwell Arena Advisory Board (TAAB), was present to provide a brief report. She read the report's conclusions:

- 1) Operation and marketing changes have pushed cost recovery up to 63 percent,
- 2) TAAB has successfully served as a meaningful liaison between Treadwell management and users,
- 3) Core user groups have helped raise the arena's profile state and city wide,

and recommendations:

- 1) TAAB should remain active as it ensures clear communication between users and Treadwell management.
- 2) Continue to support Treadwell management's efforts to boost revenue and attendance.
- 3) When appropriate, the CBJ should revisit the codes that could impede revenue streams.

She called to attention to two issues the board was working on - naming rights and serving alcohol.

Chair Kiehl commended the committee on the well-prepared report, which Ms. Balstad attributed to TAAB member Steve Quinn's talents. The Assembly thanked Ms. Balstad and the board for the good work.

B. Airport Sustainability Master Plan Update

John Yarnish of consultant firm AECOM provided the highlights of their findings to date regarding the airport sustainability master plan, which included identifying current facilities, future needs for those facilities and alternatives for providing for those needs.

Issues identified include the taxiways, and he spoke about incursions rates. Their recommendation is that Taxiway D had enhanced lighting installed and has had no incidents since so they will continue to monitor that taxiway. Taxiway E is recommended to be a right angle in reconstruction. Taxiway C is recommended for a detailed incursion study.

Another issue is the "Remain Over Night Parking (RON)" and their recommendation is to stack planes closer to the terminal.

There is a need to relocate the traffic control tower. They have looked at northern and southern relocations - and we recommend the northern relocation.

There is a need for another air cargo parking position. They reviewed two different locations and they recommend one be placed next to the existing cargo location for ease of operation. Helicopter locations will need to be relocated near taxiway B-2.

They recommend terminal expansion in the north wing, and during peak time, we think pushing the terminal out to the east will be needed beyond the 20 year time frame that the master plan covers.

He displayed a plan for additional tie downs and hangars and for land use near the airport terminal to maximize the ability to lease land to private development.

The next steps are finalizing the airport layout plan, develop the implementation plan, a financial feasibility analysis, and a complete economic impact update. This planning assists with federal funding. The plans are phased, they will develop costs, and will identify revenue streams associated with those phases.

Ms. Gladziszewski asked where this plan fits in with the overall plan for the airport. He said the last master plan was done in 1999 and that plan focused on runway safety and the construction of the new runway. The FAA is looking for information on the future of the airport and has commissioned this report. We added a sustainability element to a general master plan. We project 1 - 2.5% growth per year. He said the planners have had three public meetings, have met with the technical advisory committee who are users of the airport, have spoken to the Chamber, Juneau Commission on Sustainability, and have made a good effort to obtain comments on existing operations and about what "success would look like." The public meetings have resulted in comments on noise and helicopter use.

Ms. Troll encouraged the plan to emphasize the sustainable issues in the plan. He said that would happen and there would be recommendations to the airport on a planning level.

Mr. Nankervis said that when the tower is rebuilt, he asked that the roof was not obstructing approach patterns.

Mr. Yarnish said he would be available for further questions when the completed draft was before the Assembly again in September for adoption.

Ms. Becker asked why the tower needed to be rebuilt. Mr. Yarnish said it is old, structurally, and the location inhibits the ability of the airport to do improvements - it is in the oldest part of the building called the "knuckle" and the FAA prefers traffic control towers to be separate from airport terminals. The FAA will be the agency to determine the location of the tower - his firm was just making recommendations for planning purposes.

Mr. Kiehl asked the height of the tower. He said it was roughly 95 feet tall, and it could not get much taller due to flight operations. Mr. Kiehl asked about the noise concerns. Mr. Yarnish said that he may have overstated the comment, and there were several concerns about general operations and a few from people who were concerned about helicopter flight paths and noise. We chose to keep helicopter operations away from the flight paths that were cited most by the public. We attempt to make operations compatible.

Mr. Kiehl thanked Mr. Yarnish and the airport staff present for their work on this project.

- C. **Resolution 2753 A Resolution De-Appropriating \$1,893,119 from the Runway Safety Area Capital Improvement Project, Grant Funding was Provided by Federal Aviation Administration and Alaska Department of Transportation and Public Facilities Grants and Transfer T-978transferring \$1,893,119 from the Snow Removal Equipment Facility Capital Improvement Project (CIP) to the Runway Safety Area CIP; funding provided by Temporary Sales Tax.**

Mr. Kiehl noted that there had been significant discussion on both issues at the Finance Committee on May 11.

MOTION, by Becker, to move Resolution 2753 and Transfer T-978 to the Assembly for action on May 23. Hearing no objection it was so ordered.

D. **Renninger Subdivision - Jackie St. Update**

Ms. Troll reported that the Lands Committee passed a motion that said that if the Assembly decides to pursue a partnership with PDG, that the lots to be part of the project are Lots 2, 4 and 5, and that Lot 3 was suggested to be used for the JDHS Home Build program.

Ms. Gladziszewski asked why the lots were split. Ms. Troll said there was a strong preference by the committee to aid the Home Build program by providing them with their choice of Lot 3. PDG had indicated a willingness to work with various configurations.

Mr. Watt said that there was a memo in the packet with backup from Mr. Ciambor and Mr. Chaney on the PDG proposal. He would like to gauge the Assembly's interest in getting into a development role on this type of project. PDG's proposal is different than how we have operated in the past, it is an interesting idea, and represents a different interest stake and risk proposal. The city would provide the land, PDG would complete the development, and CBJ would be a long term partner in the return on the investment and after 30 years the city would own the development.

Ms. White asked if there is any other example of a city getting involved in a project like this, if CBJ was competing with private industry, and how CBJ would handle a 30-year-old building at the end of the agreement. Mr. Watt said his only experience was locally and CBJ has not done this type of development. He had no expertise regarding other communities and the wide range of possibilities. Ms. White said that in Mr. Watt's memo - item 6, she was concerned that CBJ would be a guarantor on the return on investment for 30 years. Mr. Kiehl asked if this is the cash flow or the profit. Mr. Watt said it was the aggregate of the rents collected.

Ms. Troll said there would be an annual revenue stream that would come to the city and at this time all numbers are approximate estimates. The question for us is whether we want to explore the

options through an MOU discussion to get a better handle on the financial risks. There is a process to continue if we want to continue discussions.

Mr. Watt asked if the Assembly was willing to enter an agreement at this level of risk to address the housing issue, is CBJ interested in partnering, are we willing to own the project in the future. We have not explored financing and if we are interested, what are the financing vehicles, can they be implemented through the central treasury. If we work out the details, would there be other developers interested in this type of arrangement if we went down this path. That opportunity would exist. To determine the best use of staff resources he needed to understand if the assumption of 30 year risk is a non-starter.

Ms. Gladziszewski asked if, by guaranteeing \$1.4 million per year, if the CBJ was guaranteeing to pay PDG \$1300 month rent on 90 units every month over a thirty year period. Mr. Watt said yes, the numbers would be based on rents that could be achieved and actual costs incurred.

Ms. Becker said that this is binding the Assembly to a certain amount of rent and asked if the Assembly was able to raise the rent levels. Mr. Watt said that the developer was open to discussion on this.

Ms. Becker asked who would be responsible for property maintenance in this type of agreement. Mr. Watt said there would need to be a governance strategy out of the money that was collected, to do the maintenance and pay the bills and that had not been decided upon at this time. It would be a new contract and all terms would be negotiated.

Ms. Troll asked Mr. Mark Lewis, a partner with Pacific Development Group, to come forward to speak. He spoke about his development experience, with over 100 completed projects in the lower 48 and Hawaii. He had a discussion with the former mayor and community members and was asked to help "unstick" the housing market, especially for affordability. We focus on low income, and do mixed use, first time home buyer and other strategies to help communities. We heard that workforce housing was an issue - school teacher, office workers, etc. It is a tough market to finance and build. The market takes care of the higher income, and for the lower end there are tax incentives and other government programs. In the middle, there is very little. In Juneau, the middle group is spending 40-60% of its income on housing. This proposal is a reflection of what we have heard and we are interested in talking about a wide range of solutions to Juneau's housing problems.

Ms. Troll asked, regarding the concerns about risk, what was his response regarding minimizing risk. He said one way was to reduce the number of units. We felt 90 units would be a good start on "un-sticking" the market but this could be reduced. There are some obstacles to producing affordable housing in Juneau.

Ms. White asked if the number of units went down, the guarantee would go down, but if we require some to be "affordable," we reduce the income from this. She thought she would rather be the private developer in this arrangement and that CBJ would be taking all the risk.

Mr. Watt said there could be all kinds of risk profiles that CBJ could take. Taking any risk in the housing market is a new activity for CBJ and he asked the Assembly if it was willing to take some risk.

Ms. Gladziszewski asked if Mr. Lewis if he had been a partner with other local governments. He said most urban communities have affordable housing projects and he spoke about a project in Honolulu. They were negotiating with Anchorage to do four projects right now. There are a variety of strategies to provide affordable housing and most of the communities see this as a community responsibility. He said that the market takes care of the above average income - the Juneau community was asking us about how to deal with the middle group. Our community partner would fully fund with outside capital but there are two twists to get a rate of return - it needs to be tax exempt, and include the tax advantage for depreciation over the life of the project. We returned

with this strategy and we would like feedback and to work with the city - we are flexible, creative, have experience and we need a partner to work with.

Mr. Kiehl asked if tax exempt meant local property taxes. Mr. Lewis said the borrowing has to include tax exempt financing and housing has been a means of fitting within the rules of tax exempt financing. This attempt was developed for Juneau specifically. The project in Anchorage is workforce housing with retail below and apartments above in downtown.

Ms. Bursell said if more numbers were available, an amortization schedule, maintenance estimates, that information would be helpful. Mr. Lewis said yes, we have an interactive pro forma. We are looking for partners to develop affordable housing and we can work together to change the inputs and outputs. We just completed a market demand study on affordable housing. The vacancy rate is 1.2% for single apartments and the normal rate is 5%. You have a stressed housing market. The Assembly can make the policy decisions. We are innovative and can modify the plan, share ideas, and if the plan is modified, we can deal with it.

Ms. Troll said there were lots of details to fill in to raise the comfort factor and we don't have all the answers at this time, so she asked what PDG needed at this time. He said direction to staff to partner, develop an MOU, with a goal to address housing in a constructive way - there may be other approaches and we could present a strategy to tackle the issues.

Mr. Kiehl said he has spoken about the potential of public / private partnerships and although he was comfortable, the Assembly has to be careful. We have a housing officer at the city who has several ideas. This seems to be an opportunity to get things moving in an area of demand that the market has not met and he was interested in having staff develop a further proposal and bring it back to the Assembly.

Ms. Gladziszewski said there were many things to learn, and she thought this was worth some staff time to get more information, answer questions, and to recheck the comfort level. CBJ was not a developer, but we have heard about our stuck housing and doing something differently is needed. We will have to ask if there are other developers interested but I want to know what is possible.

Mr. Koelsch said he appreciated a view to the middle segment and workforce housing. Schoolteacher positions are being cut, as well as state workers. This is a creative proposal but not the right time. 30 years of risk was not acceptable to him, and he did not like the proposal in the packet, but would like to see a different proposal.

Mr. Nankervis appreciated the proposal but money and timing were the issues. He was not sure that he was willing to leverage tax dollars for a private corporation in a 30 year agreement and echoed Mr. Koelsch's issue regarding timing. Giving land is one issue, but committing the funds was another. CBJ does not want to build, own, or manage property as far as he was concerned and he did not recommend further staff time be spent on this proposal.

Ms. Troll referred to the Economic Development Plan and the lack of affordable housing as a critical barrier to development of our economy and if we do nothing we will not be able to implement the economic plan. The Housing Action Plan tells us we need 780 units of workforce housing right now. We are looking at an option to make a dent in the identified need for housing. The plan also says the public is aware of these issues and is ready for bold action. We have been told to create stronger partnerships. I want to honor the advice of staff to proceed cautiously and get more information, but we have so much to gain. I am interested in rent to own and first time homeowners. We need to leverage CBJ land for these purposes. I don't want to shut down this proposal at this time and we need to implement the plans we have received.

Ms. Gladziszewski agreed that CBJ does not want to build, own or manage housing, but we have heard that we need to do things differently. I would like more information.

Ms. White said that CBJ has a long ways to go to make a "developer friendly" environment. Her main concern is the requirement to guarantee an investment return. My children and grandchildren will be paying for this development. We have a long ways to go to work on affordable housing, but I also have a concern about CBJ becoming an owner in 30 years. What CBJ can do is to make more significant inroads into making the development process more predictable as far as permitting, leveling the playing field, making people follow the same rules, and the public has been demanding this.

Mr. Watt suggested in working through the Housing Action Plan and the job of the housing officer, we can do some work to understand how other communities dip their toe into the lake. We also need to look at what is our cash profile. We have been comfortable to provide property at lower than market to the high school, and perhaps we are willing to go smaller and maybe make a one time payment for a program to motivate someone to do something. We need to decide what our risk profile is - if we are willing to accept ongoing financial risk - what is the length of that term or the amount of the term. We need to decide if the provision of private capital is appealing - they will want a return - we may be able to provide for financing cheaper than a private equity investor. It is on us to make these decisions. If we can decide what kind of partner we can be, would we look for a competitive process or be satisfied with our "Jackie Street letters of interest." By hiring Mr. Ciambor and creating the housing position, we have not directed him yet and this type of information would be directive to him.

Ms. Bursell said that the CBJ, in being a partner, can say what we want in a partnership, and if we want to jump on this housing shortage we need to come up with a plan that we can live with. There are variables to work out to make the project sustainable. She would like to support this but would need more information.

Mr. Kiehl said the Assembly could speak to variables all night. It behooves the Assembly to move forward with developers that respond to our call for proposals. We need the competent people we hired, under the manager's direction, to bring more information back.

Ms. White said a comfort factor to her would be to not own a 30 year old building.

Ms. Becker said that she would feel better once we have a level of confidence from the manager, as he is a careful person.

Ms. Troll said the Assembly was not being asked to approve a specific proposal, but if we are willing to work with a flexible proposer to gain more information and come back with a more careful proposal. She was interested in rent-to-own properties and the status of the building at the end of the 30 year period - also more information on the management of the property. She has confidence in the staff bringing back a proposal with more confidence

MOTION, by Gladziszewski, that the City Manager work with the developer and return a refined plan with a financial analysis.

Roll call:

Aye: Becker, Bursell, Gladziszewski, Kiehl, Troll

Nay: Jones, Nankervis, White, Koelsch

Motion passed, 5 ayes, 4 nays.

V. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

None.

VI. ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at 7:40 p.m.

Submitted by Laurie Sica, MMC, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
Parks & Recreation Department
155 S. Seward St., Juneau, Alaska 99801
Kirk.Duncan@Juneau.Org



Voice (907) 586-0932
Fax (907) 586-4589

DATE: June 6, 2016

TO: CBJ Assembly
Committee of the Whole

FROM: Kirk Duncan
Parks & Recreation Director

SUBJECT: Parks & Recreation Master Plan Process

Background/Purpose:

In his December 2014 report on the review of the Parks and Recreation Department, Jim Hall recommended that the department update the 1997/2007 Parks and Recreation Comprehensive Plan. This Master Planning process will provide the Assembly, Manager's Office and the Parks and Recreation Department the information and necessary public participation to understand community priorities and to make service delivery decisions in challenging times.

Process/Timeline:

The Parks and Recreation department supports a multitude of user groups with diverse interests. Overall, the department has identified 80 distinct user groups using 60 programs, 9 recreation facilities, 17 parks, 22 ball fields, 45 miles of trails, and 6000 acres of park lands. We have outlined a process to gather feedback from as many of these stakeholders as possible and, in addition, to gather information from citizens who are not active users of parks and recreation offerings.

The department kicked off the planning process in March and is currently in the Plan Design phase. We hired a Long Term Temporary employee to manage the planning process and appointed an initial group of active citizens to help plan the community involvement portion. We are beginning initial outreach in the community and talking about our upcoming public process. A draft timeline, including key activities associated with each phase of the project is attached for your review.

The Parks and Recreation Department will provide updates to the Assembly as move along in the master planning process.

**Parks and Recreation Department Master Plan Process
Draft Time Line and Deliverables**

Date Range (draft)	Activity	Outcomes
March 2016 - August 2016	Plan design – outline master plan process, identify steering committee and stakeholder groups, develop communication plan, begin public outreach about the master planning process.	Roadmap for planning process, development of survey tools.
September 2016 – December 2016	Phase 1: Meet with stakeholder groups, conduct education outreach, implement initial community survey – what would the public like to see from the department in the short, medium and long term (10 – 20 years), conduct a parks inventory.	Initial report about Parks & Recreation services and programs, Parks inventory report completed.
January 2017 – June 2017	Phase 2: Steering Committee and department senior staff will compile the information collected as a result of the Phase 1 process and draft a preliminary master plan that will be released for public comment.	Preliminary master plan
July 2017 – September 2017	Phase 3: Release of preliminary master plan and collection of public comment.	Public comment
September 2017 – December 2017	Phase 4: Finalize Draft Master Plan	Final Draft Master Plan
January 2018 – June 2018	Phase 5: Public Process. Present draft Master Plan and recommendations to the Planning Commission, Committee of the Whole and Assembly.	Adoption of the Parks and Recreation Master Plan into the CBJ Comprehensive Plan.
June 2018 – August 2018	Phase 6: Develop Fees and Charges policies and schedules.	

MEMORANDUM

CITY/BOROUGH OF JUNEAU
Parks & Recreation Department
155 S. Seward St., Juneau, Alaska 99801
Kirk.Duncan@Juneau.Org



Voice (907) 586-0932
Fax (907) 586-4589

DATE: June 6, 2016

TO: CBJ Assembly
Committee of the Whole

FROM: Kirk Duncan
Parks & Recreation Director

SUBJECT: Juneau Community Foundation, Hope Foundation Grant Award

The Zach Gordon Youth Center was recently awarded a grant from the Juneau Community Foundation, Hope Fund, to partially fund the Youth Outreach Coordinator position. This position will work with the Juneau School District, Juneau Youth Services and other community organizations to identify and support youth of the community who may need additional services to succeed through the middle school, high school, and late teen years. The Youth Outreach Coordinator will identify youth in need and the services available to aid youth and serve as a bridge between youth in need and existing service providers.

This position was included in the FY17 & FY18 Zach Gordon Youth Center operating budget. Total personnel services for the position are \$65,000. The Juneau Community Foundation Hope Fund grant amount is \$30,000.

An ordinance accepting the grant funding and appropriating to the Parks and Recreation Department will be introduced at the June 13th Assembly Meeting.

J U N E A U P O L I C E D E P A R T M E N T



MEMORANDUM

TO: CBJ Assembly
FROM: Chief Bryce Johnson
DATE: April 20, 2016
RE: JPD 2016 Annual Report

The past year of 2015 was an unprecedented challenging year for the Juneau Police Department and the Juneau community. With multiple murder cases occurring in a short period of time along with other high profile cases and the explosion of opioid overdoses, the resources and abilities of what was always a small town police department were stretched. While in the middle of these challenges I watched the detectives, patrol officers and every member of the JPD team working hard and oftentimes in very creative ways to solve cases and bring justice to victims and the community. I was left thinking that this would become JPD's finest hour. We rose to the unprecedented challenge and helped the community return to a sense of normality and stability.

Part of that unprecedented challenge was a 39% increase in part I crimes from the previous year. This was fueled by large increases in almost every crime category including homicide, rape, robbery, aggravated assault, burglary and theft. The largest percentage increase was in the homicide rate which was up 300%. The next largest increase was in the rape rate which was up 195%. While there is a real increase in the rape category, the large increase is also due to changes in reporting standards. In the past, if a person reported being raped multiple times by the same suspect it was counted as one case. In this year's report each occurrence is counted. For example, in past years if a person reported being raped every day for thirty days it was counted as one case in the totals. This year that would be counted as thirty cases in the totals. There was also an increase in part II crimes which include simple assaults and vandalism cases.

Crime rates change for a variety of reasons. The rates have been tied to the age of the population, economic factors, substance abuse rates, and communities engaging in crime prevention tactics like improving lighting and taking pride in the appearance of our communities. Economic factors and substance abuse rates seem to be two of the root causes of this year's increase in crime rates.

"In partnership with the people of Juneau, our mission is to make our city a place where people can live safely and without fear."

With more crime came additional arrests. Arrests were up 16% over the previous year. At the same time domestic violence arrests went down. Even though officers made more arrests than in past years, officers' use of force saw a 33% reduction. JPD officers made 1,641 arrests but only had to use force in 26 of those instances for a 1.58% use of force rate.

JPD clearance rates continue to be well above the national average in most crime categories except criminal homicide. JPD's clearance rate for homicide is 50% where the national average is 64.5%. This is due to JPD having one open homicide investigation from the past year. JPD's clearance rate for rape is 61.8% compared to a national average of 38.5%. In addition our clearance rates are higher than the national average for robbery, aggravated assault, burglary, and theft categories.

With the increase in reported crime and arrests, the amount of officer initiated enforcement activity went down. The number of traffic stops, citations, and DUI arrests all declined. There were several factors that contributed to these declines. First, patrol officers were tasked more often with investigating cases due to the number and complexity of cases reaching the criminal investigation unit. This left patrol officers with less time to engage in proactive police work. Second, JPD added many new officers and they were being trained in the field during this time. When a seasoned field training officer has a new officer with them they are less productive then when they are working on their own. Third, this was the year of the 'chill wind' that blew through law enforcement and community relations. This was the year that saw frequent reports of police misconduct and community protests. While the Juneau Police Department maintained community engagement and support, this chill wind blew through the CBJ as it did everywhere. One of the reactions to this chill wind was that officers were more likely to give warnings and friendly advice than to issue citations.

Drug seizures also went down. We anticipated a decline in marijuana seizures, but we also saw a decline in opioid seizures. This decline also had several factors. Due to staffing shortages JPD only fielded one narcotic detective for most of the year. Additionally this detective was tasked for extended periods of time to assist with homicide investigations. This left less time to do the normal interdiction work. This staffing struggle has already been reversed and the drug unit is currently working at full staff.

While these increases in the 2015 crime rates are real and troubling, currently it looks like it is a one year spike. There are several factors going forward in 2016 that will be a challenge and would tend to increase crime rates in the future including economic factors, State reductions in prosecutions, and reductions in our ability to incarcerate offenders. Notwithstanding these factors it appears that 2015 is a spike and we do not anticipate similar double digit increases in the future.



2016 Annual Report

Review of 2015

In partnership with the people of Juneau, our mission is to make our city a place where people can live safely and without fear.

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A Message from Police Chief Bryce Johnson



The past year of 2015 was an unprecedented challenging year for the Juneau Police Department and the Juneau community. With multiple murder cases occurring in a short period of time along with other high profile cases and the explosion of opioid overdoses, the resources and abilities of what was always a small town police department were stretched. While in the middle of these challenges I watched the detectives, patrol officers and every member of the JPD team working so hard and oftentimes in very creative ways to solve cases and bring justice to victims and the community. I was left thinking that this would become JPD's finest hour. We rose to the unprecedented challenge and helped the community return to a sense of normality

and stability.

Part of that unprecedented challenge was a 39% increase in part I crimes from the previous year. This was fueled by large increases in almost every crime category. Crime rates change for a variety of reasons. The rates have been tied to the age of the population, economic factors, substance abuse rates, and communities engaging in crime prevention tactics like improving lighting and taking pride in the appearance of our communities. There was also an increase in part II crimes which include simple assaults and vandalism cases. With more crime came additional arrests. Arrests were up 16% over the previous year. At the same time, police officers' use of force saw a 33% reduction. JPD officers made 1,641 arrests but only had to use force in 26 of those instances for a 1.58% use of force rate. Also, JPD clearance rates continue to be well above the national average.

The people here at the Juneau Police Department are talented, motivated, and caring professionals who have put their sweat and tears into making this community safer. It is my honor to associate with them and to wear the uniform of the Juneau Police Department. I thank each of them for their dedicated service. I would like to thank City Manager Kim Kiefer, the Assembly, and all the citizens of Juneau for your continued support to the Juneau Police Department through this very difficult year.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryce Johnson". The signature is stylized and fluid.

Chief Bryce Johnson

Core Values

Integrity: is a concept of consistency of ethical actions, values, methods, measures, principles, expectations, and outcomes. In ethics, integrity is regarded as the honesty and truthfulness or accuracy of one's actions. Integrity can be regarded as the opposite of hypocrisy, in that integrity regards internal consistency as a virtue. Integrity means doing the ethical, moral, or correct thing even when no one else will know what you have done. Decisions and actions should be made under the “bright light of day” test which assumes that all of our actions and decision making process will one day be under public scrutiny. Everything we say and do should stand on its own when opened up to public scrutiny.

Courage: is the mental and moral strength to protect others and to promote truth and justice in the face of danger, difficulty, uncertainty, or pain without being overcome by fear. Physical courage is courage in the face of physical pain, hardship, death, or threat of death. Moral courage is the ability to act rightly in the face of popular opposition, shame, scandal, or discouragement.

Respect: is a willingness to show consideration, care and appreciation toward others with dedication to building relationships based on truth and authenticity. It is an action that denotes a positive regard or feeling of esteem for a person or other entity. Respect is both given and received. Respect cannot be imposed by suppression or flaunting of power. Respect is a deliberate action that must be earned and built over time, but that can be lost with one thoughtless or inconsiderate act. One can ask or beg for respect, but it will only be given based on others' perceived treatment by us. People who possess high moral values and show compassion and solidarity toward others are respected. To respect someone is to accept their individuality and preserve their dignity by engaging in actions and behavior that values them.

Service: is the useful, beneficial, or helpful work performed by a public servant that contributes to the welfare of others. It must be recognized that police departments are public service organizations. Whenever we interact with the public in any way we should always strive to provide the quality and level of service we would expect for ourselves or for any member of our family.

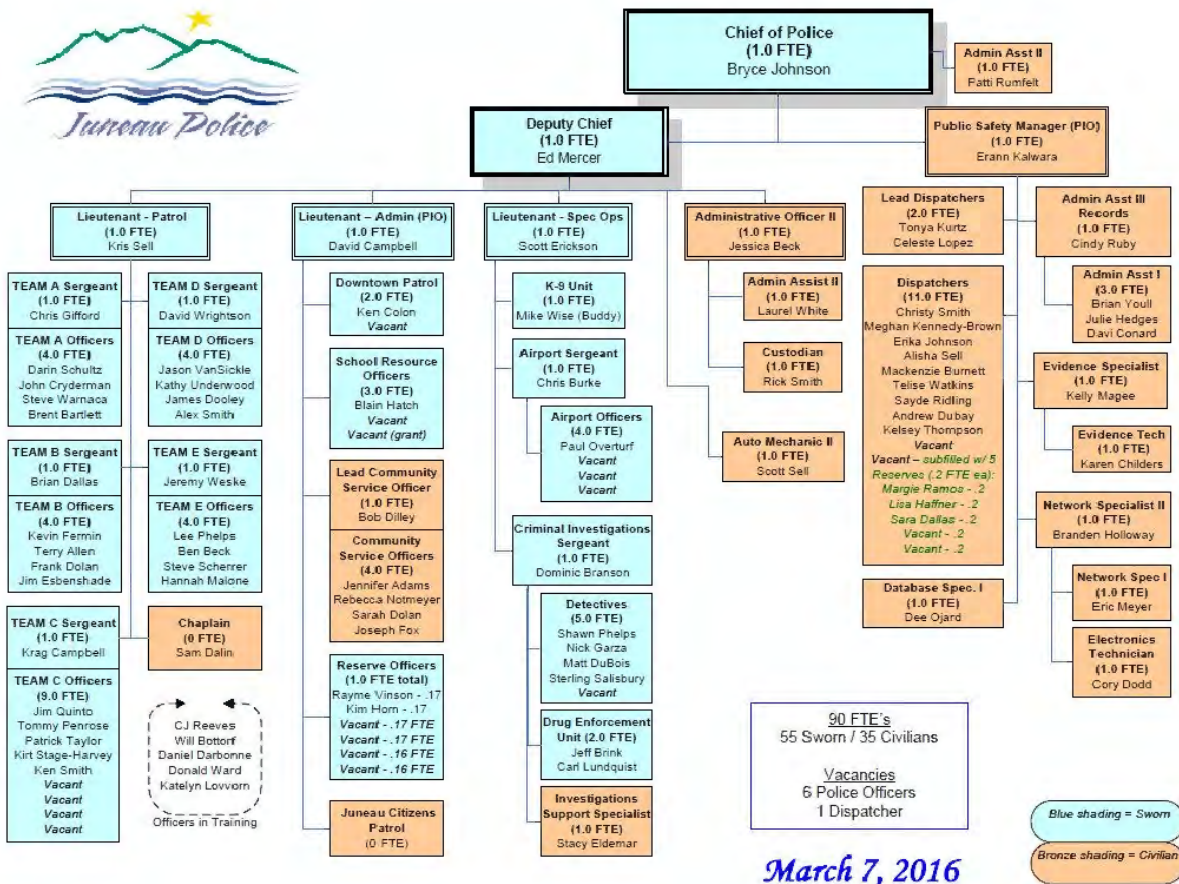
Mission Statement

In partnership with the people of Juneau, our mission is to make our city a place where people can live safely and without fear.

Vision Statement

The Juneau Police Department is united in a spirit of teamwork to be an open, courteous, and community-minded organization devoted to quality public service. We are dedicated to live by values reflecting a genuine desire to care for the safety and well-being of the public we serve as well as the professionals who provide that service.

JPD Organization Chart



When fully staffed, the Juneau Police Department is comprised of 90 employees: 55 officers and 35 civilian staff. JPD is the second largest municipal police department in the State of Alaska. JPD is organized into functional work sections and work units as depicted in the organizational chart. The JPD org chart is also available online at <http://jpd/Orgchart.pdf>.

Chief of Police – The Chief is responsible for the overall direction and operation of JPD.

Deputy Chief of Police – Reporting to the Chief, the Deputy Chief is responsible for oversight of the Operations Division, which includes Patrol, Special Operations, and Community Support. The Deputy Chief also oversees the Administrative Officer whose responsibilities include fiscal activities and the department's fleet of vehicles. The Deputy Chief is responsible for the overall direction and operation of JPD when the Chief is away.

Public Safety Manager – Reporting to the Chief, the Public Safety Manager is responsible for oversight of the operations and management of the Communications Center, statistical data processing, the CBJ E911 system, the Records Unit, the Property and Evidence Unit, and the Information Technology & Radio Unit.

Uniform Crime Reporting Overview

The Uniform Crime Reporting program was conceived in 1929 by the International Association of Chiefs of Police. The purpose was to give law enforcement officials reliable information concerning crime statistics. In 1930, the FBI was tasked with putting the program in place. By 2014, crime reporting data was “received from over 18,000 city, university/college, county, state, tribal, and federal law enforcement agencies voluntarily participating in the FBI’s UCR Program.” (<http://www.fbi.gov/about-us/cjis/ucr/ucr>)

UCR reporting divides offenses into Part I and Part II crimes. Part I crimes include eight offenses, which are generally considered the more severe crimes. Part I crimes include Homicide, Rape, Robbery, Aggravated Assault, Burglary, Theft/Larceny, Motor Vehicle Theft, and Arson. Data collected on Part I crimes include clearance rates, demographic information, and arrests. Part II crimes consist of 21 offenses, which will be addressed later in this report. (<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/offense-definitions>)

It is important to recognize some of the limits of the UCR program. First, data collected is based on reported crimes. Under-reporting of crimes is inevitable, which means the actual number of offenses will most likely be higher than the number listed. The extent of under-reporting is usually not known.

Second, the Part I and Part II crimes are based on a 1930s framework. If the program was established today, the crimes listed in each category might be different. For example, technological and social changes would invariably be included in a more modern framework. Crimes related to computer/technology usage, hate crimes, identity theft, and terrorism just to name a few, were not considered major social issues in the 1930s.

Third, crime definitions were also established in 1930. Updating a definition is problematic, because it limits the ability to compare statistics from year to year. A significant update occurred in 2011 when the UCR Rape definition was updated to include situations that would apply to male victims and further expanded situations that could apply to females. Prior to 2011, the UCR definition for Rape only applied to female victims. Agencies began collecting and reporting data using these new definitions in 2013. (<http://www.fbi.gov/about-us/cjis/ucr/recent-program-updates/reporting-rape-in-2013-revised>)

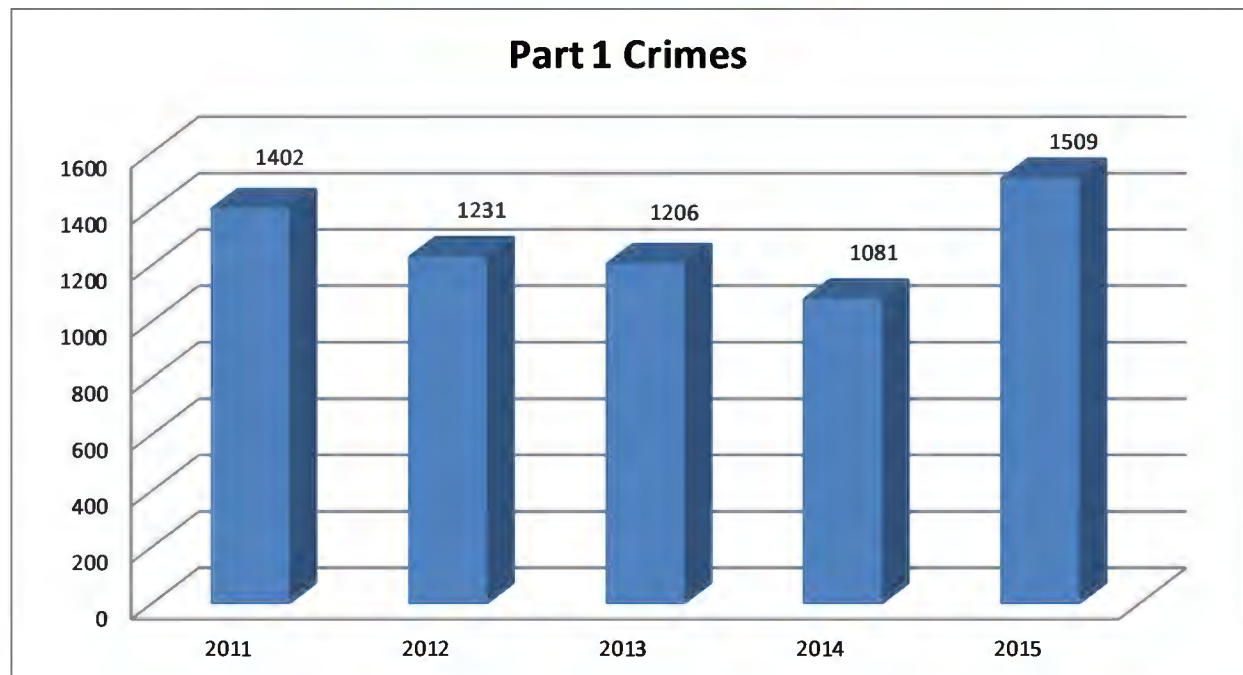
Finally, the FBI cautions against using UCR data to draw comparisons between cities that could “lead to simplistic and/or incomplete analysis that can often create misleading perceptions adversely affecting communities and their residents.” (<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/preliminary-semiannual-uniform-crime-report-january-june-2013>) Therefore, the 2016 JPD Annual Report does not include any comparisons to other communities.

CBJ Trends for UCR Part I Crimes

The trend for Part I Crimes from 2014 to 2015 saw an overall increase of 428 reported crimes, or an increase of 39.59%. 2015 marked the highest number of Part I Crimes over the past 5 years. The yearly average (mean) of Part I Crimes over the past 5 years is 1,285.8 crimes, with a standard deviation of 151.42. 2015's Part I Crimes total of 1,509 crimes is 223 higher than the average of 1,285.8, and is more than one standard deviation away from the mean.

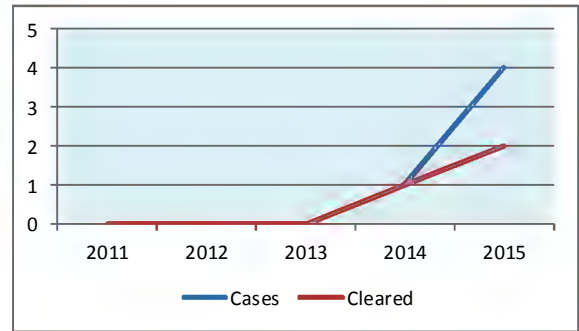
Of the eight Part I categories, all saw an increase with the exception of Arson. The largest increases by percentage were in Criminal Homicide, Rape, Burglary, and Vehicle Theft. The 300% increase in Criminal Homicide was due to an increase from 1 homicide in 2014 to 4 in 2015. Theft/Larceny saw the largest increase in the number of crimes reported.

Part 1 Crimes								
	2011	2012	2013	2014	2015	Change	Mean	St Dev
Homicide	0	0	0	1	4	300.00%	1.00	1.55
Rape	14	9	18	23	68	195.65%	26.40	21.30
Robbery	25	16	15	24	29	20.83%	21.80	5.42
Aggravated Assault	120	94	101	141	180	27.66%	127.20	31.04
Burglary	111	94	101	103	169	64.08%	115.60	27.24
Theft/Larceny	1075	980	926	742	991	33.56%	942.80	111.16
Vehicle Theft	39	30	36	31	59	90.32%	39.00	10.53
Arson	18	8	9	16	9	-43.75%	12.00	4.15
Overall	1402	1231	1206	1081	1509	39.59%	1285.80	151.42
% Change		-12.20%	-2.03%	-10.36%	39.59%			



Criminal Homicide Statistics

	2011	2012	2013	2014	2015
Cases	0	0	0	1	4
% Change		0.00%	0.00%	N/A	300.00%
Cleared	0	0	0	1	2
%				100.0%	50.00%
Mean St Dev					
	1.00	1.55			

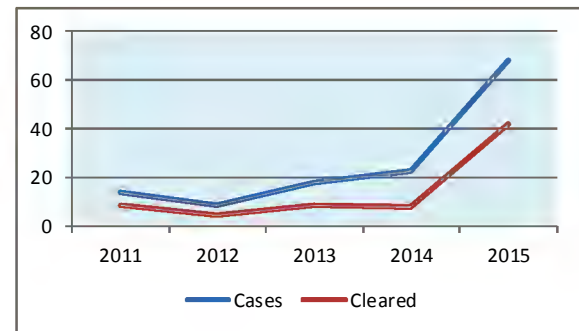


UCR definition of Criminal Homicide – “Murder and non-negligent manslaughter: the willful (non-negligent) killing of one human being by another.”

Criminal Homicide Statistics Observations: The number of Criminal Homicides increased from one in 2014 to four in 2015. The Criminal Homicide category has the lowest number of incidents of all Part I Crimes reported; therefore any change will produce a large percentage increase or decrease. The 4 Criminal Homicides in 2015 occurred in three incidents, with one case being a double murder. Two of the cases were cleared with an arrest, and the double murder is still under investigation.

Rape Statistics

	2011	2012	2013	2014	2015
Cases	14	9	18	23	68
% Change		-35.71%	100.00%	27.78%	195.65%
Cleared	9	5	9	8	42
%	64.3%	55.6%	50.0%	34.8%	61.76%
Mean St Dev					
	26.40	21.30			

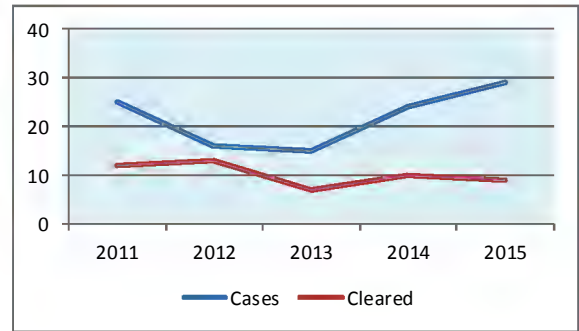


UCR definition of Rape – “Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.”

Rape Statistics Observations: Rape statistics increased from 23 cases in 2014 to 68 cases in 2015, for a 195% increase. While there is a real increase in this crime category, most of the increase is due to changes in reporting standards.ⁱ With a mean of 26.4 and a standard deviation of 21.3, the 68 cases in 2015 were just shy of two standard deviations from the mean. The 2015 Rape statistics also saw an increase in the clearance rate to 61.7%, the second highest clearance rate in the past five years.

Robbery Statistics

	2011	2012	2013	2014	2015
Cases	25	16	15	24	29
% Change		-36.00%	-6.25%	60.00%	20.83%
Cleared	12	13	7	10	9
%	48.0%	81.3%	46.7%	41.7%	31.03%
Mean	21.80				
St Dev	5.42				

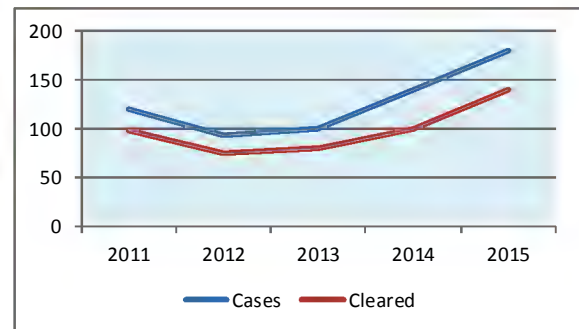


UCR definition of Robbery – “The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.”

Robbery Statistics Observations: The number of Robbery cases increased from 24 in 2014 to 29 in 2015, or a 20.8% increase. 2015 also had the highest number of Robbery cases in the past five years. With a mean of 21.8 and standard deviation of 5.4, the 29 Robbery cases are less than two standard deviations from the average. The clearance rate of 31.03% was the lowest clearance rate of the past five years.

Aggravated Assault Statistics

	2011	2012	2013	2014	2015
Cases	120	94	101	141	180
% Change		-21.67%	7.45%	39.60%	27.66%
Cleared	99	76	80	100	140
%	82.5%	80.9%	79.2%	70.9%	77.78%
Mean	127.20				
St Dev	31.04				

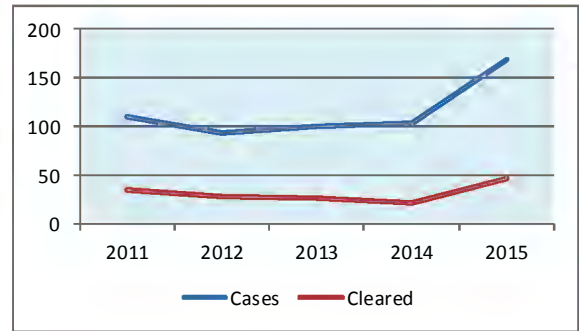


UCR definition of Aggravated Assault – “An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.”

Aggravated Assault Statistics Observations: The number of Aggravated Assault cases increased from 141 in 2014 to 180 in 2015, or a 27.7% increase. This was the third year in a row that saw an increase in Aggravated Assaults, and 2015 was the highest year over the past 5 years. The clearance rate increased to 77.8%, from the 5-year low in 2014.

Burglary Statistics

	2011	2012	2013	2014	2015
Cases	111	94	101	103	169
% Change		-15.32%	7.45%	1.98%	64.08%
Cleared	35	28	27	21	47
%	31.5%	29.8%	26.7%	20.4%	27.81%
Mean		St Dev			
115.60		27.24			

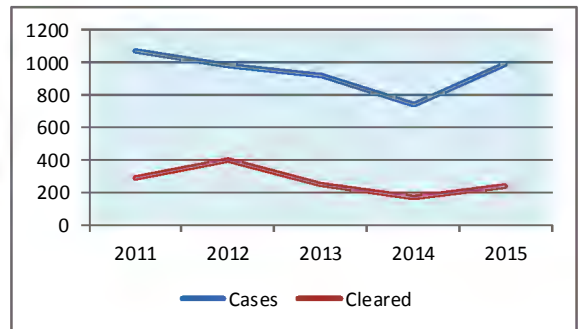


UCR definition of Burglary – “The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.”

Burglary Statistics Observations: Burglary reports increased for the third year in a row. The number of Burglary reports increased from 103 in 2014 to 169 in 2015, or a 64% increase. 2015 saw the highest number of Burglary cases in the past five years. With a mean of 115.6 and standard deviation of 27.2, the 169 cases in 2015 were very close to being two standard deviations from the average. The clearance rate in 2015 did increase to 27.8%, up from 20.4% in 2014.

Theft/Larceny Statistics

	2011	2012	2013	2014	2015
Cases	1075	980	926	742	991
% Change		-8.84%	-5.51%	-19.87%	33.56%
Cleared	290	399	254	169	237
%	27.0%	40.7%	27.4%	22.8%	23.92%
Mean		St Dev			
942.80		111.16			

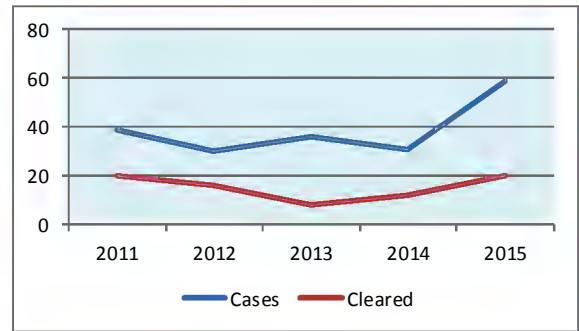


UCR definition of Theft/Larceny – “The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.”

Theft/Larceny Statistics Observations: The number of Theft/Larceny reports increased for the first time in four years. The rate increased from a 5-year low in 2014 of 742 to 991 in 2015, or a 33.6% increase. With a mean of 942.8 and a standard deviation of 111, the number of Theft/Larceny reports of 991 in 2015 is less than half a standard deviation from the mean. The clearance rate rose slightly in 2015 to 23.9%.

Vehicle Theft Statistics

	2011	2012	2013	2014	2015
Cases	39	30	36	31	59
% Change		-23.08%	20.00%	-13.89%	90.32%
Cleared	20	16	8	12	20
%	51.3%	53.3%	22.2%	38.7%	33.90%
Mean		St Dev			
39.00		10.53			

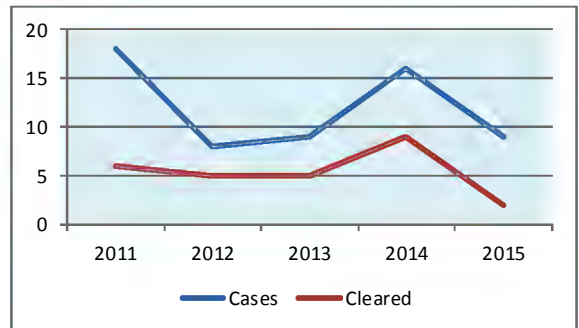


UCR definition of Vehicle Theft – “The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails.”

Vehicle Theft Statistics Observations: The number of Vehicle Theft cases increased from 31 cases in 2014 to 59 cases in 2015, or a 90.3% increase. 2015 had more Vehicle Thefts than any other year in the past five years. With a mean of 39 and a standard deviation of 10.5, the 59 cases were just under two standard deviations from the mean. The clearance rate fell to 33.9%, which was the second lowest clearance rate over the past five years.

Arson Statistics

	2011	2012	2013	2014	2015
Cases	18	8	9	16	9
% Change		-55.56%	12.50%	77.78%	-43.75%
Cleared	6	5	5	9	2
%	33.3%	62.5%	55.6%	56.3%	22.22%
Mean		St Dev			
12.00		4.15			



UCR definition of Arson – “Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.”

Arson Statistics Observations: Of all the Part I Crimes, Arson is the only one that decreased in 2015. The number of Arson cases fell from 16 in 2014 to 9 in 2015, or a 43.8% decrease. Given the low number of cases, it is not unusual to see a large percentage change. The clearance rate fell to the lowest rate over the past five years.

UCR Part I Crimes Clearance Rate Comparisons

The UCR program allows law enforcement agencies to close or clear a reported crime in one of two ways. The first method of clearing a case is through an arrest. In essence, clearance by arrest includes arrests, charging or citing a person with the commission of the offense, or turning a case over to the court for prosecution. It is important to note that clearance data is based on the number of offenses and not number of people arrested. This is due to the fact that arrested suspects can be charged with multiple offenses. <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/offenses-known-to-law-enforcement/clearances/main>

The second method to clear a report is closure through exceptional means. Clearance by exception is normally applied when circumstances are beyond the control of the reporting agency. “Examples of exceptional clearances include, but are not limited to, the death of the offender; the victim’s refusal to cooperate with the prosecution after the offender has been identified; or the denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense.”

<https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/offenses-known-to-law-enforcement/clearances/main>

As of the writing of this report, the most current data available on-line for national clearance rates was for 2014. (<https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/offenses-known-to-law-enforcement/clearances/main>) The chart below illustrates the most current data, which are the 2014 national clearance rates and the 2015 CBJ clearance rates. The chart does not address Arson, because the FBI web page did not list the 2014 clearance rate for Arson.

	National 2014	CBJ 2015
Criminal Homicide	64.5%	50.0%
Rape	38.5%	61.8%
Robbery	29.6%	31.0%
Aggravated Assault	56.3%	77.8%
Burglary	13.6%	27.8%
Theft/Larceny	23.0%	23.9%
Vehicle Theft	12.8%	33.9%

For the 2015 Part I Crimes listed, the JPD clearance rates have exceeded the 2014 national averages in every single category except Criminal Homicide. As of the writing of this Annual Report, there is one open Criminal Homicide case that is actively being investigated.

The five-year clearance rate trend for each offense is listed individually in its specific section.

CBJ Trends for UCR Part II Crimes

		2011	2012	2013	2014	2015	% Change	Mean	St Dev
9	Simple Assault	701	588	475	528	589	11.6%	576.20	75.42
10	Forgery/Counterfeit	14	11	9	24	14	-41.7%	14.40	5.16
11	Fraud	38	55	60	35	81	131.4%	53.80	16.63
12	Embezzlement	15	13	19	5	17	240.0%	13.80	4.83
13	Stolen Property	2	2	6	0	0	0.0%	2.00	2.19
14	Vandalism	479	347	246	177	245	38.4%	298.80	105.18
15	Weapons	22	12	21	17	16	-5.9%	17.60	3.61
16	Prostitution/Vice	0	0	1	0	2	n/a	0.60	0.80
17	Sex Offenses	55	49	50	55	38	-30.9%	49.40	6.22
18	Drug	131	98	135	109	86	-21.1%	111.80	18.82
19	Gambling	0	0	0	0	0	0.0%	0.00	0.00
20	Family & Children	5	1	5	14	11	-21.4%	7.20	4.66
21	DWI	192	210	166	169	137	-18.9%	174.80	24.80
22	Liquor Laws	127	97	83	82	45	-45.1%	86.80	26.48
23	Drunkenness	0	0	0	1	1	0.0%	0.40	0.49
24	Disorderly Conduct	21	10	16	26	36	38.5%	21.80	8.86
25	Vagrancy	2	1	0	0	0	0.0%	0.60	0.80
26	All Other	708	393	344	360	551	53.1%	471.20	139.36
27	Suspicion	0	0	0	1	0	-100.0%	0.20	0.40
28	Curfew	0	0	0	0	0	0.0%	0.00	0.00
29	Runaways	82	0	0	0	0	0.0%	16.40	32.80
Total		2594	1887	1636	1603	1869			

UCR Part II Crimes are comprised of 21 lower level offenses, which are Simple Assault, Forgery, Fraud, Embezzlement, Stolen Property, Vandalism, Weapons Misconduct, Prostitution, Sex Offenses except Rape, Drug Offenses, Gambling, Offenses Against Family and Children, Driving Under the Influence, Liquor Laws, Drunkenness, Disorderly Conduct, Vagrancy, All Other Offenses Except Traffic, Suspicion, Curfew/Loitering Laws, and Runaways.

(<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/offense-definitions>)

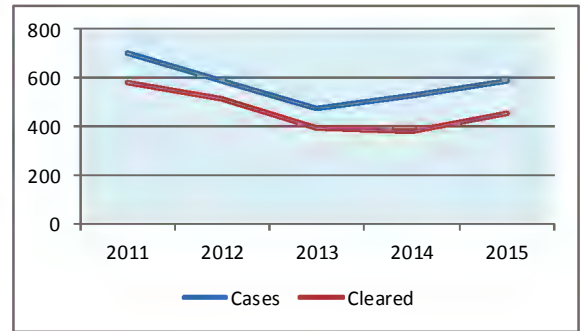
The data collected on Part II Crimes is not as comprehensive as the data collected on Part I Crimes. Part I Crime statistics track reported crime. The FBI only requires that arrests are tracked on Part II Crime, but JPD has elected to track reported Part II Crimes. Also, once a Part I Crime is cleared, the agency reports information concerning the age, sex, and race of each person arrested. Part II Crimes do not include this demographic information.

Part II Crimes are more subject to changes in reporting. For example, in 2010 and 2011 runaways were treated as arrests. Starting in 2012, JPD no longer “arrested” runaways, and the reports were no longer tracked in the same manner in the Records Management System. Therefore, it appears as though the runaway problem has been solved, while in reality the CBJ still has runaways.

For the sake of brevity, this report will only provide an in-depth review of the Part II crimes of Simple Assaults and Vandalism.

Simple Assault Statistics

	2011	2012	2013	2014	2015
Cases	701	588	475	528	589
% Change		-16.12%	-19.22%	11.16%	11.55%
Cleared	580	516	396	384	456
%	82.7%	87.8%	83.4%	72.7%	77.42%
Mean St Dev					
	576.20	75.42			

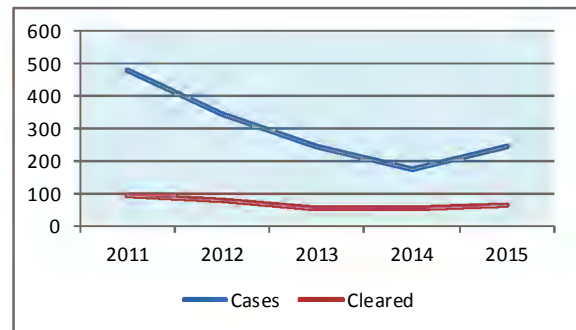


UCR definition of Simple Assault – “Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim.”

Simple Assault Statistics Observations: The number of Simple Assaults increased from 528 in 2014 to 589 in 2015, or a 11.5% increase. With a mean of 576 and standard deviation of 75.4, the 589 cases from 2015 are close to the statistical 5-year average. The clearance rate of 77.4% was the second lowest of the past five years, but it was an increase from the 2014 clearance rate of 72.7%.

Vandalism Statistics

	2011	2012	2013	2014	2015
Cases	479	347	246	177	245
% Change		-27.56%	-29.11%	-28.05%	38.42%
Cleared	94	82	54	54	65
%	19.62%	23.63%	21.95%	30.51%	26.53%
Mean St Dev					
	298.80	105.18			



UCR definition of Vandalism – “To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.”

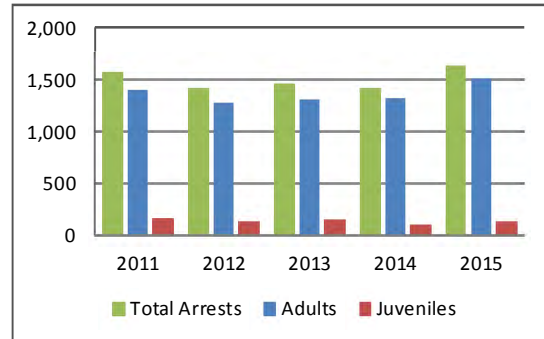
Vandalism Statistics Observations: Vandalism cases increased for the first time in the previous 5-year period. The number of Vandalism cases increased from 177 in 2014 to 245 in 2015, or a 38.4% increase. With a mean of 298.8 and standard deviation of 105.1, the 245 cases, although an increase from 2014, are approximately half a standard deviation below the 5-year average. The clearance rate for Vandalism fell to 26.5%.

Arrest Statistics

Alaska Statute 12.25.160 defines an arrest as, “Arrest is the taking of a person into custody in order that the person may be held to answer for the commission of a crime.”

	2011	2012	2013	2014	2015
Total Arrests	1,571	1,416	1,459	1,414	1,641
Arrests - Adults	1,399	1,281	1,314	1,318	1,512
Arrests - Juveniles	172	135	145	96	129
DV Arrests	223	163	168	267	223

	Change	Mean	St Dev
Arrests '14 - '15	16.05%	1,500	90.61



From 2014 to 2015, overall arrests increased by 16.05%. With a mean of 1,500 arrests and a standard deviation of 90.61, the 1,641 arrests in 2015 were approximately one and a half standard deviations above the 5-year average. 2015 had the highest number of arrests in the 5-year period, while 2014 had the lowest number of arrests. Both adult and juvenile arrests increased in 2015.

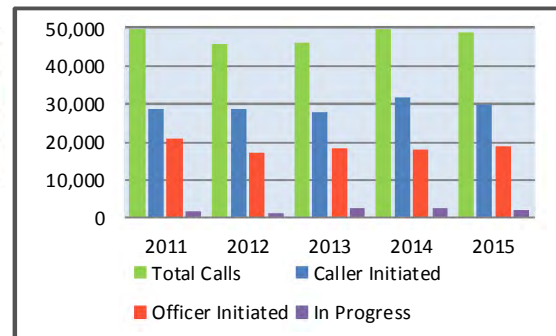
The subcategory of DV arrests in 2015 saw a decrease from 2014. The number of DV arrests decreased from 267 in 2014 to 223 in 2015, or a 16.5% decrease. 2015 tied for the second highest number of DV arrests in the 5-year period, but a decrease was observed because 2014 had the highest number of DV arrests.

Calls for Service Statistics

A Call for Service occurs any time a citizen asks for, or needs, assistance from the Department. Requests can come via the telephone or in person, or can be officer-initiated. Calls for Service are documented in either a Computer Aided Dispatch (CAD) report, or Records Management System (RMS) case.

	2011	2012	2013	2014	2015
Total Calls	49,336	45,568	45,928	49,673	48,741
Caller-Initiated	28,374	28,650	27,770	31,619	29,815
Officer-Initiated	20,962	16,918	18,158	18,054	18,926
In Progress	1,747	1,273	2,562	2,614	2,280

	Change	Mean	St Dev
Calls '14 - '15	-1.88%	47,849	1745



From 2014 to 2015, Calls for Service decreased by 1.88%, with 49,673 calls in 2014 and 48,741 calls in 2015. While Officer-Initiated calls increased, both Caller-Initiated and In Progress calls saw a decrease.

Use of Force Statistics

	2011	2012	2013	2014	2015	% Change	Mean	St Dev
Baton	0	0	0	1	0	-100.00%	0.2	0.40
Hands	21	19	20	14	8	-42.86%	16.4	4.84
Pepper Spray	6	7	3	3	2	-33.33%	4.2	1.94
Taser	19	13	12	21	16	-23.81%	16.2	3.43
Shots fired	0	0	0	0	0	0.00%	0	0.00
Force Totals	46	39	35	39	26	-33.33%	37	6.54
Arrests	1,571	1,416	1,459	1,414	1,641	16.05%	1500.2	90.61
% Force	2.93%	2.75%	2.40%	2.76%	1.58%			
% Baton	0.00%	0.00%	0.00%	0.07%	0.00%			
% Hands	1.34%	1.34%	1.37%	0.99%	0.49%			
% Pepper Spray	0.38%	0.49%	0.21%	0.21%	0.12%			
% Taser	1.21%	0.92%	0.82%	1.49%	0.98%			

There was a 33.3% decrease in the number of Use of Force reports from 2014 to 2015. There were 39 applications of force in 2014 and 26 applications in 2015. Given the low numbers involved, it is not unusual to see a large percentage change. 2015 had the lowest rate of use of force during the past five years.

The rate of use for Baton, Hands, Pepper Spray, and Taser all decreased. The rate of Firearms usage remained at zero.

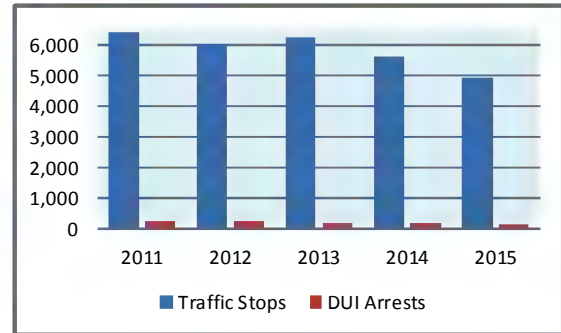
While the number of force applications decreased, the number of people arrested increased. 2015 had the highest number of arrests in the past 5 years. Arrests increased to 1,641 in 2015, compared to 1,414 in 2014, or a 16% increase. The 5-year arrest average was 1,500 with a standard deviation of 90.61. The 1,641 arrests in 2015 are 141 arrests higher than the 5-year average and are 1.56 standard deviations from the mean. Therefore, 2015 saw a significant increase in the number of arrests.

Officers are authorized by state law to use force to overcome a person's resistance to being taken into custody. It is logical to compare use of force rates with the number of people arrested. The increase in the number of people arrested, and the decrease in the number of times force was used resulted in a significant decrease in the overall Use of Force rate in 2015. The Use of Force rate for 2015 was 1.58%. In 2014, the Use of Force rate was 2.76%. Over the last 5 years, 2015 was the only year that had a Use of Force rate below 2%.

Traffic Stops and DUI Statistics

	2011	2012	2013	2014	2015
Traffic Stops	6,374	6,017	6,241	5,576	4,899
Change		Mean	St Dev		
	-12.14%	5,821	534.93		

	2011	2012	2013	2014	2015
DUI Arrests	218	219	179	174	134
Change		Mean	St Dev		
	-22.99%	185	31.63		



The number of traffic stops in 2015 decreased by 12.14%, with 5,576 stops in 2014 and 4,899 stops in 2015. 2015 marked the lowest number of traffic stops during the past five years. With a mean of 5,821 and a standard deviation of 534.9, the 4,899 stops in 2015 were almost two standard deviations away from the 5-year average. 2015 averaged approximately 13.4 traffic stops per day, compared to 2014 which averaged approximately 15.3 traffic stops per day.

The number of Driving Under the Influence arrests decreased from 174 in 2014 to 134 in 2015, for a decrease of approximately 23%. With a mean of 185 and a standard deviation of 31.6, the 134 DUI arrests in 2015 were almost two standard deviations from the 5-year average. 2015 had the lowest number of DUI arrests during the previous five years.

Citations Statistics

	2011	2012	2013	2014	2015	Change	Mean	St Dev
ABVEH	20	16	13	13	14	7.69%	15	3
CMV/CPV	23	10	15	13	5	-61.54%	13	6
EQUIPMENT	140	247	217	208	179	-13.94%	198	36
INSURANCE	380	586	603	682	574	-15.84%	565	100
LICENSING	377	350	368	374	303	-18.98%	354	27
MOVING	1,122	1,039	911	627	491	-21.69%	838	241
MVC	46	56	14	6	1	-83.33%	25	22
PARKING	4,896	4,147	1,334	5,115	4,373	-14.51%	3,973	1,365
REGISTRATION	387	557	344	345	260	-24.64%	379	98
RESTRAINT	60	45	27	40	16	-60.00%	38	15

Controlled Substances Trends

	2013 Seizures		2014 Seizures		2015 Seizures	
	Quantity	Value	Quantity	Value	Quantity	Value
Marijuana-Related						
Hashish	25 g	\$2,500	33 g	\$2,500	1.4 g	\$175
Marijuana	18,204 g	\$773,585	15,285 g	\$458,542	5502.05 g	\$137,551
Marijuana Grows	119 plants	\$238,000	3 plants	\$6,000	148 plants	\$296,000
Spice	32 g	\$17,250	0	\$0	0	\$0
	Subtotal	\$1,031,335	Subtotal	\$467,042	Subtotal	\$433,726
Opium/Pill-Related						
Clonazepam/Loraxepam	241.5 pills	\$2,415	40 pills	\$366	6 pills	\$120
Fentanyl	250 mic g	\$500	400 mic g	\$1,600	400 mic g	\$200
Heroin	592 g	\$592,000	4,650 g	\$4,650,000	337.76	\$270,184
Hydrocodone/Methadon	233.5 pills	\$14,300	323 pills	\$12,920	198.5	\$7,980
Oxycontin/-codone	969.5 pills	\$156,640	11 pills	\$1,320	107 pills	\$7,760
	Subtotal	\$765,855	Subtotal	\$4,666,206	Subtotal	\$286,244
Stimulant-Related						
Cocaine	130.8 g	\$22,670	24.7 g	\$2,470	197.79	\$25,024
Methamphetamine	760.15 g	\$124,017	3,631	\$635,446	1572.89 g	\$416,816
	Subtotal	\$146,687	Subtotal	\$637,916	Subtotal	\$441,840
Hallucinogen-Related						
Ecstasy (MDMA)	106 tabs	\$3,180	35 tabs	\$1,725	0	\$0
LSD	2 tabs	\$50	11 tabs	\$165	1 tabs	\$25
Psilocybin Mushrooms	0	\$0	5 g	\$225	0	\$0
	Subtotal	\$3,230	Subtotal	\$2,115	Subtotal	\$25
	Total Drug Value	\$1,947,107		\$5,773,279		\$1,161,835
	Total Cash Seized	\$50,325		\$109,159		\$47,071

Evaluating controlled substance trends is perhaps one of the most difficult areas for analysis. Drug preferences, availability, and pricing are in constant flux and typically do not remain constant from year to year.

The trend for 2015 showed an overall decrease in seizures of both controlled substances and cash. The values of drug seizures decreased from \$5.77M in 2014 to \$1.16M in 2015. The value of cash seizure decreased from \$109K in 2014 to \$47K in 2015.

2015 Employees of the Year

Civilian of the Year –Records Specialist Brian Youll

Dispatcher of the Year – Dispatcher Christy Smith

Leader of the Year – Sergeant Chris Gifford

Officer of the Year – Officer Steve Warnaca

2015 Service Awards

Outstanding Police Service

Sergeant Chris Gifford

Life Saving

Dispatcher Mackenzie Burnett

Officer Carl Lundquist

Officer Paul Overturf

Citizen's Award for Life Saving

Tom Trego

Purple Heart

Sergeant Chris Burke

Police Medal of Valor

Sergeant Chris Burke

2015 Years of Service Milestones

30 Years of Service

Officer Kim Horn

20 Years of Service

Lt. David Campbell

Lt. Scott Erickson

15 Years of Service

Patricia Rumfelt

Sgt. Chris Gifford

Deputy Chief Ed Mercer

Officer Terry Allen

10 Years of Service

Stacy Eldemar

Dee Ojard

Detective Shawn Phelps

5 Years of Service

Officer Brent Bartlett

Officer Carl Lundquist

Jessica Beck

Promotions

Sergeant Jeremy Weske was promoted from police officer to sergeant.

Erann Kalwara was promoted from communications manager to public safety manager.

Retirements

Kim Horn retired after 30 years of service to the City and Borough of Juneau.

Web References

<http://jpd/Orgchart.pdf>

<http://www.juneau.org/police/documents/2011StrategicPlan.pdf>

<http://www.fbi.gov/about-us/cjis/ucr/ucr>

<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/offense-definitions>

<http://www.fbi.gov/about-us/cjis/ucr/recent-program-updates/reporting-rape-in-2013-revised>

<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/preliminary-semiannual-uniform-crime-report-january-june-2013>

<https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/offenses-known-to-law-enforcement/clearances/main>

ⁱ In the past, if a person reported being raped multiple times by the same suspect, it was counted as one case. In this year's report, each occurrence is counted. For example, in past years if a person reported being raped every day for thirty days, it was counted as one case in the totals. This year that would be counted as thirty cases in the totals.

Juneau Police Department



Strategic Plan 2016-2020

**Integrity, Courage, Service,
Respect**

A Message from the Chief



I am proud to present the Juneau Police Department's five-year strategic plan. The Juneau Police Department serves the City and Borough of Juneau, Alaska, a jurisdiction of 32,000 full time residents. In addition, the population increases by 15,000 people daily during the busy tourist season when 1,000,000 people visit Juneau. The Juneau Police Department provides policing and public safety services within the City and Borough of Juneau geographic boundaries and delivers services through a team of sworn officers and non-sworn employees.

The Juneau Police Department has created strategic plans in the past, each implemented with varying degrees of completion. This strategic plan is intended to guide the major decisions and focus of the Department for the next five years. In preparing this Strategic Plan, we utilized a different process than has been used in the past. In this process, we utilized a normative model of decision making, specifically a consultative process where I shared the problem with members of JPD, collectively getting their ideas and suggestions. I then tried to provide a clear guide and direction for JPD to strategically follow over the next five years.

Our goal is to build upon the accomplishments of those who came before us and embrace innovative advances to build the future of the Juneau Police Department.



*Bryce Johnson,
Chief of Police*



Juneau Police Department

Core Values: Integrity, Courage, Service, Respect

Mission Statement:

In partnership with the people of Juneau, the mission of the Juneau Police Department is to make our city a place where people can live safely and without fear of crime.

Vision Statement:

JPD has a vision of how to accomplish the goals of the Mission Statement. The Juneau Police Department is united in a spirit of teamwork to be an open, courteous, and community-minded organization devoted to quality public service. We are dedicated to live by values reflecting a genuine desire to care for the safety and well-being of the public we serve, as well as, the professionals who provide that service.



Goals:

- . Reduce crime and improve crime prevention
- . Increase traffic safety
- . Enhance recruitment and retention
- . Promote positive internal relationships, accountability, and open communication
- . Obtain technology that is smaller, mobile, and able to multitask
- . Maintain fiscal responsibility



Reduce Crime and Improve Crime Prevention



We will control crime utilizing specific tactics:

Foster community partnerships and relationships. This is the essence of community-oriented policing.

- Geographic policing
- Getting out of the police car (park, walk, ride, talk)
- Neighborhood watches
- Community Action Teams
- Proactive offender-based investigations
- Crime prevention through environmental design
- Community outreach programs
- Increased collaboration with other criminal justice and community health partners

Reduce the availability of illegal narcotics, which is a driver for many other types of crimes.

- Patrol-based drug enforcement
- Coordination within JPD between drug operations and patrol
- Coordination with partner enforcement agencies
- K9 interdictions

Provide high quality training and continuing education to our law enforcement professionals.

- Establishment of training plans for new employees
- Establishment of annual training plans for specialty services

Increase Traffic Safety

We will increase traffic safety utilizing specific tactics:

- Coordinated patrol traffic enforcement
- Increased and coordinated speed board deployments
- Establishment of a traffic detail
- Bicycle safety campaigns
- Pedestrian safety campaigns



Enhance Recruitment and Retention



We recognize that our greatest asset is our people. Retaining our high quality professional staff and attracting superior, qualified new staff who are reflective of the community we serve is the basis for every other goal.



- Maintain a recruitment schedule based on anticipated needs
- Devise new and creative marketing of open positions
- Promote recruiting diversity
- Provide equitable rotation through specialty positions to keep careers progressing and dynamic
- Establish a temporary deployment program
- Establish a police explorer program
- Create exit strategies and succession planning
- Maintain standardized training and evaluation guidelines



Promote Positive Internal Relationships



We want to promote positive internal relationships, accountability, and open communication.

- Provide ongoing leadership training
- Maintain standardized, fair, and accepted performance evaluation systems
- Align staff through natural work groups
- Promote activities committee
- Continue regular and timely recognition of achievements
- Provide opportunities to attain personal and professional goals
- Establish and maintain an accredited Police Department
- Establish and maintain a compelling, motivating, and inspiring culture



Smart Technology



We want to utilize technology that is smaller, mobile, and able to multitask.

- Emphasis on increased efficiency for end users
- Cost-effective technology solutions
- Establishment of a technology review process with emphasis on the end users' needs
- Body-worn camera systems that integrate with current infrastructure
- Mobile report writing with all applications being available in the field
- Replacement of aging Computer Aided Dispatch (CAD) system and Records Management System (RMS)
- Switch from UCR crime reporting to NIBRS

Fiscal Responsibility



We want to be a full-service municipal police department that makes efficient use of the limited resources entrusted to us.

- Development of and increased use of grant writing capabilities
- Sustainable replacement schedule for equipment and training
- Creation of a Police Foundation
- Systematic quality control and efficiency studies
- Single focus budget and expenditure

City and Borough of Juneau
FINANCE DEPARTMENT
3% Sales Tax Renewal October 2016
June 1, 2016

Issue:

The current “temporary 3%” sales tax, authorized by the voters in October 2011 (effective July 1 2012), expires June 30, 2017. If the intent of the assembly is to continue collection of this sales tax, without interruption, an ordinance would need to be adopted placing the tax renewal question before the voters at the October 2016 general election.

Background:

A temporary sales tax of at least 3% for various operating budget, utility expansion and other CIPS (e.g. streets etc.) has been in place since around 1983.

Current Status:

The 3% temporary sales tax is projected to collect \$26.4 million (net of cost of collection) annually. The FY17 budget allocates the funding as follows:

1. General Government Operations (1% or 1/3) \$8.8 million
2. CIPs (roads, drainage sidewalks & other CIPs) \$8.8 million
3. W&S CIPs, budget reserve, youth activities, GF Ops \$8.8 Million

For item #3 above for at least the past 5 years the funds have been used as follows:

- A. General CIPS \$1 million
- B. School & Youth Activities \$0.9 million
- C. Better Capital City \$0.5 million
- D. General Government \$6.4 million

See page 2 for ballot wording on how the sales tax revenues would be spent.

The State government downsizing is projected to have a negative impact on the Juneau economy. In FY18 each 1% of sales tax is projected to collect \$8.5 million (subject to revision).

Next Steps:

Assembly makes a determination if we want to renew the sales tax and if so how do they recommend that it be spent.

Staff recommends that serious consideration be given to making this critical portion of the sales tax revenue permanent or extended for 10 years. It is difficult to do long range financial planning when 25% of your general government and CIP funding is at risk.

Recommendation:

The Assembly direct staff to have an ordinance prepared “Providing for the Levy and Collection of Temporary 3% Areawide Sales Tax to be Effective July 1, 2017, Intended to be Allocated for Certain Purposes as Set Forth (in the ordinance) and Calling for an Election on Whether Such Sales Tax Shall be Levied”.

CBJ - FINANCE DEPARTMENT
3% Sales Tax Renewal October 2016
June 1, 2016

Excerpt From Ordinance 2011-17 Renewing the 3% Temporary Sales Tax and Determining How the Proceeds will Be Spent.

Current Temporary Sales Tax (repealed June 30, 2012)		New Proposed Temporary Sales Tax (July 1, 2012 to June 30, 2017)	
1%	police, fire, street maintenance, snow removal, EMT/ambulance service, parks and recreation, libraries, and other general purposes;	1%	police, fire, street maintenance, snow removal, EMT/ambulance service, parks and recreation, libraries, and other general purposes;
1%	roads, drainage, retaining walls, sidewalks, stairs, and other capital improvements; and	1%	roads, drainage, retaining walls, sidewalks, stairs, and other capital improvements; and
1%	allocated annually by the assembly among capital improvements to include water and sewer system extensions, an emergency budget reserve, youth activities, and other general public services.	1%	allocated annually by the assembly among capital improvements to include water and sewer system extensions, an emergency budget reserve, youth activities, and other general public services.
3%	Temporary sales tax until June 30, 2012	3%	Proposed temporary sales tax starting July 1, 2012, and ending June 30, 2017

City and Borough of Juneau
FINANCE DEPARTMENT
Potential 8% Sales Tax on Marijuana Retail Sales
June 1, 2016

Issue:

Should the Assembly authorize an ordinance to place the question before the voters of increasing the sales tax on retail marijuana sales from the current 5% to 8% (equal to the tax on sales of liquor)?

Background:

The Assembly Marijuana Committee analyzed the local taxation options for marijuana. The primary discussion focused on sales versus excise tax. Initially there was some interest in both the sales and excise tax options. Interest in the excise tax was partially based on the opportunity to have the state collect the tax on our behalf. We subsequently learned that current state law does not provide for this option. See pages 4 through 7 of this Issue Paper for excerpts of the November 12, 2015 Marijuana Committee Meeting minutes, where the committee voted to support a 3% increase in the retail sales tax.

The revenue to be raised from marijuana retail sales based on the current 5% rate is conservatively estimated to range from \$105,000 - \$285,000. The additional revenue from a 3% increase ranges from \$65,000 - \$170,000. Thus total estimated revenue from an 8% sales tax ranges from \$170,000 - \$455,000. See pages 2 & 3 of this issue paper for overview of analysis to estimate the marijuana sales tax revenue.

Next Steps:

Assembly makes a determination if they want to ask the voters to increase the sales tax on marijuana retail sales.

If yes - Assembly direct staff to have an ordinance prepared to increase the retail sales tax rate on marijuana from 5% to 8%, effective January 1, 2017, and placing this question before the voters this October.

**City and Borough of Juneau Assembly
Finance Committee Meeting
Wednesday, March 2, 2016
Marijuana Taxation Information**

The Assembly Special Committee on Marijuana reviewed the local taxation of marijuana. They reviewed both sales and excise tax. The committee officially recommended that marijuana initially be taxed using the existing 5% sales tax and that the Assembly “place on a future regular election ballot an additional 3% sales tax”. The committee chair and Finance staff agreed to do further analysis of excise tax information for the full assembly to review.

Below is a table of excise tax rates and rate structures from three different states presented for comparison purposes. Retail Marijuana sales in CBJ will immediately be subject to the 5% CBJ Sales Tax. The information in this paper is being presented to aid in the discussion of a possible additional tax on marijuana, either as an excise tax or an additional sales tax.

Overview of retail marijuana excise tax rates

State	Excise Tax rate	Assessed On	Imposed On:
Alaska*	\$50 / ounce (<i>≈10% tax on \$125 qrtr ounce</i>)	“Any part of the flower and bud, including the sugar leaf”	Cultivation Facility
Alaska*	\$15 / ounce	“Remainder of the plant”	Cultivation Facility
Washington	37%	All taxable sales of Marijuana and marijuana products	Retail Consumer
Colorado**	15%	Average market rate of retail marijuana***	Cultivation Facility

*According to proposed Department of Revenue regulations dated 1/15/2016.

**Colorado also imposes a special marijuana sales tax of 10% on the retail customer in addition to the standard 2.9% state sales tax.

***In the state of Colorado, Average Market Rate (AMR) is defined as the average price of all unprocessed retail marijuana that is sold or transferred from cultivation facilities. The AMR is updated twice a year. Currently the AMR is as follows:

- Retail Flower Rate - \$1,948 per pound (\$122 per ounce)
- Retail Trim - \$464 per pound (\$29 per ounce)
- Retail Immature Plant - \$9 per plant

Sales Tax Analysis

Previous Staff presentations providing revenue estimates were based solely on Washington State sales data. Colorado data is now being presented with Washington data as a comparison.

Marijuana Taxation Information

March 2, 2016

The following sales tax revenue estimates start with presenting average monthly retail sales data for both Washington and Colorado. Notice that medical and retail sales are combined for purposes of these estimates.

Once the monthly average of retail sales was reached, the sales per 33,000 in population were factored to reflect a community the size of Juneau.

Note: Previous revenue estimates based on population were overstated due to a math error. The revised revenue estimates have decreased significantly.

Analysis of Washington & Colorado Retail Sales

State	2015 Average Monthly Medical Sales	2015 Average Monthly Retail Sales	2015 Average Total Monthly Retail Sales
Washington	\$8,246,606	\$29,772,491	\$38,019,097
Colorado	\$33,120,540	\$46,176,556	\$79,297,096

Population Based Retail Sales Estimates

State	2015 Population	2015 Average Total Monthly Retail Sales	2015 Average Monthly Retail Sales per 33k population	2015 Annual Retail Sales per 33k population
Washington	7.1 million	\$38,019,097	\$177,000	\$2,124,000
Colorado	5.5 million	\$79,297,096	\$475,000	\$5,700,000

Estimated Sales Tax Revenue

State	2015 Annual Retail Sales per 33k population	Est. Annual Revenue @ 5% Sales Tax	Est. Annual Revenue @ 8% Sales Tax
Washington	\$2,124,000	\$106,200	\$169,920
Colorado	\$5,700,000	\$285,000	\$456,000

**DRAFT MINUTES
CITY AND BOROUGH OF JUNEAU
MARIJUANA COMMITTEE**

**Thursday, November 12, 2015, 6:00 p.m.
City Hall Assembly Chambers**

I. ROLL CALL

Committee Members Present: Jesse Kiehl, Chair; Mary Becker, Debbie White, Bill Peters, Dennis Watson, Mike Satre, Maria Gladziszewski

Committee Members Absent:

Staff Present: Amy Mead, Municipal Attorney; Deb Senn, Clerk/Law Office Manager; Bob Bartholomew, Finance Director; Clinton Singletary, Sales Tax Administrator; Chrissy McNally, Planner II, CDD; Bryce Johnson, Chief of Police

II. APPROVAL OF AGENDA

The agenda was approved as submitted.

III. APPROVAL OF MINUTES

Motion by Ms. Gladziszewski to strike the sentence on pg. 3 stating that she thought the market would bear an 8% sales tax.

Hearing no objection, the October 22, 2015 Draft Minutes were approved with noted change.

IV. PUBLIC PARTICIPATION

Benjamin Wilcox spoke to tax and zoning issues moving forward by the Committee. He thanked the Committee for the comments at the last meeting about them trying to be legitimate businesses and not criminals. Mr. Wilcox said with respect to the topics on the agenda for this meeting, there were a couple of items on the wish list that he saw as possibly problematic. In the desired places to restrict – adult care facilities. He said this is an adult product with the fastest growing population being the older people who are on a lot of meds. They may want to make some alternative choices and should be allowed to do so. As for regulating novelty devices and flavors, it seems a little overreaching. He said those items were initially created in response to people wanting to use the product without having to smoke it. He said cars were once a novel product and we would still all be riding horses today if they were not permitted.

V. AGENDA TOPICS

A. Marijuana Taxation Discussion Points and Marijuana Revenue Update, presented by Clinton Singletary, Sales Tax Administrator, CBJ Finance

Mr. Singletary explained the process for excise taxes and how it relates to those imposed by the State of Alaska (SOA) and how CBJ may be able to implement an excise tax. He also

stated that CBJ could implement an excise tax without voter approval. He said they contacted the SOA Tax Division and the current set rate for the state's excise tax is \$50 per ounce. They are currently looking into the possibility of taxing different parts of the marijuana plant at different rates depending on the prime portions of the plant. The State Attorney's office is working on the legality issues related to that.

Mr. Singletary said that the Tax Division at the SOA suggested that if CBJ does go down the route of imposing an excise tax that CBJ may wish to structure its excise tax similarly and have different rates for different pieces of the marijuana plant. They also said that if CBJ adopted a tax structure similar to the SOA, there is an option that the SOA may be willing to administer the CBJ program for a fee. He noted that the states of Washington and Colorado both have percentage based excise taxes.

With respect to sales tax, as soon as retail sales of marijuana begin, they automatically begin collecting the 5% sales tax. He said there is nothing special that needs to happen there. The retail business would register with the Sales Tax office just like any other business and as soon as they start making sales, 5% will be going to the CBJ sales tax. He said that any additional sales tax rate on top of that would have to be voter approved. Any additional rate would be collected by business from customers, not when buying from wholesaler.

He said when comparing an excise tax vs. a sales tax, a sales tax would be administratively simpler for CBJ staff and merchants. The collection mechanism is already in place for the 5% sales tax. He said if there was an excise tax, they would have to bring in the wholesalers as well who are not currently required to submit sales taxes.

He said with respect to medical marijuana, due to the way current state law and CBJ code is written, no marijuana sales would be exempt under CBJ 69.05.040(7)(b).

Mr. Singletary reviewed the staff recommendations contained in the packet. They are recommending a sales tax and not pursuing an excise tax at this time.

Discussion took place regarding the threshold of the number of merchants in any given category before the Sales Tax Office would be able to make information public in the aggregate of what those sales numbers may be. Mr. Singletary explained that it would depend on the total number of merchants in any given category before he would make the aggregate numbers public and due to the confidentiality clauses in the code, he would not make that information public if there were fewer than five merchants in any given class.

Additional discussion took place regarding medical marijuana, tax exemptions, and the various pros and cons of the collection and filing process of excise taxes vs. sales taxes.

Mr. Kiehl asked for a recommendation from the committee that they can forward to the Assembly. Ms. White suggested they treat marijuana like alcohol and start out taxing it at the regular 5% rate and then let the Assembly decide if it wants to propose an additional 3% sales tax on a ballot to the voters putting the total sales tax at 8% in the same way alcohol is taxed.

Additional discussion took place and Ms. Mead gave explanations of how the court determines the differences between excise taxes and sales based on the taxing event. If it is a tax based on the sale of an item, it is a sales tax regardless of who has to pay it. It cannot be based on the value of the sale; that can't be the taxable event that triggers the tax. Ms. Gladziszewski asked in light of that, if it can be a percentage of wholesale value which is what it is in Colorado. Ms. Mead said that a wholesale value might pass. She explained that the way the Alaska Courts analyze whether something is a sales tax or excise tax is not by what it is called but rather by what triggers the taxable event and what the tax is based upon. She said what

Ms. Gladziszewski is referring to may pass muster but it would need to be built into the ordinance as to what the tax is for and what they are directing their efforts at.

Ms. Gladziszewski asked what the mechanism is for the cigarette tax that CBJ imposes. Ms. Mead explained that it is taxed per pack at the wholesale level. Ms. Gladziszewski asked if this could be done in a similar way. Ms. Mead said that the articulated purpose for that tax was to address the tobacco use in the municipality and to decrease it. Those reasons together are what the Supreme Court would look at if there were a challenge to the tax.

Mr. Watson said he thought the tobacco industry is somewhat different. He expressed his concern that there may be an uneven playing field if they go with the excise tax over the sales tax option if it comes down to one or two wholesalers in a cottage industry charging different prices to different retail establishments.

Ms. White had some questions about how the tobacco excise tax might compare to this issue and Ms. Mead explained the multiple facets of the tobacco ordinance, the language used to indicate that it was being enacted for the purpose of deterring smoking due to health reasons. Due to all the facets and the purpose of the tobacco ordinance, she explained that it would not fit for the marijuana ordinance in the same way.

Mr. Watson said he concurred with the 5% recommendation but felt it should refrain from recommending the additional 3% be put on the ballot. Ms. Gladziszewski said she was in favor of the excise tax options since it could be structured in the same manner as the SOA as opposed to any additional sales tax amount over the current 5% rate. Mr. Peters said he agreed with Ms. White's recommendation of starting it at the 5% rate and then go to the voters for approval of an additional 3%.

Mr. Satre said there is no question that we will be charging the 5% sales tax just as any other purchases. He was interested in keeping the filing and payment of the taxes as simple as possible. He was concerned about the potential of any additional amount being too high and having to go back to the voters to lower it from the 8% total if that had been approved by the voters. Ms. Mead explained that the Assembly has the authority to impose a lower amount in sales tax than that approved by voters, they just cannot go higher than the limit set by the voters. An example she gave of this was if a 3% tax rate was approved by the voters and the Assembly chose to implement only a 1% rate, it would have the authority to do so. She also said the Assembly can choose to repeal any sales tax that had previously been approved by the voters and it did not require going back to the voters for that repeal to take place.

Ms. Becker said she favored a recommendation to the Assembly for the Assembly to decide whether to put a question on the October 2016 ballot for an additional 3% sales tax amount to treat it similarly to the alcohol tax. She said she didn't think it needed to be done via a special election but to put it on the October 2016 regular ballot. Ms. White concurred with the regular election and suggested that if they were to have that question on the ballot that it might increase voter turnout.

Ms. Gladziszewski said they all agree with the 5% regular sales tax issue. She was in favor of having the Assembly look into the issue of a possible higher sales tax rate to be placed on the regular election ballot. She said she would still like to have more information about the excise tax: how the state will administer it, how Colorado administers their percentage of wholesale.

Ms. Mead explained that CBJ is only one of three municipalities within the state which has the ability to tax alcohol at a higher rate than the general retail sales. She said right now that is the case and it is likely to stay the case for a while but she wanted to make sure that they are not mislead into thinking that is definitely always an option.

MOTION by Ms. White to recommend the Assembly place on a future regular election ballot an additional 3% sales tax.

Ms. Gladziszewski objected to the motion. She said she doesn't know if it should be an additional 2%, 3%, 4%, 5%, or what and she would like to get more information about the excise tax so she is not willing to support that as the recommendation of the committee at this time.

Roll Call Vote:

Ayes: Becker, Kiehl, Peters, White, Watson

Nays: Gladziszewski, Satre

Motion carried 5:2

B. Draft CBJ Marijuana Land Use Ordinance [audio begins at 6:46p.m.]

1. State of Alaska Marijuana Control Board Proposed Regulations

2. Marijuana Best Practices Public Health Policy Wish List, prepared by NCADD

Ms. Mead explained the additions to the draft ordinance which incorporated the changes based on the recommendations from CDD. She said that this committee's recommendations were also incorporated into this draft. She said that those issues that the committee discussed putting into a special use chapter that ended up in the SOA regulations, she did not include substantive text in the CBJ ordinance but rather referred to the regulation citations. She said she hopes the committee will make decisions as to whether they are comfortable with the SOA regulations, or if they would like to see changes made to include more, different, or repetitive language from the regulations into the ordinance. She noted that the one place she was repetitive was the section on inspections. She said the reason for that is it was one of the issues CBJ recommended to the Marijuana Control Board (MCB): that they allow municipal officials to inspect premises. She said in case they did not incorporate that language in their regulations, it would be worth including in the draft ordinance.

Ms. Gladziszewski inquired about the hours of operation and if it could be modified for fewer hours if the conditional use permit (CUP) had a different set of hours imposed. Ms. Mead agreed that a CUP could impose fewer hours but that she would modify the language in the ordinance to make that clear.

Ms. Gladziszewski asked about the language on page 6 section 4 referring to time, place, and manner but that she thought that "taxes" weren't eligible in that section. Ms. Mead noted that Ms. Gladziszewski was correct and she will make that correction to the ordinance.

Ms. Gladziszewski then asked about item (8) on page 4, line 4 that states "A copy of the Notice of Decision approving the conditional use permit by the City and Borough of Juneau Planning Commission." She noted that with this language, an establishment is not even able to apply for a license until it has gone all the way through the CUP application process. Ms. Mead stated that was correct. They will need to go through the Planning Commission process first in order to get their state license because they have to show proof of the ability to operate at that location per the state regulations. She said the timing is OK now that CBJ has finished its Table of Permissible Use ordinance and can start accepting applications once the moratorium ends unless it is lifted.

Mr. Watson asked about the size of the signage that will be posted in accordance with 49.65.1150. Ms. Mead noted that could be decided administratively. The language in this section is specific to the borough's license.



City and Borough of Juneau

Manager's Office

155 South Seward Street

Juneau, Alaska 99801

Telephone: 586-0800 Facsimile: 463-2606

DATE: June 2, 2016

TO: Assembly Committee of the Whole

FROM: Rorie Watt, P.E., City Manager

RE: State Marijuana Control Board Proposed Regulations for Onsite Consumption

Attached are the State's Marijuana Control Board's proposed regulations for the onsite consumption of marijuana and marijuana products in licensed marijuana retail stores.

Comments must be submitted by June 21st, 2016. We have no staff comments.

If the Assembly desires to comment, staff will need direction on June 6th so that we will be able to prepare a draft for consideration at the regularly scheduled Assembly meeting on June 13th.

NOTICE OF PROPOSED REGULATIONS
REGARDING MARIJUANA AND ONSITE CONSUMPTION
MARIJUANA CONTROL BOARD

The Marijuana Control Board proposes to adopt regulations to amend 3 AAC 306.300 et seq. These proposed regulations relate to onsite consumption of marijuana and marijuana products in licensed marijuana retail stores.

The Marijuana Control Board proposes to adopt regulations in Title 3 of the Alaska Administrative Code, dealing with onsite consumption of marijuana and marijuana products in licensed marijuana retail stores, including the following:

- (1) 3 AAC 306.365 – Onsite consumption endorsement regulations are proposed as follows:

The regulations consist of a series of provisions establishing the procedure for applying for an onsite consumption endorsement, fees, rules regarding a Local Government's right to protest, rules regarding separation of the onsite consumption area from the remainder of the retail marijuana store, rules regarding ventilation, rules regarding intoxicated or drunken persons in the consumption area, rules regarding the transaction limits of marijuana or marijuana products sold, rules regarding pricing and marketing, rules regarding requirements of onsite consumption endorsement holders, rules regarding restrictions of onsite consumption endorsement holders, rules regarding labeling, and definitions.

You may comment on the proposed regulations, including the potential costs to private persons of complying with the proposed regulations, by submitting written comments to John Calder, AMCO (Alcohol and Marijuana Control Office) at 550 W. 7th Ave, Suite 1600, Anchorage, AK 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at john.calder@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. Please indicate the article and section number to which each comment refers, if applicable. **Please indicate in the subject line that you are commenting on the onsite consumption endorsement.** The comments must be received no later than 4:30 p.m. on June 21, 2016.

You may submit written questions relevant to the proposed regulations to John Calder by email and physical address. Please do not submit questions through the Alaska Online Public Notice System. The questions must be received at least 10 days before the end of the public comment period, by June 11, 2016 at 4:30 p.m. The Marijuana Control Board will aggregate its response to substantially similar questions and make the questions and response available on the Marijuana Control Board website. The Marijuana Control Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact John Calder at (907) 269-0350 no later than June 11, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulations is available through the electronic link to the complete text on the Alaska Online Public Notice System, on the Alcohol & Marijuana Control Office website at <https://www.commerce.alaska.gov/web/amco/> and by contacting John Calder at 550 W. 7th Ste 1600, Anchorage, AK 99501.

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulations or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.**

Statutory Authority: AS 17.38.090

Statutes Being Implemented, Interpreted, or Made Specific: AS 17.38.090

Fiscal Information: The proposed regulations are not expected to require an increased appropriation.

DATE: May 12, 2016

Cynthia A. Franklin, Director
Marijuana Control Board

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3 AAC 306.365. Onsite consumption endorsement for retail marijuana stores. (a)

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.

(b) An application for a new or renewal onsite consumption endorsement must include

(1) the name of the applicant and DBA and license number of the retail marijuana store requesting the endorsement, along with the applicant's state business license number issued under AS 43.70;

(2) the applicant's operating plan, in a format the board prescribes, describing to the board's satisfaction the marijuana retail store's plans for

(1) security;

(2) ventilation;

(3) isolation of the marijuana consumption area from other areas of the retail marijuana store;

(4) disposal of unconsumed marijuana; and

(5) preventing introduction into the consumption area of marijuana or marijuana products not sold by the retail marijuana store.

(3) a detailed premises diagram showing the location of

(1) serving area or areas;

(2) ventilation exhaust points if applicable;

(3) doors, windows or other exits;

(4) access control points; and

(5) adequate separation from non-consumption area(s) of the marijuana retail store.

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(c) The non-refundable fee for a new or renewal onsite consumption endorsement is \$1000.

(d) A retail marijuana store that is issued an onsite consumption endorsement under this section is authorized to sell marijuana and marijuana product to patrons only for consumption on the licensed premises and in an area separated from the remainder of the premises by a secure door and containing a separate ventilation system. The holder of a marijuana retail store onsite consumption endorsement may sell for consumption on the premises

(1) marijuana bud or flower in quantities not to exceed one gram to any one person in a single transaction;

(2) edible marijuana products in quantities not to exceed 10mg of THC to any one person in a single transaction;

(3) marijuana concentrates intended for inhalation in quantities not to exceed .25 grams to any one person in a single transaction;

(4) food or beverages not containing marijuana;

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

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

(2) maintain a ventilation system that directs air from the onsite consumption area to the outside of the building through a filtration system adequate to reduce odor;

(3) restrict access to the onsite consumption area to persons not less than 21 years of age;

(4) monitor patrons for overconsumption;

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

(6) assure that consumers purchasing marijuana or marijuana product sold for consumption in the marijuana consumption area have access to the label for that marijuana or marijuana product as required in 3 AAC 306.345.

(f) The holder of a marijuana retail store onsite consumption endorsement may not

(1) allow any employee or agent to consume marijuana or marijuana product during the course of a work shift;

(2) allow intoxicated or drunken persons to enter or to remain on premises;

(3) sell, give or barter marijuana or marijuana product to an intoxicated or drunken person;

(4) allow a person to consume marijuana or marijuana product not purchased for consumption in the consumption endorsement area licensed retail facility;

(5) allow a person to introduce marijuana or marijuana products onto the premises of a retail marijuana store which was obtained off of the licensed premises

(5) offer or deliver, as a marketing device to the general public, free marijuana or marijuana product to a patron;

(6) deliver marijuana or marijuana product to a person already possessing marijuana or marijuana product that was purchased for consumption on the premises;

(7) 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;

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

(9) 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;

(10) 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

(11) advertise or promote in any way, either on or off the premises, a practice prohibited under 3 AAC 306.365(h)(5) – 3 AAC 306.365(h)(10) of this section.

(g) A person may not remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section.

(h) Local governments retain a right to protest the issuance or renewal of individual retail marijuana store onsite consumption endorsements that is separate from the right to protest the issuance of retail marijuana store licenses. Not later than 60 days after the director sends notice of an application for a new or renewal onsite consumption endorsement, a local government may protest the application by sending the director and the applicant a written protest and the reasons for the protest. The director may not accept a protest received after the 60-day period. If a local government protests an application for a new or renewal onsite consumption endorsement, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(i) A local government may recommend that the board approve an application with a condition or conditions for a new or renewal onsite consumption endorsement. The board will impose a condition or conditions recommended by a local government unless the board finds any of the recommended conditions to be arbitrary, capricious, and unreasonable. If the board imposes a

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condition recommended by a local government, the local government will assume responsibility for monitoring compliance with the condition unless the board provides otherwise.

(j) The holder of an onsite consumption endorsement must apply for renewal annually at the time of renewal of the underlying retail marijuana store license.

3 AAC 306.990 (b)

(27) “marijuana consumption area” means an area within a retail marijuana store premises, where marijuana and marijuana products may be consumed.

(37) “retail marijuana store premises” means an area encompassing both the retail marijuana store and the marijuana consumption area.